

STAFF REPORT

December 6, 2001

No. 01RZ067 - Rezoning from No Use District to General Commercial District **ITEM 20**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 01RZ067 - Rezoning from No Use District to General Commercial District
LEGAL DESCRIPTION	The 30.1 foot wide Philadelphia Street ROW, approximately 724.1 feet in length, lying in the W1/2 SW1/4 Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .5 acres
LOCATION	East of Cambell Street and north of S.D. Highway 44 East
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District/No Use District
East:	No Use District
West:	General Commercial District
PUBLIC UTILITIES	N/A
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the rezoning from No Use District to General Commercial District be approved.

GENERAL COMMENTS: This property was annexed into the City effective September 10, 2001. The property adjoins lands that are currently used for commercial purposes.

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.**

On September 10, 2001, a portion of E. Philadelphia Street east of Cambell Street was annexed into the City limit boundaries. All lands annexed are placed in the No Use Zoning District. The No Use Zoning District is a temporary designation for the purpose

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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.**

When zoning roads and rights-of-way, the intent is to zone them with the same designation as the lands they are adjoining. Lands that are zoned General Commercial or No Use Zoning District, due to the recent annexation of the area, surround the subject road and right-of-way.

- 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 amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

- 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 adopted Future Land Use Plan for the Elk Vale Neighborhood identifies this property as being appropriate for General Commercial land uses.

Staff has posted the required sign on the property. As of this date, staff has received no comments or objections regarding this request.