

STAFF REPORT
January 26, 2006

No. 05RZ069 - Rezoning from Low Density Residential District to General Commercial District **ITEM 44**

GENERAL INFORMATION:

PETITIONER	Boschee Engineering
REQUEST	No. 05RZ069 - Rezoning from Low Density Residential District to General Commercial District
EXISTING LEGAL DESCRIPTION	The unplatted balance of the N1/2 NW1/4 SW1/4; and a portion of the S1/2 NW1/4 SW1/4, less Stoney Creek South Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	A parcel of land located in a portion of the NW1/4 SW1/4, lying south of Catron Boulevard, in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: Beginning at the northeast corner of said NW1/4 SW1/4, Thence S26°10'06"W, 609.71 feet to the true point of beginning, said point is lying on the south right-of-way line of Catron Boulevard; Thence departing said south right-of-way line, S25°54'04"W, 195.40 feet; Thence N70°48'41"W, 292.78 feet to a point lying on the easterly right-of-way line of Bendt Drive as shown on the final plat of Stoney Creek South Subdivision; said point is also lying on a curve concave to the southeast and whose chord bears N44°11'25"E, 11.07 feet; Thence northerly along the arc of said curve to the right whose radius is 174.00 feet; and whose delta angle is 03°38'45", an arc distance of 11.07 feet to a point of reversed curvature; Thence continuing northerly along said easterly right-of-way line of Bendt Drive the following two courses; Thence northerly along the arc of said curve to the left whose radius is 226.00 feet, and whose delta angle is 33°41'44", an arc distance of 132.91 feet to a point of tangency; Thence N12°19'03"E, 57.83 feet to a point lying on the southerly right-of-way line of Catron Boulevard; Said point is also lying on a curve concave to the southwest and whose chord bears S70°20'35"E, 295.17 feet; Thence southeasterly along said right-of-way line and along the arc of said curve to the right whose radius is 1356.92 feet, and whose delta angle is 12°29'18", an arc distance of 295.76 feet to the true point of beginning, containing 1.302 acres more or less.

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PARCEL ACREAGE	Approximately 1.302 acres
LOCATION	At the southeast corner of the intersection of Catron Boulevard and Bendt Drive
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	General Agriculture District
East:	General Agriculture District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/30/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District to General Commercial District be approved in conjunction with the Planned Development Designation and the Comprehensive Plan Amendment to the Southwest Connector Neighborhood Future Land Use Plan.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning of the subject property from Low Density Residential District to General Commercial District. In addition, the applicant has submitted a Comprehensive Plan Amendment to the Southwest Connector Neighborhood Future Land Use Plan to change the land use designation from a Planned Residential Development with a maximum density of four to eight dwelling units per acre to General Commercial with a Planned Commercial Development. The applicant has also submitted a Planned Development Designation application for the subject property. In addition, the applicant has submitted a Layout Plat to subdivide the subject property creating a 1.302 acre lot as a part of the Stoney Creek South Subdivision. (See associated items 05PL253, 05CA055 and 05PD092.)

The property is located in the southeast corner of the intersection of Bendt Drive and Catron Boulevard. Currently, the property is void of any structural 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:

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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 corner of Sheridan Lake Road and Catron Boulevard is currently in the process of developing as a commercial area. The properties located north and west of the subject property are currently zoned General Commercial District and are part of a Planned Development Designation and/or an Initial and Final Commercial Development Plan. The proposal to rezone the subject property to a General Commercial District is reflective of a continuation of the commercial development in the area.

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

According to the Zoning Ordinance, the General Commercial Zoning District is intended to provide for personal and business services and the general retail business of the City. The location of the property in close proximity to the intersection of two major arterial roadways make it a desirable location for general commercial activities serving the general retail business needs of the community.

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 Commercial Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. In particular, the Planned Commercial Development must address traffic concerns and topographic and drainage concerns specific to the subject property. With the extension of City sewer and water and the proposed extension of these utilities specifically to the subject property, 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 applicant has submitted a Comprehensive Plan Amendment to the Southwest Connector Neighborhood Future Land Use Plan to change the land use designation from a Planned Residential Development with a maximum density of four to eight dwelling units per acre to General Commercial with a Planned Commercial Development. Upon approval, the proposed Rezoning request will be consistent with the adopted plan. The additional review provided by a Planned Commercial Development process will insure that traffic concerns and topographic and drainage concerns specific to the subject property are being addressed. As such, the proposed rezoning request is consistent with the development plans for the City and does not conflict with the City's Major Street Plan or the community facilities plan.

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Notification Requirement: As of this writing, the sign has not been posted on the property nor have the certified mailings been returned. Staff will notify the Planning Commission at the January 26, 2006 Planning Commission meeting if these requirements have not been met.