

STAFF REPORT
February 24, 2005

No. 05RZ012 - Rezoning from No Use District to General Agriculture District ITEM 40

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 05RZ012 - Rezoning from No Use District to General Agriculture District
EXISTING LEGAL DESCRIPTION	The east approximately 1537 feet of Lot H7 in the SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota and Lot H1 in Tract B in the NE1/4 SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.03 acres
LOCATION	South of I-90 at Exit 61
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Box Elder City limits
West:	No Use District
PUBLIC UTILITIES	NA
DATE OF APPLICATION	1/28/2005
REVIEWED BY	Karen Bulman / Curt Huus

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to General Agriculture District be denied without prejudice.

GENERAL COMMENTS: This property is located east of Elk Vale Road and south of Interstate-90 and contains approximately 5.03 acres. The Dakota Minnesota & Eastern Railroad right-of-way is located on this property. The property located north and south of the subject property is zoned General Commercial District. The property located west of the subject property is zoned No Use District. The property located east of the subject property is located in the Box Elder City limits. The subject property was annexed into the City effective May 4, 2003 and placed in 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 purpose of this application is to complete that process.

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STAFF REVIEW: Property located south of the subject property was annexed into the City limits of Rapid City effective February 6, 2003 and is currently zoned No Use District. There is a current submittal (05RZ013) to rezone this adjacent property from No Use District to General Agriculture District. Upon annexation, rights-of-way are generally zoned with the same designation as the property located adjacent to the right-of-way. The adjacent property owner has requested that the rezoning of his property from No Use District to General Agriculture District on his property be denied without prejudice to allow him to meet with the Future Land Use Committee to request that his property be rezoned from No Use District to General Commercial District. As such, staff is recommending that this rezoning from No Use District to General Agriculture District be denied without prejudice to allow the Future Land Use Committee time to review the proposals and subsequently to rezone the railroad right-of-way the same as the adjacent property.