

STAFF REPORT
July 27, 2006

No. 06RZ022 - Rezoning from General Agriculture District to Office Commercial District

ITEM 40

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06RZ022 - Rezoning from General Agriculture District to Office Commercial District
EXISTING LEGAL DESCRIPTION	A Tract of land located in the NE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: Commencing at the east ¼ corner of Section 24, a found rebar and cap lying within Catron Boulevard and 5th Street right-of-way; Thence N00°08'32"E a distance of 792.68 feet, to a point on the northwest line of 5th Street right-of-way, this being the true point of beginning; Thence along the arc of a curve to the left whose radius points bears S70°24'32"W, having a radius of 1021.00 feet, a central angle of 24°32'43" and an arc length of 437.39 feet, to a point on the northwest line of 5th Street right-of-way; Thence N43°47'48"E a distance of 22.08 feet to a point on the northwest line of 5th Street right-of-way; Thence N46°58'06"W a distance of 12.18 feet to a point on the northwest line of 5th Street right-of-way and on the southeast line of Parkview Drive right-of-way; Thence N43°03'44"E a distance of 130.12 feet to a point on the east line of Parkview Drive right-of-way; Thence along the arc of a curve to the left whose radius points bears N46°56'16"W, having a radius of 638.00 feet, a central angle of 05°06'51" and an arc length of 56.95 feet to a point on the east line of Parkview Drive right-of-way; Thence S89°37'46"E a distance of 98.13 feet to a point lying on the east section line of Section 24; Thence S00°08'32"W along the east section line of Section 24, a distance of 530.61 feet to the point of beginning. Said Tract of land containing 1.45 acres, more or less.
PARCEL ACREAGE	Approximately 1.45 acres
LOCATION	East of the intersection of Fifth Street and Parkview Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)

STAFF REPORT
July 27, 2006

No. 06RZ022 - Rezoning from General Agriculture District to Office Commercial District

ITEM 40

South:	General Commercial District (Planned Commercial Development)
East:	Office Commercial District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/30/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Office Commercial District be approved in conjunction with the Planned Development Designation.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of a portion of a 1.63 acre lot, or the southern 1.45 acres, from General Agriculture District to Office Commercial District. In addition, the applicant has submitted a Rezoning request to change the zoning designation of the balance of the lot from Low Density Residential District to Office Commercial District. The applicant has also submitted a Planned Development Designation application for the 1.63 acre lot. (See companion item #06RZ023 and 06PD051.)

The property is located in the southeast corner of the intersection of 5th Street and Parkview Drive and is currently void of any structural development.

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is outlined below:

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

The property is currently zoned General Agriculture District. The General Agriculture District has served as a holding zone until such time as the property is developed. The extension of Parkview Drive and 5th Street as well as the extension of municipal services to the area have changed conditions within the area to support the extension of office commercial development. In addition, Catron Boulevard, a significant east-west arterial connection, is located south of the subject property. It is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future.

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

STAFF REPORT
July 27, 2006

No. 06RZ022 - Rezoning from General Agriculture District to Office Commercial District **ITEM 40**

The purpose of the Office Commercial District as stated in the Zoning Ordinance is to "...provide for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods". The subject property is located along an arterial street and adjacent to a residential area. In addition, the Initial and Final Planned Commercial Development will serve as a tool to address concerns specific to the subject property and to mitigate any potential negative impacts the office commercial use may have on the adjacent properties.

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 amendment.*

Staff has not identified any significant adverse impacts that will result from the requested rezoning. The additional review provided by an Initial and Final Planned Commercial Development process will insure that any possible adverse impacts of development and/or redevelopment are adequately mitigated.

4. *The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The Major Street Plan identifies 5th Street as a minor arterial street. Allowing office commercial use(s) along an arterial street is in compliance with the Major Street Plan. City sewer and water as well as private utilities are currently located along 5th Street and Parkview Drive in compliance with the community facilities plan. The Future Land Use Plan for the South Robbinsdale Neighborhood Area identifies this property as being appropriate for Office Commercial land uses with a Planned Commercial Development. Rezoning the property to Office Commercial District in conjunction with a Planned Development Designation is consistent with the adopted Comprehensive Plan.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the July 27, 2006 Planning Commission meeting if these requirements have not been met.