

STAFF REPORT

June 21, 2001

No. 01RZ031 - Rezoning from No Use District to Office Commercial District **ITEM 46**

GENERAL INFORMATION:

PETITIONER	Centerline for Olsen Development Company
REQUEST	No. 01RZ031 - Rezoning from No Use District to Office Commercial District
LEGAL DESCRIPTION	Beginning at the northeast corner of Parcel A Revision No. 1 of Settler's Landing Subdivision located in SW1/4-SE1/4, Section 19, T2N, R8E, BHM, thence N00°03'24"E 1128.65 feet, thence S89°48'30"E 1275.26 feet, thence S00°02'29"E 177.37 feet, thence S89°51'E 17.00 feet, thence S00°02'29"E 639.70 feet, thence S89°57'31"W 255.00 feet, thence S00°02'29"E 588.25 feet, thence S85°02'35"W 1043.65 feet, thence N00°03'24"E, 371.35 feet to the Point of Beginning. Said parcel containing 39.3613 acres more or less
PARCEL ACREAGE	Approximately 39.3613 Acres
LOCATION	Northwest of the intersection of Seger Drive and 143rd Street
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	General Commercial District-Light Industrial District (City)
East:	General Agriculture District-Limited Agriculture District (County) Medium Density Residential District (City)
West:	Suburban Residential District-General Agriculture District-General Commercial District (County)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from No Use 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 of the above legally described property from No use District to Office Commercial District with a Planned Development Designation.

On May 7, 2001, the City Council approved a Comprehensive Plan Amendment to amend

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the Northeast Neighborhood Area Future Land Use Plan to change the future land use designation on a 15.51 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density Residential with a Planned Residential Development and to change the future land use designation on a 109.19 acre parcel from Mobile Home Residential to Mobile Home Park with a Planned Residential Development and to Office Commercial with a Planned Commercial Development. The subject property includes that portion of the area recently the subject of a Comprehensive Plan Amendment from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development.

On June 4, 2001, the City Council approved Layout Plat #01PL034 to create an approximate 50 acre lot, including the subject property, leaving a 77 acre non-transferable balance.

The applicant has also submitted the following associated requests: an annexation request to annex 127.0929 acres, a Comprehensive Plan Amendment to the Northeast Neighborhood Area Future Land Use Plan to change the future land use designation on a 24.5565 acre parcel from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development, a request to rezone 24.5565 acres from No Use District to General Commercial District with a Planned Development Designation and a request to rezone 39.3613 acres from No Use District to Office Commercial District with a Planned Development Designation. (See accompanying files 01AN009, 01CA014, 01RZ030, 01PD029 and 01PD030.)

The property is located at the northwest corner of Seger Drive and 143rd Avenue. Currently, two residences and several accessory structures, including two large barns, are located in the southeast corner of the property adjacent to 143rd Avenue. The applicant has indicated that the structures will eventually be removed from the property to allow for the development of a recreational facility, a residential subdivision and a mobile home park on approximately 127 acres, inclusive of the subject property.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of 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.*

Seger Drive is located south of the subject property and 143rd Avenue is located east of the property. Seger Drive and 143rd Avenue are identified as a minor arterial Road and a collector Road, respectively, on the Major Street Plan. The properties located to the south are located in the City limits of Rapid City and are currently zoned General Commercial and Light Industrial, respectively. The Northeast Neighborhood Area Future Land Use Map identifies the appropriate use for the subject property as Office Commercial with a Planned Commercial Development. In addition, the Future Land Use Map identifies the appropriate use for the properties located south and west of the subject property as General Commercial and General Commercial with a Planned Commercial Development,

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respectively. The location of the property adjacent to an arterial street and a collector street in conjunction with the location of the proposed future commercial development within the area support office commercial zoning on the subject property.

- 2. The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

The description of the Office Commercial Zoning District states that it is intended to provide areas for institutional and office uses that are surrounded by landscaped yards and open spaces. The land, space and aesthetic requirements of office commercial uses make them desirable in either a central location or a suburban location close to residential neighborhoods. As previously indicated, the subject property is located near a major east-west arterial and near residential neighborhoods. Staff believes that rezoning this property is consistent with the intent and purposes of the ordinance.

- 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 the subject property will result in any significant adverse affects. Office Commercial zoning at this location will provide a buffer between existing and proposed future residential development within the area and general commercial and light industrial development along Seger Drive. In addition, the Planned Development Designation will serve to insure that any possible impacts are adequately mitigated as a part of the development of the site.

- 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, on May 7, 2001, the City Council approved a Comprehensive Plan Amendment to amend the Northeast Neighborhood Area Future Land Use Plan to change the future land use designation on the subject property from Mobile Home Residential to Office Commercial with a Planned Commercial Development. In addition, the proposed rezoning does not conflict with the Major Street Plan.

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 June 21, 2001 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquiries regarding this proposal.

Staff has reviewed this request with respect to the criteria established for Zoning Map Amendments and recommends approval.