

STAFF REPORT

November 8, 2001

No. 01RZ059 - Rezoning from No Use District to General Commercial District **ITEM 13**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 01RZ059 - Rezoning from No Use District to General Commercial District
LEGAL DESCRIPTION	That portion of SE1/4 NW1/4 NW1/4 lying east of U.S. Highway 16 less right-of-way and the 40 foot wide Tucker Street right-of-way all located within Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.23 acres
LOCATION	Northeast of the intersection of U.S. Highway 16 and Catron Boulevard
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Commercial District (PD)
South:	General Commercial District (PD)
East:	No Use District
West:	General Agriculture District (PD)
PUBLIC UTILITIES	City Sewer and City water to be extended
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to General Commercial District be approved in conjunction with a Planned Development Designation.

GENERAL COMMENTS: This property is located northeast of the intersection of U.S. Highway 16 and Catron Boulevard. Access to the property is provided from U.S. Highway 16.

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 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.***

That portion of SE1/4 NW1/4 NW1/4 lying East of Highway 16, less right-of-way and the 40

STAFF REPORT

November 8, 2001

No. 01RZ059 - Rezoning from No Use District to General Commercial District **ITEM 13**

foot wide Tucker Street right-of-way all located in Section 26, T1N, R7E, BHM, Rapid City, South Dakota was annexed into the City on August 7, 2001. All lands annexed by the City shall, upon annexation, be placed in the No Use Zoning District. The No Use Zoning District is a temporary designation for the purpose of permitting investigation and study of the land uses in the area.

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

The property is the location of an outdoor tourist business and was zoned Highway Service in Pennington County prior to annexation. The properties along U.S. Highway 16 to the north and south of the subject property are zoned General Commercial with a Planned Development Designation. Property to the west is zoned General Agricultural with a Planned Development Designation. Property to the east is zoned No Use 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.*

City sewer and City water are located south of the property, and could be extended to serve the subject property. The proposed rezoning should not significantly affect any of the surrounding land uses or public infrastructures.

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 South Robbinsdale Neighborhood Area Future Land Use identifies this area as appropriate for General Commercial zoning with a Planned Commercial Development designation. The Major Street Plan identifies U.S. Highway 16 as a principal arterial.

Staff has mailed certified letters to notify property owners within 150 feet of the proposed rezoning and the required sign has been posted on the property. Staff has not received any calls or requests regarding this rezoning request.