

STAFF REPORT

July 5, 2001

No. 01RZ040 - Rezoning from General Agriculture District to General Commercial District **ITEM 39**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 01RZ040 - Planned Development Designation
LEGAL DESCRIPTION	A parcel of land located in Tract "A" of Tract 1 of the W1/2SW1/4 of Section 23, T.1N., R.7E., B.H.M., Pennington County, South Dakota; (as set out in Plat Book 11, Page 207 of the Pennington County Register of Deeds); More particularly describes as: Commencing at the Southwest Corner of Section 23, T.1N., R.7E., B.H.M., common to the Southwest Corner of said Tract "A", being the POINT OF BEGINNING; thence N00°01'49"W along the west boundary of Tract "A" a distance of 336.25 feet; Thence S73°19'46"W a distance of 377.07feet to the corner common to Tract "A" and the Southwest corner of Lot C, of the SW1/4SW1/4 of said Section 23: Thence S07°31'36"E along the south boundary of said Lot C a distance of 300.94 feet to the Southeast Corner of said Lot C; Thence S07°23'48"W along the east boundary of said Tract "A" a distance of 190.53 feet to the Southeast Corner of Tract "A" said point being on the south section line of said Section 23 and the centerline of Golden Eagle Drive right-of-way; Thence S90°00'00"W along said line a distance of 634.90 feet to the point of beginning. Containing 3.71 Acres more or less
PARCEL ACREAGE	Approximately 3.71 Acres
LOCATION	North of Golden Eagle Drive and adjacent to old Marine Life
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District - General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Agriculture District
PUBLIC UTILITIES	To be extended
REPORT BY	Lisa Seaman

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RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to General Commercial District be continued to the July 26, 2001 Planning Commission meeting to allow completion of the required advertising and land owner notification.

GENERAL COMMENTS: The subject property is a portion of a 20 acre parcel owned by the City of Rapid City. A layout plat that was approved on March 19, 2001 by the City Council identified that the City is proposing to subdivide the 20 acre parcel into four lots. The subject property is identified as Parcel 4 on the attached site plan and is located adjacent to U.S. Highway 16 and directly south of the old Marine Life property that is currently being developed for commercial purposes.

The applicant has submitted this request to rezone approximately 3.71 acres of the 20 acre parcel from General Agriculture Zoning District to General Commercial Zoning District. In addition to this rezoning request, the applicant has submitted a Planned Development Designation request.

STAFF REVIEW: Staff has reviewed the rezoning request with respect to the criteria established for zoning map amendments in Section 17.54.040(D)(1). A summary of staff findings are outlined below:

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

This rezoning is necessary because of changing conditions. As Rapid City has continued to grow, the South U.S. Highway 16 area has seen increasing growth and commercialization. The completion of Catron Boulevard has served to increase the commercial growth of this area. The proposed rezoning request is consistent with the changing conditions of the area.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

The purpose of the General Commercial Zoning District is to provide for "...personal and business services and the general retail business of the city." Staff believes that rezoning the subject property to General Commercial Zoning District is consistent with this stated purpose. The subject property is located along and adjacent to a major traffic arterial in an area where other commercial properties are located.

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.*

Staff does not believe that rezoning in accordance with the recommendations of the Future Land Use Plan will result in any significant adverse affects.

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The property located directly north of the subject property is zoned General Commercial. There is also some General Commercial zoning located on the opposite side of U.S. Highway 16. Due to the surrounding commercial land uses and zoning already in this area, Staff does not believe there will be any significant adverse impacts upon the neighborhood or City in general as a result of this Zoning. Furthermore, approval of the associated Planned Development Designation will help ensure that commercial development that does occur will not cause adverse impacts.

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 subject property is included in the Southwest Connector Neighborhood Future Land Use Plan and has been identified as appropriate for General Commercial land use with a Planned Commercial Development.

Based on conformance with the criteria for review of zoning map amendments, Staff is recommending approval of the rezoning request.

The required rezoning sign has been posted on the property, however, the notification letter and advertisement incorrectly identified the request as a Planned Development Designation rather than a rezoning request. Staff has mailed corrected letters and the request will be re-advertised prior to the July 26, 2001 Planning Commission meeting.