

STAFF REPORT

May 23, 2002

No. 02RZ030 - Rezoning from General Agriculture District to Office Commercial District **ITEM 47**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 02RZ030 - Rezoning from General Agriculture District to Office Commercial District
EXISTING LEGAL DESCRIPTION	Describing a previously unplatted portion of the SE ¼ of the SW ¼ and the NE ¼ of the SW ¼ of Section 23, Township 1 North, Range 7 East, Black Hills Meridian, City of Rapid City, County of Pennington, South Dakota more particularly described as follows: Beginning at a 1" I.D. Pipe that is identical with the Southeast corner of the Aladdin Heights Subdivision as shown on the plat filed in Book 12 of plats Page 158 and the point of beginning; thence North 0° 00' 32" East a distance of 712.38 feet along the East line of the said Aladdin Heights Subdivision; thence South 89° 59'28" East a distance of 175.00 feet to a point; thence South 0 00'32" West a distance of 475.00 feet to a point; thence South 25 58'18" East a distance of 789.13 feet to a point; thence South 14 47'21" West a distance of 545.48 feet to a point identical with an angle point on the existing commercial zoning line; thence North 47° 07'21" West a distance of 473.75 feet along the existing commercial zoning line to an angle point in the existing commercial zoning line; thence North 51° 24'29" West a distance of 408.10 feet along the existing commercial zoning line to a point; thence North 07° 20'48" East a distance of 426.12 feet to a point on the South line of said Aladdin Heights Subdivision; thence South 89° 59'15" East a distance of 230.28 feet to the point of beginning. Containing 14.726 acres or 641,481.852 square feet.
PARCEL ACREAGE	14.726 Acres
LOCATION	East of U.S. Highway 16 and 1/4 mile north of Catron Blvd
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District/General Agriculture District
South:	General Commercial District/General Agriculture District

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East:	General Agriculture District
West:	General Commercial District/General Agriculture District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	4/26/2002
REPORT BY	Vicki L. Fisher

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 from General Agriculture District to Office Commercial District on the above legally described property. In addition, the applicant has submitted a Planned Development Designation request. The applicant has also submitted a Comprehensive Plan Amendment to change the future land use designation from a Planned Residential Development with one dwelling unit per acre to Office Commercial with a Planned Commercial Development on the property. (See companion items #02PD019 and 02CA032.)

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". The applicant has also submitted several additional Comprehensive Plan Amendments, Rezoning requests and Planned Development Designation requests on the balance of the proposed 86 acre 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 was annexed into the City in 1993 and, subsequently, 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 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,

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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.*

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 directly 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.

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 adopted 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. 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.

As of this writing, the receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the May 23, 2002 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquiries regarding this proposal.