

STAFF REPORT  
June 5, 2014

---

**No. 14RZ005 - Rezoning from No Use District to General Commercial District**      **ITEM 5**

---

GENERAL INFORMATION:

APPLICANT	City of Rapid City
PROPERTY OWNER	Rodolph Investments LLC and Stamper Black Hills Gold Jewelry Inc.
REQUEST	<b>No. 14RZ005 - Rezoning from No Use District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	Lots 1 and 2 of Stamper Subdivision, located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.37 acres
LOCATION	7045 <b>and</b> 7201 <del>and 7255</del> S. US Highway 16
EXISTING ZONING	No Use District
FUTURE LAND USE DESIGNATION	General Commercial
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	Highway Service (Pennington County)
East:	General Commercial District (Planned Development)
West:	Highway Service (Pennington County)
PUBLIC UTILITIES	Private Well Private Septic
DATE OF APPLICATION	May 20, 2014
REVIEWED BY	Sarah Hanzel / Bob Reiss

RECOMMENDATION: Staff recommends approval of the rezone from No Use District to General Commercial District.

GENERAL COMMENTS: (Update, June 2, 2014. All revised and/or added text is shown in bold print.) This Staff Report contained an error pertaining to mention of a manufactured home located at 7255 S. U.S. Highway 16. Staff has become aware that the manufactured home is not located on the legally described property proposed for re-zoning. All mention of the manufactured home, and the address 7255 S. U.S. Highway 16, has been removed from this Staff Report. This property contains 4.37 acres and is located directly

STAFF REPORT  
June 5, 2014

---

**No. 14RZ005 - Rezoning from No Use District to General Commercial District** **ITEM 5**

---

south of Catron Boulevard and U.S. Highway 16. The property was annexed into the City limits on April 18, 2014, and subsequently zoned No Use District. Prior to annexation, the property was zoned Highway Service District by Pennington County. Land north and east of the property is zoned General Commercial District. Land south and west of the property is zoned Highway Service District by Pennington County.

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 district affected, or the City in general.*

The annexation of the property (14AN001) was effective April 18, 2014. 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 is for personal and business services and the general retail business of the city. Property to the north and east of this property is currently zoned General Commercial District. Structures on the property include retail, storage, and jewelry manufacturing uses. ~~There is also a manufactured home located on the southern portion of the property. The applicant should be aware that a manufactured home is allowed as a caretaker's residence in the General Commercial District with an approved Conditional Use Permit. It is a legal non-conforming use since it was a permitted use in Pennington County.~~ Any future development of the property will require that it conform to the requirements of the General Commercial Zoning 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 amendment.*

One of the properties is void of utilities and will be required to connect to City water and sewer if the use changes from the existing storage use. The second property has private water and sewer service. Staff is not aware of any significant adverse effects that will result from rezoning the property from No Use District to General Commercial District.

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.*

Rezoning the subject property from No Use District to General Commercial District is consistent with the Rapid City Future Land Use Plan. Access to the properties is from U.S. Highway 16 Service Road. This is an extension of existing commercial uses within the area. Based on these reasons, the rezoning of the properties appears to be appropriate and consistent with the intent and purpose of this ordinance.

STAFF REPORT  
June 5, 2014

---

**No. 14RZ005 - Rezoning from No Use District to General Commercial District      ITEM 5**

---

NOTIFICATION REQUIREMENTS: At the time of this writing the required sign has been posted on the property and the notification letters have been mailed.