

STAFF REPORT  
July 7, 2005

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**No. 05RZ043 - Rezoning from General Agriculture District to Office Commercial District**

**ITEM 30**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 05RZ043 - Rezoning from General Agriculture District to Office Commercial District</b>
EXISTING LEGAL DESCRIPTION	A tract of land located in the S1/2N1/2 NE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: beginning at a point from which the northeast corner of said Section 24, bears N31°57'16"E, a distance of 1105.84 feet; thence N61°16'15"W, a distance of 192.54 feet; thence S27°33'31"W, a distance of 286.44 feet; thence S62°26'29"E, a distance of 192.50 feet; thence N27°33'31"E, a distance of 282.51 feet, to the point of beginning; said tract containing 1.26 acres more or less
PROPOSED LEGAL DESCRIPTION	Lot 3, Block 1, Fifth Street Office Plaza
PARCEL ACREAGE	Approximately 1.26 acres
LOCATION	On the north side of 5th Street approximately 1000 feet north of the intersection of Catron Boulevard and 5th Street
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/8/2005
REVIEWED BY	Todd Tucker / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Office Commercial District be approved with the condition that a Planned Development Designation be approved prior to Planning Commission approval.

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GENERAL COMMENTS: The subject property is located on the east side of Fifth Street between Minnesota Street and Catron Boulevard. The subject property is currently void of any structural development. The applicant is requesting approval of a Rezoning request to change the zoning on the subject property from General Agriculture to Office Commercial. On June 23, 2005, the Planning Commission approved a Preliminary Plat (05PL098) for the subject property.

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.*

The subject property is located adjacent to that portion of Fifth Street that was recently extended south from Minnesota Street to Catron Boulevard. This area along Fifth Street between Minnesota Street and Catron Boulevard is an area with substantially changed and changing conditions which justifies the change in zoning on this property.

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

The Office Commercial Zoning District is intended to provide a place for those types of institutional and commercial activities that require separate building 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 Office Commercial District provides a transitional area and buffer between the more intense General Commercial Districts located on the west side of Fifth Street and the future residential districts located to the east of the subject property.

Rezoning the subject property from General Agriculture District to Office Commercial District appears to be consistent with the intent of this ordinance as it will provide the needed buffers in this transitional area.

*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 located adjacent to an area to be zoned residential in the future on the east. The additional review provided by the Planned Commercial Development will insure that possible adverse impacts of the future development on the site will be adequately mitigated with respect to the residential properties located adjacent to the subject property.

*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.*

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The Comprehensive Plan identifies the subject property as appropriate for Office Commercial with a Planned Commercial Development. As such, rezoning the subject property from General Agriculture District to Office Commercial will be consistent with the South Robbinsdale Neighborhood Area Future Land Use Plan and the Comprehensive Plan. However, a Planned Development Designation application has not been submitted for the subject property as of this writing. As such, a Planned Development Designation must be approved prior to Planning Commission approval of the Rezoning request.

Staff recommends the Rezoning request be approved with the condition that a Planned Development Designation be approved prior to Planning Commission approval of the Rezoning request.