

STAFF REPORT

November 20, 2003

No. 03RZ038 - Rezoning from No Use District to General Commercial District **ITEM 18**

GENERAL INFORMATION:

PETITIONER Renner and Sperlich Engineering Company for 16 Plus LLP

REQUEST **No. 03RZ038 - Rezoning from No Use District to General Commercial District**

EXISTING
LEGAL DESCRIPTION A portion of Tract 2 of Pioneer Subdivision, located in the NE1/4 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at a point on the section line highway between Sections 27 and 34, common to northeasterly corner of said Tract 2 of Pioneer Subdivision, and the Point of Beginning; thence, first course: S00°00'00E, along the easterly boundary of said Tract 2 of Pioneer Subdivision, common with the westerly edge of the statutory section line right-of-way, and common with the westerly edge of U.S. Highway 16 right-of-way, a distance of 109.69 feet, to an angle point; thence, second course: S07°20'00"W, along the easterly boundary of said Tract 2, common with the westerly edge of the right-of-way of U.S. Highway 16, a distance of 303.97 feet, to the northeasterly corner of Lot 3 of Moon Ridge Subdivision; thence, third course: S89°53'10"W, along the northerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 1247.37 feet, to a point on the westerly boundary of said Tract 2, common with the northwesterly corner of said Lot 3 of Moon Ridge Subdivision; thence, fourth course: N00°11'53"E, along the westerly boundary of said Tract 2, a distance of 411.10 feet, to a point on the section line common to Section 27 and 34, common to a point the southerly boundary of Lot 5 of Godfrey Addition, and common to the northwesterly corner of said Tract 2; thence fifth course: N89°52'53"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 4 and 5 of said Godfrey Addition, a distance of 796.18 feet, to an angle point; thence, sixth course: N89°50'57"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 3 and 4 of said Godfrey Addition, a

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distance of 466.12 feet, to an angle point; thence, seventh course: S89°10'40"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, a distance of 22.45 feet, to the northeasterly corner of said Tract 2, and the Point of Beginning; said parcel contains 12.00 acres more or less

PARCEL ACREAGE	Approximately 12 acres
LOCATION	Northwest of the intersection of U.S. Highway 16 and Moon Meadows Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Suburban Residential District/Highway Service District
South:	Medium Density Residential District/General Commercial District w/Planned Commercial Development
East:	General Agriculture District
West:	Suburban Residential District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/11/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to General Commercial District be **continued to the December 4, 2003 Planning Commission meeting to allow the rezoning to be considered in conjunction with Amendments to the Comprehensive Plan and a Planned Development Designation.**

GENERAL COMMENTS: **This staff report has been revised as of November 10, 2003. All revised and/or added text is shown in bold print.** The applicant is requesting to rezone approximately 12 acres located north of the intersection of U.S. Highway 16 and Moon Meadows Road. The property was annexed into the City limits in July 2000 and is zoned No Use District. The property located to the west is zoned Suburban Residential District by Pennington County. The property located to the north is zoned Suburban Residential District and Highway Service District by Pennington County. The property located to the east is zoned General Commercial District. The property located to the south is zoned Public District. U.S. Highway 16 lies adjacent to the eastern boundary of the property. Applications for Amendments to the Comprehensive Plan to change the future land use designation on **12** acres of property from General Agriculture to General Commercial **with a Planned Commercial Development (03CA037) and from General Commercial to General Commercial with a Planned Commercial Development (03CA038) and for a**

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Planned Development Designation (03PD056) have been submitted in conjunction with this rezoning request.

STAFF REVIEW: The applicant has requested a meeting with the Future Land Use Committee to consider the change in land use from General Agriculture land use(s) to General Commercial land use(s) and the requested rezoning of the property from No Use District to General Commercial District. The Future Land Use Committee **met** on October 16, 2003. **The Future Land Use Committee felt that the General Commercial land use(s) for this property is appropriate with a Planned Development Designation. Staff recommends that the rezoning of this property be continued until December 4, 2003 to allow the rezoning to be considered in conjunction with Amendments to the Comprehensive Plan and a Planned Development Designation.**

The required rezoning sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received one inquiry but no objections to the proposed rezoning at the time of this writing.