

STAFF REPORT
January 5, 2012

No. 11RZ025 - Rezoning from No Use District to General Commercial District **ITEM 5**

GENERAL INFORMATION:

APPLICANT	City of Rapid City
PROPERTY OWNER	Daylight Investment III LLC, Bruce A. Nerison
REQUEST	No. 11RZ025 - Rezoning from No Use District to General Commercial District
EXISTING LEGAL DESCRIPTION	W1/2W1/2SE1/4SW1/4 less the North 8/10ths of the W1/2W1/2SE1/4SW1/4 also recorded as the W1/4SE1/4SW1/4 less the North 8/10ths of the W1/4SE1/4SW1/4 located in Section 20, T2N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.7602 acres
LOCATION	1700 Seger Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Heavy Industrial District
East:	Suburban Residential District (Pennington County)
West:	Medium Density Residential District
PUBLIC UTILITIES	Water Cistern/ Sewer Holding Tank
DATE OF APPLICATION	11/16/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

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:

The applicant has submitted a Rezoning request to change the zoning designation of the above property from No Use 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 Residential to Commercial.

On November 7, 2011, a Petition for Annexation (File #11AN002) was approved with stipulations by the City Council.

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The property is located approximately 1,300 feet east of the intersection of 143rd Avenue and Seger Drive. Currently, three commercial buildings are 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 generally.*

A Petition for Annexation was approved by the City Council on November 7, 2011. 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 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. Three commercial buildings are currently located on the property. The property was zoned General Commercial District by Pennington County. In addition, the applicant has submitted an Amendment to the adopted Comprehensive Plan to change the future land use designation from Residential to Commercial. Land located north and west of the property is zoned Medium Density Residential District. Land located south of the property is zoned Heavy Industrial. Land located to the east of the property is zoned Suburban Residential District by Pennington County. This property will serve as a buffer between industrial use to the south and residential property to the north. The rezoning of this property appears to be appropriate and 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 an amendment.*

Access to the property is from Seger Drive, a minor arterial street on the City's Major Street Plan. The property is served with private utilities consisting of a cistern and sewer holding tank. The property was previously zoned General Commercial District by Pennington County. Currently, three commercial buildings are located on the property. 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 Plan of Rapid City including any of its elements, Major Street Plan, Land Use Plan, and Community Facilities Plan.*

The property was zoned General Commercial District by Pennington County. The applicant has also requested an Amendment to the adopted Comprehensive Plan to change the future land use designation from Residential to Commercial. Seger Drive is identified as a minor arterial street on the City's Major Street Plan and is conducive to commercial development. This property will serve as a buffer between industrial use to the south and

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residential property to the north.

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 January 5, 2012 Planning Commission meeting if these requirements have not been met.