

STAFF REPORT  
September 21, 2006

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**No. 06RZ033 - Rezoning from General Agriculture District to General Commercial District** **ITEM 28**

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GENERAL INFORMATION:

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| PETITIONER                    | Dream Design International, Inc.   |
| REQUEST                       | <b>No. 06RZ033 - Rezoning from General Agriculture District to General Commercial District</b>   |
| EXISTING<br>LEGAL DESCRIPTION | <p>A tract of land located in the NW1/4 SE1/4, NE1/4 SE1/4, and the SE1/4 SE1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: Commencing at the Northwest corner of Highway Lot H1 as recorded on page 163 of Highway Plat Book 10, said point being consistent with the Northeast corner of Right of Way at the intersection of Spruce Street and Farnwood Avenue; Thence S89°45'36"E a distance of 395.85 feet to a point on the north line of said Lot H1, this point being the True Point of Beginning; Thence S89°45'36"E a distance of 665.22 feet to the Northeast corner of said Lot H1; Thence N89°59'58"E a distance of 221.59 feet; Thence S00°14'32"W a distance of 504.15 feet; Thence 61°23'38"W a distance of 711.10 feet; Thence S82°00'57"W a distance of 80.00 feet; Thence along the arc of a curve to the left whose chord bears N14°13'23"W with a length of 99.98 feet, having a radius of 460.00 feet, a central angle of 12°28'41" and an arc length of 100.18 feet, to a point on the south line of said Lot H1; Thence 89°45'36"W a distance of 156.57 feet, to the Southwest corner of said Lot H1; Thence N00°00'42"W a distance of 80.00 feet to the point of beginning.</p> |
| PARCEL ACREAGE                | Approximately 5.47 acres   |
| LOCATION                      | At the eastern terminus of Farnwood Avenue   |
| EXISTING ZONING               | Medium Density Residential District - General Agriculture District   |
| SURROUNDING ZONING            |  |
| North:                        | General Commercial District (Planned Commercial Development)   |
| South:                        | General Agriculture District   |
| East:                         | General Commercial District (Planned Commercial Development)   |

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| West:               | Medium Density Residential District – General Agriculture District |
| PUBLIC UTILITIES    | City water and sewer   |
| DATE OF APPLICATION | 8/25/2006  |
| REVIEWED BY         | Karen Bulman / Emily Fisher  |

**RECOMMENDATION:** Staff recommends that the Rezoning from General Agriculture District to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment and the Planned Development Designation.

**GENERAL COMMENTS:** This undeveloped property contains approximately 4.42 acres and is located at the eastern terminus of Farnwood Avenue, east of LaCrosse Street and south of Interstate 90. The property is currently zoned General Agriculture District. Land located north and east of the subject property is zoned General Commercial District with a Planned Commercial Development. Land located west of the subject property is zoned Medium Density Residential District with a Planned Residential Development and General Agriculture District. Land located south of the subject property is zoned General Agriculture District. In addition to this Rezoning application, the applicant has submitted a Comprehensive Plan Amendment for the subject property from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development (06CA029), a Planned Development Designation (06PD066), a Comprehensive Plan Amendment to change the land use on adjacent property from Medium Density Residential to General Commercial with a Planned Commercial Development (06CA030), and a Rezoning request for the adjacent property from Medium Density Residential District to General Commercial District (06RZ035).

**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 undeveloped subject property is zoned General Agriculture as a holding zone. The subject property is now ready for development. The majority of the adjacent property north and east of the subject property is currently zoned General Commercial District with a Planned Commercial Development in anticipation of a proposed commercial development. The proposed rezoning of the subject property to General Commercial will allow the entire property to be zoned appropriately for commercial development.

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

The General Commercial Zoning District is for personal and business services and the

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general retail business of the city. The subject property is located adjacent to General Commercial Zoning Districts and General Agriculture Zoning District as a holding zone. Water and sewer facilities are present in the area and will be extended as development occurs. The proposed rezoning appears to be consistent with the intent of the Zoning District.

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 existing streets and utilities adjacent to the subject property are designed to serve a General Commercial development. LaCrosse Street, a principal arterial street on the City's Major Street Plan, is located west of the subject property. Future street improvements and infrastructure improvements will be completed with the future commercial development of the subject property. With the extension of that infrastructure, the proposed amendment does not appear to have any significant adverse effect on the surrounding properties.

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.*

The Comprehensive Land Use Plan identifies this area as appropriate for Medium Density Residential land uses with a Planned Residential Development. An application for a Comprehensive Plan Amendment to change the land use on the subject property to General Commercial with a Planned Commercial Development has been submitted in conjunction with the Rezoning request for the subject property. If the Comprehensive Plan Amendment is approved, the proposed rezoning would be consistent with the adopted plans.

As of this writing, the required rezoning sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 21, 2006 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.