

STAFF REPORT
June 22, 2006

No. 06RZ016 - Rezoning from Low Density Residential District to General Commercial District **ITEM 21**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06RZ016 - Rezoning from Low Density Residential District to General Commercial District
EXISTING LEGAL DESCRIPTION	A parcel of land located in Section 24, T2N, R7E, more particularly described as follows: Commencing at the center of Section 24, travel a distance of 506.81 feet at a bearing of N89°48'44"W; Thence S00°10'09"W a distance of 399.73 feet to a point of beginning; Thence S89°49'51"E a distance of 173.34 feet; Thence S81°56'08"W a distance of 120.55 feet; Thence south a distance of 912.15 feet; Thence N89°46'02"W a distance of 56.73 feet; Thence N00°10'09"E a distance of 929.35 feet to the true point of beginning
PARCEL ACREAGE	Approximately 1.2 acres
LOCATION	West of Haines Avenue and south of Kathryn Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Residential Development)
East:	General Commercial District (Planned Residential Development)
West:	Low Density Residential District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	6/2/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Rezoning from Low Density Residential District to General Commercial District be approved in conjunction with the Amendment to the Comprehensive Plan and the Planned Development Designation.

GENERAL COMMENTS: This undeveloped property contains approximately 1.2 acres and is located west of Haines Avenue and south of Kathryn Avenue. Land located north of the subject property is zoned General Commercial District. Land located south and east of the

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property is zoned General Commercial District with a Planned Development Designation. Land located west of the subject property is zoned Low Density Residential District. In addition to this Rezoning application, the applicant has submitted a Comprehensive Plan Amendment to change the land use for the subject property from Residential land use to General Commercial land use (06CA016) and a Planned Development Designation (06PD037).

STAFF REVIEW: Staff has reviewed this proposed rezoning for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040(D)(1). A summary of Staff findings are outlined below:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and districts affected or in the City in general.*

This undeveloped property is zoned Low Density Residential District. The property owners have indicated they wish to develop the property for commercial uses. The property is located west of Haines Avenue, a major arterial street on the City's Major Street Plan. Water and sewer will be extended to the property as development occurs. The surrounding area has had a substantial increase in residential development. Commercial development is now occurring along Haines Avenue.

2. *The proposed zoning is consistent with the intent and purposes of this ordinance.*

The General Commercial Zoning District is for personal and business services and the general retail business of the City. The subject property is located adjacent to General Commercial Districts on the north, south and east. The Long Range Comprehensive Land Use Plan indicates that this property is appropriate for residential land uses. The applicant has submitted a Comprehensive Plan Amendment to change that designation to General Commercial land use with a Planned Commercial Development in conjunction with this rezoning application. Upon approval of the Comprehensive Plan Amendment, the land use will then be consistent with adjacent property to the north, south and east.

3. *The proposed amendment will not adversely affect any other part of the City, nor shall any direct or indirect adverse effects result from such an amendment.*

The subject property is surrounded by General Commercial Zoning Districts on the north, south and east. Haines Avenue is located east of the subject property. The property located west of the subject property is currently zoned Low Density Residential District. However, the applicant has submitted a rezone application to change the zoning from Low Density Residential District to Medium Density Residential District and has submitted a Planned Development Designation for the adjacent property. Staff has not identified any significant adverse effects on any of the surrounding land uses or any other part of the City. The Initial and Final Planned Commercial Development will help mitigate any potential negative impacts the commercial uses may have on existing and future land uses within the area.

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4. *The proposed amendments shall be consistent with and not conflict with the Development Plan of Rapid City including any of its elements, Major Street Plan, Land Use Plan, and Community Facilities Plan.*

The Long Range Comprehensive Land Use Plan identifies this area as appropriate for residential land uses. An application for a Comprehensive Plan Amendment to change the land use on the subject property to General Commercial with a Planned Commercial Development has been submitted in conjunction with the Rezoning of the subject property. Upon approval of the Comprehensive Plan Amendment, the rezoning of the subject property will be consistent with the Land Use Plan.

As of this writing, the required rezoning sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 22, 2006 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.