

STAFF REPORT
August 25, 2005

No. 05RZ048 - Rezoning from Low Density Residential District to General Commercial District **ITEM 27**

GENERAL INFORMATION:

PETITIONER	Qusi Al Haj for Tara Alyss LLC
REQUEST	No. 05RZ048 - Rezoning from Low Density Residential District to General Commercial District
EXISTING LEGAL DESCRIPTION	the West five (5) feet of Block 28, Airport Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.016 acres
LOCATION	At the northeast corner of Haines Avenue and Curtis Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/20/2005
REVIEWED BY	Linda Foster / David L. Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District to General Commercial District be approved.

GENERAL COMMENTS: The applicant is requesting to rezone approximately 0.016 acres of property located adjacent to Curtis Street. The property is currently zoned Low Density Residential District. The property to the north, south and east is zoned General Commercial District and the property to the west of the subject property is zoned General Commercial District with a Planned Commercial Development Designation.

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 is outlined below.

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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 currently zoned General Commercial District. On August 9, 2001, Planning Commission approved a rezoning request for property located adjacent and east of the subject property. The property to the west of the subject property was already zoned General Commercial District with a Planned Commercial Development Designation. Rezoning the subject property will allow the property to be contiguous with the surrounding properties.

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

The purpose of the General Commercial Zoning District is to provide "... for personal and business services and the general retail business of the city." Staff believes that the intent of the General Commercial Zoning District can be met by the rezoning request.

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.*

Staff does not foresee any adverse impacts resulting from the rezoning to General Commercial.

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.*

Staff does not believe that any conflicts with these documents will occur as a result of the rezoning request. The North Rapid Neighborhood Area Future Land Use Plan identifies the subject property as appropriate for General Commercial land uses. Haines Avenue is identified as a principal arterial. Federally designated floodplain has been identified on a portion of the property. The development of the property may require a flood plain development permit.