

STAFF REPORT

April 24, 2008

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**No. 08RZ006 - Rezoning from Low Density Residential District to ITEM 9 Office Commercial District**

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GENERAL INFORMATION:

APPLICANT	Stoney Creek Development
AGENT	Boschee Engineering
PROPERTY OWNER	J. L. Bendt
REQUEST	<b>No. 08RZ006 - Rezoning from Low Density Residential District to Office Commercial District</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located within the unplatted portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: beginning at the northwest lot corner of Lot 3, Block 3 of Stoney Creek South Subdivision; said point is also lying on the easterly right-of-way line of Bendt Drive; Thence northerly along said easterly right-of way line the following two courses: Thence N01°34'53"E, 40.08 feet to a point of curvature; Thence northerly along the arc of said curve to the right whose radius is 174.00 feet and whose central angle is 40°47'10", an arc length of 123.86 feet to a point on said curve; said point also being the southwest lot corner of Tract BD of Stoney Creek South Subdivision; Thence S70°48'41"E, along the southerly lot line of said Tract BD, a distance of 124.47 feet; Thence departing said southerly lot line S19°11'19"W, 116.69 feet to the northeast lot corner of said Lot 3, Block 3; thence S89°21'43"W, along the north lot line of said Lot 3, Block 3, a distance of 125.70 feet to the Point of Beginning, containing 0.426 acres more or less
PARCEL ACREAGE	Approximately 0.426 acres
LOCATION	South of Catron Boulevard between Bendt Drive and Nugget Gulch Road
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)

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South:	Low Density Residential District (Planned Development Designation)
East:	Low Density Residential District (Planned Development Designation)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/1/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

**RECOMMENDATION:** Based on the recommendations of the Future Land Use Committee on the related Comprehensive Plan Amendment, Staff recommends that the Rezoning from Low Density Residential District to Office Commercial District be continued to the May 8, 2008 Planning Commission to be heard in conjunction with the associated Amendment to the Adopted Comprehensive Plan.

**GENERAL COMMENTS:** The applicant has submitted this Rezoning request to change the zoning designation of the property from Low Density Residential District to Office Commercial District. This undeveloped property contains approximately 0.426 acres and is located southeast of the intersection of Catron Boulevard and Bendt Drive. In addition, the applicant has submitted an Amendment to the Adopted Comprehensive Plan (#08CA005) to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development. Land located south and east of the property is zoned Low Density Residential District with a Planned Development Designation. Land located north and west of the property is zoned General Commercial District with a Planned Development Designation. The US Highway 16 Neighborhood Area Future Land Use Plan indicates that this property is appropriate for a Planned Residential Development with 4.8 dwelling units per acre.

**STAFF REVIEW:** The Rapid City Journal staff has notified City staff that the legal notification for the Comprehensive Plan Amendment was not published in the newspaper ten days prior to the Planning Commission meeting as required. As such, staff is recommending that this item be continued to the May 8, 2008 Planning Commission meeting to be heard in conjunction with the associated Comprehensive Plan Amendment.