

STAFF REPORT
August 7, 2008

No. 08RZ026 - Rezoning from No Use District to General Commercial District **ITEM 4**

GENERAL INFORMATION:

APPLICANT/AGENT	G/GSA, Inc.
PROPERTY OWNER	G/GSA, Inc.
REQUEST	No. 08RZ026 - Rezoning from No Use District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lot 3 of Tract D of W-Y Addition, Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.17 acres
LOCATION	4507 South Interstate 90 Service Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Commercial District (Pennington County)
South:	Railroad Right-of-way - General Commercial District
East:	Heavy Industrial District (Pennington County)
West:	Box Elder
PUBLIC UTILITIES	Septic system and cistern
DATE OF APPLICATION	7/10/2008
REVIEWED BY	Karen Bulman / Ted Johnson

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

GENERAL COMMENTS: This undeveloped property contains approximately 1.17 acres and is located at 4507 South Interstate 90 Service Road. The property was annexed effective May 15, 2008 (#08AN003). The property is currently zoned No Use District. Land located north of the property is zoned General Commercial District by Pennington County. Land located east of the property is zoned Heavy Industrial District by Pennington County. Land located south of the property is zoned General Commercial District. Land located west of the property is in the Box Elder City limits. A wholesale and retail distribution business currently operates from this property.

The Adopted Comprehensive Plan indicates that this property is appropriate for Industrial land uses. An application for a Comprehensive Plan Amendment to change the land use

STAFF REPORT
August 7, 2008

No. 08RZ026 - Rezoning from No Use District to General Commercial District **ITEM 4**

from Industrial to General Commercial (#08CA025) 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.*

The property has been annexed into the City limits (#08AN003) and temporarily placed in a No Use Zoning District. This developed property is located at 4507 South Interstate 90 Service Road. It should also be noted that property located to the west along the Heartland Express has been developed as a hotel resort. Along with the Heartland Express construction, the annexation and the recent commercial development in the area constitute the changing conditions.

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

The General Commercial Zoning District is intended to provide areas for personal and business services and the general retail business of the city. Prior to annexation, the property was zoned General Commercial by Pennington County. A retail and wholesale distribution business is located on the property. Commercial properties are located to the north and land south of the property is zoned General Commercial District. As such, General Commercial District appears to be an appropriate zoning district for this property.

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 property is located adjacent to general commercial uses and in close proximity to the Heartland Express. City sewer is located adjacent to the south property boundary. Water is located adjacent to the property and will need to be extended in conjunction with a future proposed collector street through the property. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from No Use District to General Commercial District.

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 Comprehensive Land Use Plan currently indicates that this area is appropriate for Industrial land uses. However, a Comprehensive Plan Amendment to change the land use from Industrial to General Commercial (#08CA025) has been submitted in conjunction with this rezoning application. The Future Land Use Committee recommended approval of that associated request. Rezoning the subject property from No Use District to General Commercial District in conjunction with the Comprehensive Plan Amendment appears to be

STAFF REPORT
August 7, 2008

No. 08RZ026 - Rezoning from No Use District to General Commercial District ITEM 4

appropriate.

The Future Land Use Committee met on July 31, 2008 and recommended approval of the associated Amendment to the Comprehensive Plan to change the land use designation from Industrial to General Commercial. As such, staff recommends that the Rezoning from No Use District to General Commercial District be approved.

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 August 7, 2008 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.