

STAFF REPORT
March 26, 2009

No. 09RZ014 - Rezoning from No Use District to General Commercial District **ITEM 20**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	DEH&S Enterprises, Inc and Recreational Adventures, Co.
REQUEST	No. 09RZ014 - Rezoning from No Use District to General Commercial District
EXISTING LEGAL DESCRIPTION	Tract 1 of the SW1/4 SW1/4, Tract B of the SE1/4 SW1/4 including the 20 foot wide private lane, and Tract E and Private Drive of KOA Subdivision in the SE1/4 SW1/4, all located in Section 4, T1N, R8E, Pennington County, South Dakota, and Tract A of SE1/4 SW1/4 of Section 4 and the NE1/4 NW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.81 acres
LOCATION	3010 East Highway 44 and 2001 Lancer Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District - Low Density Residential District
South:	General Commercial District
East:	Low Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	2/27/2009
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 a Planned Development Designation.

GENERAL COMMENTS: This property contains approximately 20.81 acres and is located at 3010 East Highway 44 and 2001 Lancer Drive. The property was annexed into the City limits (#08AN007) effective July 29, 2008 and subsequently zoned No Use District. Land located north of the property is zoned General Agriculture District and Low Density Residential District. Land located south and west of the property is zoned General

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Commercial District. Land located east of the property is zoned Low Density Residential District. An application for a Planned Development Designation (#09PD005) for the property has been submitted.

The Elk Vale Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for Public land uses with alternate land uses of General Commercial and General Commercial with a Planned Commercial Development. Currently, a travel park/campground is located on the property.

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 (#08AN007) and temporarily placed in a No Use Zoning District. All annexed lands are temporarily designated as a 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 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 District and Highway Service District by Pennington County. Currently, a travel park/campground is located on the property. Travel parks following the travel park ordinance are a permitted use in the General Commercial Zoning District. As a result of discussions with the property owner during the annexation of the area, the travel park ordinance was recently amended and approved to include park model trailers and camping cabins. A 20 foot wide private access is located adjacent to the property providing access from S.D. Highway 44. In addition, there is a secondary access to the property from Lancer Drive. Properties used for General Commercial purposes are located south and east of the property. 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.

Access to the property will be from S.D. Highway 44, a principal arterial on the City's Major Street Plan, through a 20 foot wide private access. The property is located adjacent to general commercial land uses. The property is located within the Rapid Valley Sanitary District. The additional review provided by a Planned Commercial Development process will insure that any possible adverse impacts of development are adequately mitigated. Based on the provision of a Planned Development overlay, no significant adverse impacts that will result from the requested rezoning have been identified.

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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 property is located north of S.D. Highway 44, a principal arterial on the City's Major Street Plan. The Adopted Elk Vale Neighborhood Future Land Use Plan indicates that this area is appropriate for an alternative land use of General Commercial with a Planned Commercial Development. Rezoning the subject property from No Use District to General Commercial District in conjunction with a Planned Development Designation is 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 26, 2009 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.

The property owner has been contacted and concurs with the General Commercial Zoning District designation of their property. Staff recommends that the rezoning from No Use District to General Commercial District be approved in conjunction with a Planned Development Designation.