

STAFF REPORT

February 21, 2002

No. 02RZ006 - Rezoning from No Use District to General Agriculture District **ITEM 31**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02RZ006 - Rezoning from No Use District to General Agriculture District
EXISTING LEGAL DESCRIPTION	<p>A tract of land located in the NW 1/4 of NW 1/4, NE 1/4 of NW 1/4, SE 1/4 of NW 1/4, SW 1/4 of NW 1/4 of Section 35, T1N, R7E, BHM and in the SE 1/4 of NE 1/4 of Section 34, T1N, R7E, BHM, Pennington County, South Dakota more particularly described as follows: Commencing at a point which is a 5/8" rebar which is the northwest corner of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, Thence N89°53'06"E a distance of 283.67', more or less, along the section line to the Point of Beginning which is a 5/8" rebar with cap marked 4225 set on the north section line of Section 35, T1N, R7E and the easterly right-of-way line of U.S. Highway 16; Thence N89°53'06"E a distance of 1,042.05', more or less, along the north section line of Section 35, T1N, R7E, to a point; Thence S89°42'56"E a distance of 1,327.92', more or less, along the north section line of Section 35, T1N, R7E, to a point at the N 1/4 corner of Section 35, T1N, R7E; Thence S00°00'06"E a distance of 1,338.24', more or less, along the section 1/4 line of Section 35, T1N, R7E, to a point; Thence S00°01'17"E a distance of 668.30', more or less, along the section 1/4 line of Section 35, T1N, R7E, to a point; Thence S00°01'54"E a distance of 668.47', more or less, along the north-south section 1/4 line of Section 35, T1N, R7E, to a point at the center of Section 35, T1N, R7E; Thence N89°24'46"W a distance of 1,326.32', more or less, along the east-west section 1/4 line of Section 35, T1N, R7E, to a point; Thence N89°24'46"W a distance of 1,326.32', more or less, along the east-west section 1/4 line of Section 35, T1N, R7E, to a point at the W 1/4 corner of Section 35, T1N, R7E and E 1/4 corner of Section 34, T1N, R7E; Thence S89°42'51"W a distance of 104.64', more or less, along the east-west section 1/4 line of Section 34, T1N, R7E, to a point at the intersection of the east-west section 1/4 line of Section 34, T1N, R7E and easterly right-of-way line of U.S.</p>

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Highway 16; Thence northeasterly along said easterly right-of way of U.S. Highway 16 on a curve with a radius of 2,492.00' and an arc length of 692.47', more or less, to a point; Thence N82°41'04"W a distance of 50', more or less, along the east right-of-way line of U.S. Highway 16 to a point; Thence N07°18'56"E a distance of 658.85', more or less, along the easterly right-of-way line of U.S. Highway 16 to a point; Thence N07°18'56"E a distance of 1,338.03', more or less, along the easterly right-of-way line of U.S. Highway 16 to the Point of Beginning; and Lot H2 of the E1/2 of the NE1/4 of Section 34, T1N, R7E, BHM, Pennington County, South Dakota

PARCEL ACREAGE	Approximately 152.9 Acres
LOCATION	Approximately 1/2 mile south of the intersection of Catron Boulevard and U.S. Highway 16
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	General Commercial District - Low Density Residential District
South:	General Agriculture District (County)
East:	Limited Agriculture District (County)
West:	General Commercial District (City)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	1/25/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to General Agriculture District be approved.

GENERAL COMMENTS: This property is located on the east side of U.S. Highway 16 South approximately one half mile south of the intersection of Catron Boulevard and U.S. Highway 16. This property was annexed into the City limits on May 7, 2001 and is currently undeveloped. This request is to rezone the subject property to General Agriculture District as a holding zone until such time as the property owner has specific plans to develop the property.

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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 subject property was annexed into the City on May 7, 2001. All lands annexed into the City are placed in a No Use Zoning District. The No Use Zoning District is a temporary designation for the purpose of permitting investigation and study of the land uses in the area.

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

The subject property is undeveloped and no structures are located on the site. North of the subject property the undeveloped land is zoned General Commercial with a Planned Development Designation and Low Density Residential with a Planned Development Designation. West of the subject property is U.S. Highway 16 right-of-way. Undeveloped properties south of the subject property are zoned General Agriculture District by Pennington County. To the east of the subject property are properties zoned Limited Agriculture by Pennington County and have agricultural uses. A General Agriculture Zoning District would be appropriate as a holding zone until such time as the property is ready for development.

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 proposed rezoning should not have a significant affect on any of the surrounding land uses or on public infrastructure.

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 Rapid City Comprehensive Plan designation for this property is Limited Agriculture, General Agriculture, or Forest use. This area is currently being reviewed as part of the South U.S. Highway 16 Corridor Plan. The proposed rezoning of this parcel to General Agriculture District is appropriate until such time as urbanization is warranted and the appropriate change in district classification is made. When the property is ready for development, the owner will be required to submit a change to the appropriate zoning district.

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Staff has mailed certified letters to notify surrounding property owners of the proposed rezoning and has posted the required sign on this property. As of this date, staff has received inquiries, but no objections regarding this request.