

STAFF REPORT  
December 8, 2005

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**No. 05RZ023 - Rezoning from No Use District to General Commercial District**      **ITEM 19**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 05RZ023 - Rezoning from No Use District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	The eastern most 504 feet of the SW1/4NW1/4 and the SE1/4NW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 55.3 acres
LOCATION	South of Interstate 90 and east of Elk Vale Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	No Use District
East:	General Agriculture District (Pennington County)
West:	No Use District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	2/25/2005
REVIEWED BY	Karen Bulman / Michelle Horkey

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

GENERAL COMMENTS: **This staff report has been revised as of November 30, 2005. All revised and/or added text is shown in bold print.** This undeveloped property contains approximately 55.3 acres and is located south of Interstate 90 and east of Elk Vale Road. The subject property was annexed into the City effective May 4, 2003 and placed in a No Use Zoning District. The property located north, south and west of the subject property is zoned No Use District. The property located east of the subject property is zoned General Agriculture District by Pennington County. An Amendment to the Comprehensive Plan to change the Elk Vale Neighborhood Area Future Land Use Plan from Light Industrial to General Commercial (05CA015) has been submitted in conjunction with this rezoning application.

STAFF REVIEW: The subject property is identified on the Rapid City Comprehensive Plan as appropriate for Industrial land uses. The Future Land Use Committee met on February 18, 2005 and recommended approval of a proposal to change the land use from Light Industrial

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to General Commercial in conjunction with an associated request from the adjacent property owners located north of the subject property. Staff is requesting this rezoning be continued to the April 7, 2005 Planning Commission meeting in order to review the comprehensive plan and rezoning procedures with the landowners. This item was continued at the February 24, 2005 Planning Commission meeting. The property owner has requested to meet with the Future Land Use Committee to review multiple land use designations for the subject property. As such, staff is recommending that this application be continued to the May 26, 2005 Planning Commission meeting to allow the applicant to meet with the Future Land Use Committee. (Revised 3-30-05) This item was continued at the April 7, 2004 Planning Commission meeting in order to allow the property owners to meet with the Future Land Use Committee. The Committee met with the landowners on May 6, 2005 and will continue to meet with the property owners on site May 27, 2005. As such, staff is requesting that this application be continued to the June 9, 2005 Planning Commission meeting to allow the landowners to meet with the Future Land Use Committee. (Revised 5-16-05) The Future Land Use Committee met on site with the property owners and continues to review the multiple land use designations for the subject property. As such, staff is requesting that this application be continued to the August 25, 2005 Planning Commission meeting to allow the landowners to meet with the Future Land Use Committee. (Revised 5-31-05) The Future Land Use Committee and the property owners continue to review the multiple land use designations for the subject property. As such, staff is requesting that this application be continued to the November 10, 2005 Planning Commission meeting to allow the landowners to meet with the Future Land Use Committee. (Revised 8-12-05) The property owners plan to submit a land use plan for the property prior to the next Planning Commission meeting. As such, the applicant has requested that this item be continued to the November 23, 2005 Planning Commission meeting. (Revised 11-2-05) The property owner has submitted a land use plan for the area. In order for staff to have adequate time to review the plan, staff is requesting that this item be continued to the December 8, 2005 Planning Commission meeting. The applicant is in concurrence with the recommendation to continue the application to the December 8, 2005 Planning Commission meeting. (Revised 11-16-05) **Staff has reviewed the land use plan submitted by the property owner requesting that the subject property be rezoned Low Density Residential District. The property owner and staff are in agreement to deny this application for a Rezoning without prejudice and submit a rezoning and comprehensive plan amendment for the January 5, 2006 Planning Commission meeting. As such, staff is recommending that this Rezoning application be denied without prejudice. (Revised 11-30-05)**

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.