

STAFF REPORT

September 26, 2002

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**No. 02RZ039 - Rezoning from General Commercial District to Office Commercial District**

**ITEM 35**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 02RZ039 - Rezoning from General Commercial District to Office Commercial District</b>
EXISTING LEGAL DESCRIPTION	Commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'26" West a distance of 93.96 feet along the South line of the Aladdin Heights Subdivision to the Point of Beginning; thence South 89°58'26" West a distance of 85.92 feet along the South line of the Aladdin Heights Subdivision; thence North 07°20'48" East a distance of 64.86 feet; thence South 50°22'03" East a distance of 100.79 feet returning to the Point of Beginning, located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.0634 acres
LOCATION	East of Highway 16 and 1/4 mile north of Catron Boulevard
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Office Commercial District w/Planned Development Designation
East:	Office Commercial District w/Planned Development Designation
West:	General Commercial District w/Planned Development Designation
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	07/17/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Rezoning from General Commercial District to Office Commercial

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District be approved in conjunction with the Planned Development Designation.

#### GENERAL COMMENTS:

On July 12, 2002 the applicant submitted a rezoning request to change the zoning from General Commercial District to Office Commercial District on the above legally described property. On August 19, 2002, the City Council approved the request in conjunction with a Planned Development Designation request and a Comprehensive Plan Amendment request to change the future land use designation from a General Commercial to Office Commercial with a Planned Commercial Development. (See companion items #02PD035 and 02CA042.) However, the legal description of the subject property, as submitted by the applicant, was incorrect. (The section, township and range information was not included in the legal description.) Staff has corrected the legal description and has brought the item back before the Planning Commission for review and approval.

The property is located approximately 350 feet east of U.S. Highway 16 and 1,320 feet north of Catron Boulevard and is currently void of any structural development. The property is a part of a proposed 86 acre development to be known as "Tower Ridge". On June 3, 2002, the City Council approved several Rezoning requests, Planned Development Designation requests and Comprehensive Plan Amendments for the 86 acre development. On July 15, 2002, the City Council approved a Preliminary Plat for Phase One of the development. However, the lot lines as shown on the plat document do not coordinate with the previously approved Rezoning, Planned Development and Comprehensive Plan Amendment boundaries. As such, the applicant has submitted several Comprehensive Plan Amendments, Rezoning requests and Planned Development Designation requests for Phase One in order to align the above referenced boundaries with the proposed lot line(s) as shown on the plat document.

#### 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 extension of municipal services to the area and the completion of Catron Boulevard, a significant east-west arterial connection located approximately 1/4 mile south of the subject property, have changed conditions within the area to support the extension of commercial development. With the completion of Catron Boulevard, 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. In addition, the proposed Planned Development Designation will serve as a tool to address the traffic, lighting, noise and visual impact concerns specific to the subject property.

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

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According to the Zoning Ordinance, the Office Commercial Zoning District is intended "to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open area. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods". As such, the Office Commercial designation will allow low intensity commercial activities with minimal impacts on residential neighborhoods and limited traffic impacts on the adjacent street network. Office Commercial development at this location will provide a buffer between the proposed and existing general commercial development located north and west of the subject property and the proposed and existing residential development located east of the property. The Planned Development Designation will provide an opportunity to mitigate possible impacts on the residential neighborhood(s).

- 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 does not believe that rezoning this property will result in any adverse impacts in conjunction with the associated Planned Development Designation. The additional review provided by a Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. With the extension of City sewer and water to the area, the proposed rezoning request is consistent with commercial development within the area. In addition, rezoning the property to Office Commercial District will reduce the intensity of allowable commercial uses that are otherwise permitted in the General Commercial District.

- 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.*

As previously indicated, the applicant has submitted a Comprehensive Plan Amendment to revise the South Robbinsdale Neighborhood Future Land Use Plan from General Commercial to Office Commercial with a Planned Commercial Development. The primary reason for the recommended Planned Development Designation is to mitigate any negative impact the proposed use may have on the existing and proposed residential developments within the area. The Planned Development Designation will officially identify this property as a future Planned Commercial Development.