

STAFF REPORT

May 5, 2011

No. 11RZ006 - Rezoning from General Commercial District to General Agriculture District **ITEM 10**

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Duane C. Pankratz
REQUEST	No. 11RZ006 - Rezoning from General Commercial District to General Agriculture District
EXISTING LEGAL DESCRIPTION	The east 660 feet of the SE1/4 less the Elk Vale Road right-of-way located in Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 120 acres
LOCATION	Northwest of the intersection of Elk Vale Road and East Anamosa Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Light Industrial District - General Commercial District
East:	General Commercial District (Planned Commercial Development) - Office Commercial District (Planned Commercial Development)
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/8/2011
REVIEWED BY	Karen Bulman / Ted Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from General Commercial District to General Agriculture District be approved.

GENERAL COMMENTS: The applicant has submitted a Rezoning request to change the zoning designation of the property from General Commercial District to General Agriculture District. An application to rezone the adjacent property to the west from Medium Density Residential District to General Agriculture District (#11RZ005) has been submitted in conjunction with this rezone application. The Elk Vale Neighborhood Future Land Use Plan identifies the property as appropriate for general commercial uses.

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The property is located northwest of the intersection of Elk Vale Road and East Anamosa Street. Currently, the property is void of any structural development.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is outlined below:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

The property is currently zoned General Commercial District following annexation in 1988. No substantially changed conditions have been identified that make it necessary to rezone the subject property. Until the property is ready for development, the applicant has requested that the property be rezoned to General Agriculture to serve as a holding zone.

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

The purpose of the General Agriculture District as stated in the Zoning Ordinance is to provide for land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. The property was annexed in 1988. The property is located west of a principal arterial street and adjacent to agriculture uses located north of the property. Due to the existing zoning of the adjacent property and the lack of potential development, the rezoning would appear to be consistent with the intent and purposes 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 amendment.*

The property is the eastern portion of a larger parcel. The western portion of the larger parcel is currently zoned Medium Density Residential District. The applicant has submitted an application to rezone the adjacent parcel from Medium Density Residential District to General Agriculture District in conjunction with this rezone application. The property located north of this property is zoned General Agriculture District. Based on the location of adjacent general agriculture zoning and the use of the property as a holding zone, no significant adverse impacts that will result from the requested rezoning have been identified.

4. *The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The Major Street Plan identifies Elk Vale Road as a principal arterial street. The Elk Vale Neighborhood Future Land Use Plan identifies the property as appropriate for General Commercial District. Allowing agriculture use(s) as a holding zone is in compliance with the Comprehensive Plan. Rezoning this property from General Commercial District to General Agriculture District as a holding zone is consistent with the approved Elk Vale Neighborhood Future Land Use Plan.

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As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the May 5, 2011 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.

Staff recommends that the rezoning from General Commercial District to General Agriculture District be approved.