

STAFF REPORT
March 24, 2005

No. 05RZ028 - Rezoning from No Use District to General Commercial District **ITEM 53**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 05RZ028 - Rezoning from No Use District to General Commercial District
EXISTING LEGAL DESCRIPTION	The easternmost 1824.64 feet of the SW1/4 of Section 27 lying south of Lot H7 of the SW1/4, all located in Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the easternmost 1824.64 feet of the N1/2NW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 83.0 Acres
LOCATION	South of Interstate 90 and east of Elk Vale Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Heavy Industrial District (Pennington County) - Box Elder
South:	No Use District
East:	Box Elder
West:	General Commercial District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	2/25/2005
REVIEWED BY	Karen Bulman / Michelle Horkey

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to General Commercial District be approved in conjunction with the associated Amendments to the Comprehensive Plan.

GENERAL COMMENTS: This undeveloped property contains approximately 83 acres and is located south of Interstate 90 and east of Elk Vale Road. The subject property was annexed into the City effective May 4, 2003 and placed in a No Use Zoning District. The property located north of the subject property is zoned Heavy Industrial District by Pennington County and Box Elder City limits. The property located south of the subject property is zoned No Use District. The property located west of the subject property is zoned General Commercial District. The property located east of the subject property is Box Elder. An Amendment to the Comprehensive Plan to amend the Elk Vale Neighborhood Area Future Land Use Plan by including additional property and designating the property as General Commercial land use (05CA016) and an Amendment to the Comprehensive Plan to change

STAFF REPORT
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the Elk Vale Neighborhood Area Future Land Use Plan from Light Industrial to General Commercial (05CA017) has been submitted in conjunction with this rezoning application.

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.*

A voluntary annexation of the subject property was effective May 4, 2003. All annexed lands are temporarily placed in the No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property.

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

The General Commercial Zoning District is for personal and business services and the general retail business of the city. Elk Vale Road, a principal arterial road, and the future Southeast Connector Road are easily accessible from the subject property. Water and sewer will need to be extended to the subject property. The adjacent property to the west is developed as general commercial property. The extended infrastructure and access to road connections indicates that zoning the subject property as General Commercial District would appear consistent with the intent and purpose of this ordinance.

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.*

Because of the existing zoning of the adjacent lands, and the availability of adjacent infrastructure, this 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 northeast portion of the subject property was not identified with a land use on the City's Comprehensive Plan. The Future Land Use Committee met on February 18, 2005 and recommended the addition of the subject property to the Elk Vale Neighborhood Area Future Land Use Plan and designating the property as General Commercial land use. A Comprehensive Plan Amendment to include the property in the Elk Vale Neighborhood Area Future Land Use Plan has been submitted in conjunction with this rezoning (05CA016). The southwest balance of the subject property was included in the Elk Vale Neighborhood Area Future Land Use Plan as appropriate for Light Industrial land uses. At the February 18, 2005 meeting, the Future Land Use Committee approved changing the land use from Light Industrial to General

STAFF REPORT
March 24, 2005

No. 05RZ028 - Rezoning from No Use District to General Commercial District ITEM 53

Commercial and an Amendment to the Comprehensive Plan (05CA017) has been submitted in conjunction with this rezoning. Upon approval of the Amendments to the Comprehensive Plan the rezoning of the subject property from No Use District to General Commercial District will be consistent with the adopted Comprehensive Plan.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the March 24, 2005 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.