

STAFF REPORT  
July 6, 2006

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**No. 06RZ018 - Rezoning from Low Density Residential District to General Commercial District**      **ITEM 27**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers, Inc. for Eldene Henderson
REQUEST	<b>No. 06RZ018 - Rezoning from Low Density Residential District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	Lot 3, Block 1, Geld Subdivision, located in the NE1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .65 acres
LOCATION	2425 Haines Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District (Planned Commercial Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/9/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Rezoning from Low Density Residential District to General Commercial District be approved in conjunction with the Amendment to the Comprehensive Plan and a Planned Development Designation.

GENERAL COMMENTS: This undeveloped property contains approximately .65 acres and is located west of Haines Avenue, south of Pahasapa Road and north of Disk Drive. Land located north, east and south of the subject property is zoned General Commercial District with a Planned Commercial Development. Land located west of the property is zoned Low Density Residential District with a Planned Residential Development. In addition to this Rezoning application, the applicant has submitted an Amendment to the Comprehensive Plan for the subject property to change the land use from Residential to General

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Commercial with a Planned Commercial Designation (06CA017) and a Planned Development Designation (06PD045).

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.*

This undeveloped property is zoned Low Density Residential District. The property owners have indicated that the subject property is now ready to be developed for commercial uses. The property is located west of Haines Avenue, a major arterial street on the City's Major Street Plan. City water and sewer are available to the property. The property located north of the subject property has recently been developed for commercial land uses.

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. The subject property is located adjacent to General Commercial Districts on the north, south and east. The Comprehensive Land Use Plan indicates that this property is appropriate for residential land uses. The applicant has submitted a Comprehensive Plan Amendment to change that designation to General Commercial land use with a Planned Commercial Development in conjunction with this rezoning application. The Planned Commercial Development will help mitigate any negative impacts the commercial uses will have on the adjacent Low Density Residential District. Upon approval of the Comprehensive Plan Amendment, the land use will then be consistent with adjacent property to the north, south and east.

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 subject property is surrounded by General Commercial Zoning Districts on the north, south and east. Haines Avenue, a principal arterial street on the City's Major Street Plan, is located adjacent to the subject property. The property located west of the subject property is currently zoned Low Density Residential District. The Initial and Final Planned Commercial Development will help mitigate any potential negative impacts the commercial uses may have on the existing residential land uses adjacent to the subject property. Staff has not identified any significant adverse effects on any of the surrounding land uses or any other part of the City.

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 Long Range Comprehensive Land Use Plan identifies this area as appropriate for

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residential land uses. An application for a Comprehensive Plan Amendment to change the land use on the subject property to General Commercial with a Planned Commercial Development has been submitted in conjunction with the Rezoning of the subject property. Upon approval of the Comprehensive Plan Amendment, the rezoning of the subject property will be consistent with the Land Use Plan. The property is located adjacent to Haines Avenue, a principal arterial on the City's Major Street Plan, and as such, commercial development of the subject property is appropriate.

As of this writing, the required rezoning 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 July 6, 2006 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.