

STAFF REPORT

June 6, 2002

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**No. 02RZ031 - Rezoning from Light Industrial District to General Commercial District**      **ITEM 44**

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GENERAL INFORMATION:

PETITIONER	Five T Motorcycle Partnership
REQUEST	<b>No. 02RZ031 - Rezoning from Light Industrial District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	Lot 1, Lot 2, Lot 3, R&L Subdivision, Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.83 acres
LOCATION	3030 Lange Road
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Heavy Industrial District (County)/General Agriculture District (County)
South:	Light Industrial District (County)/ROW (City)
East:	General Agriculture District (County)
West:	ROW (City)
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	05/09/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from Light Industrial District to General Commercial District with a Planned Commercial Development be approved in conjunction with an Amendment to the Comprehensive Plan to change the land use designation from Light Industrial to General Commercial with a Planned Commercial Development.

GENERAL COMMENTS: This property is located at 3030 Lange Road, north of U.S. Interstate 90 and east of Deadwood Avenue. The property was annexed into the City of Rapid City on October 15, 1984 and was zoned Light Industrial District on December 3, 1984. An amendment to the Comprehensive Plan for the subject property to change the use from Agriculture land use to Light Industrial land use was completed March 4, 2002. The applicant has submitted an application for a Planned Commercial Development to allow for an on-sale liquor establishment on the subject property. On-sale liquor establishments are not allowed in a Light Industrial Zoning District; therefore, an application to rezone the property from Light Industrial District to General Commercial District with a Planned

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---

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Commercial Development and an application to amend the Comprehensive Plan from Light Industrial land use to General Commercial land use has been submitted in conjunction with the Planned Commercial Development application. This application is to rezone the subject property from Light Industrial District to General Commercial District with a Planned Commercial Development.

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 subject property was annexed into the City on October 15, 1984 and rezoned from No Use District to Light Industrial District on December 3, 1984. The applicant has submitted a Planned Commercial Development for this property in order to have an on-sale liquor establishment. As on-sale liquor establishments are not allowed in the Light Industrial Zoning District, the applicant is requesting that the subject property be rezoned to General Commercial District with a Planned Commercial Development.

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

The property located to the north of the subject property is zoned Heavy Industrial District and General Agriculture District by Pennington County. The property located to the east of the subject property is zoned General Agriculture District by Pennington County. The property located to the southeast of the subject property is zoned Light Industrial District by Pennington County. The property located southwest of the subject property is the location of U. S. Interstate 90 right-of-way and is zoned General Agriculture District. Property located south and southwest of the U. S. Interstate 90 right-of-way is zoned General Commercial District. The subject property is the retail establishment of Black Hills Harley Davidson. This property is located on one of the corridors into Rapid City. The character of this area is changing as more businesses and industries locate in this area. It would appear consistent with the intent and purposes of this ordinance to change the zoning on the subject property from Light Industrial District to General Commercial District with a Planned Commercial Development.

**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. Discussions regarding future developments in the area have been focused on General Commercial and Industrial zoning districts. Any adverse affects from the rezoning of this property can be mitigated by the Planned Commercial

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Development designation.

- 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.**

An amendment to the Comprehensive Plan for the subject property to change the use from Agriculture land use to Light Industrial land use was completed March 4, 2002. A companion item has been submitted to amend the Comprehensive Plan for the subject property to change the land use from Light Industrial to General Commercial with a Planned Commercial Development designation. An updated Future Land Use Neighborhood Plan has not yet been developed for this area.

As of this writing, the receipts from the certified mailings have not been returned. The Conditional Use Permit sign has been posted on the property. As of this date, staff has not received any calls or inquires regarding this proposal.