

STAFF REPORT

January 25, 2001

**RZN #00RZ059 - Rezoning from No Use District to General
Agriculture District**

ITEM 32

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	RZN #00RZ059 - Rezoning from No Use District to General Agriculture District
LEGAL DESCRIPTION	A parcel of land located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; being more particularly described as follows: beginning at the Northeast Section Corner of said Section 26; thence N 89°55'19" W along the North line of said Section for a distance of 2652.83 feet to the North Quarter Corner, also being the True Point of Beginning of the parcel to be described; thence S 89°55'19" E for a distance of 762.68 feet, more or less, to the northwesterly right-of-way of U.S. Highway No. 16 B; thence S 53°22'32" W, along said right-of-way, for a distance of 215.04 feet; thence continuing along said right-of-way, along a curve concave to the southeast, having a central angle of 16°16'56", a radius of 2939.79 feet and a length of 835.42 feet; thence N 00°02'15" E for a distance of 716.25 feet to the True Point of Beginning; containing 5.600 acres, more or less
PARCEL ACREAGE	Approximately 5.60 Acres
LOCATION	Approximately 1/4 mile east of the intersection of Catron Boulevard and South Highway 16
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (PRD)
East:	General Agriculture District
West:	(County)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to General Agriculture District be approved.

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GENERAL COMMENTS: The proposed rezoning request is a companion item to Final Plat #00PL131 to create a 5.6 acre lot. In addition, the applicant has submitted a Use on Review request to allow a veterinary clinic with a kennel on the subject property. On June 1, 1998 the City Council approved a resolution annexing the subject property into the City limits of Rapid City.

Under Section 17.26.020 of the Rapid City Municipal Code, all newly annexed properties are zoned "No Use" while a study of the appropriate zoning for the affected properties is completed. The property was previously zoned General Agriculture District under the Pennington County Zoning Code. The property is currently void of any structural development. The General Agriculture District will function as a holding zone until such time as the property is developed.

STAFF REVIEW: Staff has reviewed this request 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:

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 property is located in an area that has been changing from traditional agricultural uses to more suburban residential uses. Significant residential developments have occurred in the area over the past twenty years. It is anticipated that the area will continue to be an area in transition as a result of the development anticipated in the area. The designation of the site as General Agriculture would be appropriate in light of the changes that will be occurring in the area.

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

The General Agriculture Zoning District will act as a holding zone for land on the fringe of the urban area. The types of uses, area and intensity of use of the land which are authorized in this district, are designed to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made.

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.*

Rezoning the property to General Agriculture District should not impose any adverse affects upon the surrounding properties or any other part of the City. As previously indicated, the applicant is proposing to eventually construct a veterinary clinic with a kennel

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on the property. The General Agriculture District requires that a Use on Review be approved in order to use the property as proposed. The Use on Review procedure allows the City to address site specific issues relative to the proposed use in order to mitigate nuisances that may be created.

- 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 finds this rezoning to be in general compliance with adopted plans. The General Agriculture District will function as a holding zone until such time as the property is developed.

As of this writing, the required sign has not been posted on the property nor has the applicant returned the receipts from the certified mailing. Staff will notify the Planning Commission in the event these requirements are not met. Staff has not received any objections or inquiries regarding this rezoning request.