

STAFF REPORT  
January 6, 2005

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**No. 04RZ059 - Rezoning from General Agriculture to General Commercial**      **ITEM 43**

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GENERAL INFORMATION:

PETITIONER	Nathan Barton for Century Resources
REQUEST	<b>No. 04RZ059 - Rezoning from General Agriculture to General Commercial</b>
EXISTING LEGAL DESCRIPTION	Property located in the NE1/4 SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, described by metes and bounds beginning at Point A, a point halfway between the Center of the section and the West quarter-corner of Section 32, T2N, R8E, BHM, Pennington County, SD: Course the first: A distance of 620.12 feet S89°42'55"E, thence Course the second: A distance of 249.26 feet S45°21'03" W, thence Course the third: A distance of 97.94 feet S45°21'03"W, thence Course the fourth: A distance of 115.86 feet N44°38'57"W, thence Course the fifth: A distance of 75.20 feet (arc) with a radius of 240.00 feet at an included angle of 17°57'14" (and with a chord of 74.96 feet S08°58'37"W), thence Course the sixth: A distance of 377.30 feet S00°00'00"W, thence Course the seventh: A distance of 280.00 feet S90°00'00"W, thence Course the eighth: A distance of 518.58 feet N00°15'40"E, thence Course the ninth: A distance of 97.36 feet N00°00'00"E, to the Point of Beginning (Point A), EXCEPT: That portion of the parcel to be included in Lot 4 of Block 1, Menards Subdivision, more particularly described as: Beginning at Point B, 418.18 feet S89°42'55"E of Point A above, Course the first: A distance of 202.35 feet S89°42'55"E, thence Course the second: A distance of 249.26 feet S45°21'03"W, thence Course the third: A distance of 97.94 feet S45°21'03"W, thence Course the fourth: A distance of 115.86 feet N44°38'57"W, thence Course the fifth: A distance of 102.25 feet (arc) with a radius of 240.00 feet at an included angle of 24°26'03" (and with a chord of 101.58 feet N30°10'15"E), thence Course the sixth: A distance of 105.92 feet N45°06'20"E, to the point of beginning (Point B); and property located in the S1/2 NW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota described by metes and bounds beginning at Point A, a point halfway between the Center of the Section and the West quarter-corner of Section 32, T2N, R8E, BHM, Pennington County, SD: Course the first: A

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distance of 192.51 feet N89°42'55"W, thence Course the second: A distance of 407.48 feet N49°12'20"E, thence Course the third: A distance of 180.58 feet N49°12'20"E, thence Course the fourth: A distance of 134.60 feet S73°03'09"E, thence Course the fifth: A distance of 187.83 feet S44°45'07"E, thence Course the sixth: A distance of 21.23 feet S00°25'07"W, thence Course the seventh: A distance of 60.03 feet S44°39'53"E, thence Course the eighth: A distance of 21.15 feet S89°50'22"E, thence Course the ninth: A distance of 55.09 feet S44°38'49"E, thence Course the tenth: A distance of 83.19 feet S45°58'34"E, thence Course the eleventh: A distance of 79.08 feet S45°21'03"W, thence Course the twelfth: A distance of 620.12 feet N89°42'55"W, to the Point of Beginning (Point A), EXCEPT: That portion of the parcel to be included in Lot 4 of Block 1, Menards Subdivision, more particularly described as: Beginning at Point B 418.18 feet S89°42'55"E of Point A above, Course the first: A distance of 202.35 feet S89°42'55"E, thence Course the second: A distance of 79.08 feet N45°21'03"E, thence Course the third: A distance of 83.19 feet N45°58'34"W, thence Course the fourth: A distance of 55.09 feet N44°38'49"W, thence Course the fifth: A distance of 7.91 feet N89°50'22"W, thence Course the sixth: A distance of 214.80 feet S45°06'20"W, to the point of beginning (Point B)

PARCEL ACREAGE	Approximately 8.06 acres
LOCATION	1705 East Anamosa Street
EXISTING ZONING	General Agriculture District/General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District
East:	General Commercial District with a Planned Commercial Development
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/10/2004
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

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RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture to General Commercial be approved.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the above legally described property from General Agriculture District to General Commercial District. In addition, the applicant has submitted a Preliminary Plat to create four lots leaving an unplatted balance. (See companion item #04PL190.)

The subject property is located in the northwest corner of the Creek Drive and the East Anamosa Street intersection and is currently void of any structural development.

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is 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 property is currently zoned General Agriculture District. The General Agriculture District has served as a holding zone until such time as the property is developed. The extension of East Anamosa Street and the relocation of Eglin Street were completed as a part of the Menards development located directly north of the subject property. East Anamosa Street is classified as a minor arterial street on the City's Major Street Plan which is designed to handle large volumes of traffic. It is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future.

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. With the construction of the minor arterial streets and the extension of City sewer and water to the area, the proposed rezoning request is consistent with urbanized development within the area. In addition to Menard's, there have been several general commercial businesses recently constructed along this area of E. Anamosa Street and E. North Street creating a commercial node within this area. Rezoning the subject property as proposed 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 amendment.*

Staff has not identified any significant adverse impacts that will result from the requested rezoning. The recent extension of municipal services to the area as well as the location of the site adjacent to a minor arterial street support commercial development.

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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.*

Staff finds this rezoning request to be in compliance with the adopted plans. The Major Street Plan identifies East Anamosa Street and Creek Drive as minor arterial streets. In addition, the Elk Vale Neighborhood Future Land Use Map identifies the property as appropriate for general commercial use(s).

As of the writing of this Staff Report, the sign has not been posted on the property nor have the certified mailing receipts been returned. Staff will inform the Planning Commission at the January 6, 2005 Planning Commission meeting if these requirements have not been met.