

STAFF REPORT

March 21, 2002

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**No. 02RZ014 - Rezoning from No Use District to General Commercial District**      **ITEM 26**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02RZ014 - Rezoning from No Use District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	Tract B of SW1/4 SW1/4 less right-of-way, less the east 318.2 feet of Tract B of SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.25 acres
LOCATION	262 North Cambell Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	No Use District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water to be extended
DATE OF APPLICATION	02/20/2002
REPORT BY	Karen Bulman

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

GENERAL COMMENTS: The property is located east of Cambell Street and north of S.D. Highway 44. This property was annexed into the City effective October 25, 2001 and is currently designated as a No Use Zoning District. The No Use Zoning District is a temporary zoning designation utilized when property is annexed into the City of Rapid City, pursuant to the provisions of Section 17.26.020 of the Rapid City Municipal Code. The City of Rapid City has 120 days to identify the correct zoning for the property and complete the rezoning process. The purpose of this application is to complete that process.

General Commercial Zoning Districts are located north, south and west of the subject property. Land zoned No Use District is located east of the subject 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 October 25, 2001. All annexed lands are temporarily placed in the No Use Zoning District. The recent 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 subject property at 262 Cambell Street is located north of S.D. Highway 44 and south of E. Philadelphia Street. This property is located adjacent to surrounding property with a General Commercial zoning designation and as such is 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.**

Water and sewer are available in the area, and any development will require extension of those infrastructures. The amendment 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 adopted Elk Vale Neighborhood Future Land Use Plan for this area shows the subject property with a general commercial land use designation. The Major Street Plan identifies Cambell Street as a principal arterial. The proposed General Commercial Zoning District is consistent with those adopted plans.

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 no comments or objections regarding this request.