

STAFF REPORT

March 7, 2002

No. 02RZ008 - Rezoning from Light Industrial District and Medium Density Residential to General Commercial District **ITEM 16**

GENERAL INFORMATION:

PETITIONER	Harold Bies for Bies Highway 79 LLP
REQUEST	No. 02RZ008 - Rezoning from Light Industrial District and Medium Density Residential to General Commercial District
EXISTING LEGAL DESCRIPTION	The east 350' of Lot 2 of Hamilton Subdivision, and the 50' wide 278.52' of SD Highway 79 ROW adjacent to Lot 2 of Hamilton Subdivision, approximately 2.234 acres; and, the west 382.46' of Lot 2 of Hamilton Subdivision, approximately 2.44 acres, all located in Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.674 acres
LOCATION	East of Highway 79 and north of Minnesota Street
EXISTING ZONING	Light Industrial District/Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Commercial District/Low Density Residential District with Planned Residential District
East:	High Industrial District
West:	Low Density Residential District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	02/05/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from Light Industrial District and Medium Density Residential to General Commercial District be approved in conjunction with a Planned Development Designation.

GENERAL COMMENTS: The property is located north of Minnesota Street and east of S.D. Highway 79. This undeveloped property is located in a Light Industrial Zoning District and in a Medium Density Zoning District. A major drainage is located along the north property line

STAFF REPORT

March 7, 2002

No. 02RZ008 - Rezoning from Light Industrial District and Medium Density Residential to General Commercial District **ITEM 16**

and wetlands are located on the eastern portion of the property. On December 17, 2001, the City Council approved the Final Plat of this property (01PL064) with the stipulation that the applicant obtain a Corps of Engineers 404 Permit in order to relocate the federally designated wetlands.

Property designated as Low Density Zoning District with a Planned Development designation and a General Commercial Zoning District is located south of the property. Property zoned Medium Density Residential District is located north and west of the property. S.D. Highway 79 and property zoned Heavy Industrial Zoning District is located east of this property.

A Comprehensive Plan Amendment was approved for the west 2.44 acres of this property on August 20, 2001, to change the land use from Medium Density Residential to General Commercial with a Planned Development Designation. The east 2.234 acres of this property is currently zoned General Commercial with a Planned Development Designation land use.

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 applicant has recently obtained a Comprehensive Plan Amendment (01CA025) for the subject property and a Final Plat (01PL064) for the lot. The subject property is currently located within two different zoning districts, which is not a preferred situation. The applicant's request is to rezone the property following the lot lines.

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

This property is located north of Minnesota Street and west of S.D. Highway 79. Based on the location of the property adjacent to an arterial road and the location of the General Commercial Zoning District east of the subject property, General Commercial Zoning District would be appropriate.

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 Planned Commercial Development Designation will serve as a tool to mitigate any adverse impacts of any future development on the subject property. The proposed amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

STAFF REPORT

March 7, 2002

No. 02RZ008 - Rezoning from Light Industrial District and Medium Density Residential to General Commercial District **ITEM 16**

- 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 proposed amendment to change the zoning designation on the subject property from Medium Density Residential District and Light Industrial District to General Commercial with a Planned Development Designation conforms with the South Robbinsdale Neighborhood Future Land Use Plan as amended on August 20, 2001.

The applicant has mailed certified letters to notify surrounding property owners of the proposed rezoning and has posted the required sign on this property. As of this date, staff has received no comments or objections regarding this request.