

STAFF REPORT  
September 22, 2011

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**No. 11RZ017 - Rezoning from Low Density Residential District to General Commercial District** **ITEM 6**

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GENERAL INFORMATION:

APPLICANT	Saint Patrick, LLC
AGENT	Lawrence M. Kostaneski, PE for Centerline, Inc.
PROPERTY OWNER	Saint Patrick, LLC
REQUEST	<b>No. 11RZ017 - Rezoning from Low Density Residential District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	Tract AR2 of Needles Subdivision located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, less a portion of Tract AR2 described as follows: Commencing at northwesterly corner of Tract AR2 of Needles Subdivision, common to the northeasterly corner of Tract B of Needles Subdivision, and common to the southwesterly corner of Tract A of Tucker Subdivision, and the point of beginning; Thence, first course: N89°56'00"E, along the northerly boundary of said Tract AR2, common to the southerly boundary of said Tract A, a distance of 331.61 feet, to the southeasterly corner of said Tract A; Thence, second course: S62°44'53"E, a distance of 593.67 feet, to a point on the southerly boundary of said Tract AR2, common to a point on the northerly edge of Catron Boulevard right-of-way; Thence, third course: southwesterly, curving to the right, along the southerly boundary of said Tract AR2, common to the northerly edge of said Catron Boulevard right-of-way, on a curve with a radius of 743.51 feet, a delta angle of 74°57'16", a length of 972.66 feet, a chord bearing of S59°59'16"W, and chord distance of 904.77 feet; Thence, fourth course: N82°32'06"W, along the southerly boundary of said Tract AR2, common to the northerly edge of said Catron Boulevard right-of-way, a distance of 79.87 feet, to the southwesterly corner of said Tract AR2, common to the southeasterly corner of said Tract B; Thence, fifth course: N00°15'46"E, along the westerly boundary of said Tract AR2, common to the easterly boundary of said Tract B, a distance of 713.64 feet, to the northwesterly corner of said Tract AR2, common to the northeasterly corner of said Tract B, and common to the southwesterly corner of said Tract A, and the point of beginning, less H Lots

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PARCEL ACREAGE	Approximately 1.7 acres
LOCATION	Northwest of the intersection of Catron Boulevard and Wellington Drive
EXISTING ZONING	Low Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Development Designation)
South:	General Commercial District (Planned Development Designation)
East:	Low Density Residential District (Planned Unit Development)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	8/25/2011
REVIEWED BY	Fletcher Lacock / Ted Johnson

**RECOMMENDATION:**

Staff recommends that the Rezoning from Low Density Residential District to General Commercial District be approved.

**GENERAL COMMENTS:**

The applicant has submitted a Rezoning request to change the zoning designation of the above property from Low Density Residential District to General Commercial District. In addition, the applicant has submitted an Amendment to the adopted Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial.

The property was annexed into the City limits (File# 01AN010) effective September 23, 2001 and subsequently zoned No Use District. Land located to the north is zoned Medium Density Residential District. Land located to the south and west is zoned General Commercial District. Land located to the east is zoned Low Density Residential District with a Planned Development.

The City's Future Land Use Plan identifies the future use of the property as appropriate for a Planned Residential Development with one dwelling unit per acre. An Amendment to the adopted Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial (File# 11CA010) has been submitted in conjunction with this Rezone.

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The property is located northwest of the intersection of US Highway 16B (Catron Boulevard) and Wellington Drive. The property is currently vacant.

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 current reconstruction of Catron Boulevard has moved the access to this property from Wellington Drive to the southwest corner of the property, removing any direct access to the area currently zoned Low Density Residential District. Any future access to the property will cross the remainder of the property currently zoned General Commercial District to the south and west. The property is currently zoned Low Density Residential District. The applicant has submitted an Amendment to the adopted Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial.

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

The purpose of the General Commercial District as stated in the Zoning Ordinance is for personal and business services and the general retail business of the city. The property is located adjacent to areas that support General Commercial land uses. Land located to the south and west of the property is zoned General Commercial District with a Planned Commercial Development. Land located to the north of the property is zoned Medium Density Residential District. Land to the east of the property is zoned Low Density Residential District with a Planned Unit Development. The rezoning of this property appears to be appropriate and consistent with the intent and purposes of this ordinance. There is a natural buffer located along the north property boundary separating the proposed General Commercial District from the Medium Density Residential District.

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 area of the property zoned Low Density Residential District is currently vacant. The property is served with water and sewer service through the City of Rapid City. Access to the property is from Catron Boulevard, a Principal Arterial on the Major Street Plan, across the remainder of the property currently zoned General Commercial District to the south and west. The property is separated from the property to the north by a drainage area that provides a natural buffer between the differing land uses. No significant adverse impacts resulting from the requested rezoning have been identified.

4. *The proposed amendments shall be consistent with and not conflict with the Development*

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*Plan of Rapid City including any of its elements, Major Street Plan, Land Use Plan, and Community Facilities Plan.*

The applicant is concurrently applying for an Amendment to the adopted Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial. The current reconstruction of Catron Boulevard has moved the access to this property from Wellington Drive to the southwest corner of the property, removing any direct access to this area of the property. Any future access to the property will cross the remainder of the property currently zoned General Commercial District to the south and west. Rezoning the subject property from Low Density Residential District to General Commercial District is consistent with the adopted Comprehensive Plan.

Notification Requirement: As of this writing, the white slips and green cards have not been returned. The required sign has been posted on the property. Staff will notify the Planning Commission at the September 22, 2011 Planning Commission meeting if these requirements have not been met.