

STAFF REPORT
January 5, 2012

No. 11RZ026 - Rezoning from Office Commercial District to General Commercial District

ITEM 12

GENERAL INFORMATION:

APPLICANT	Ted Ruffledt, Jr. Pennington County
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	G & G Investments, LLP
REQUEST	No. 11RZ026 - Rezoning from Office Commercial District to General Commercial District
EXISTING LEGAL DESCRIPTION	W1/2 NW1/4 SW1/4 and the NW1/4 SW1/4 SW1/4 located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 30 acres
LOCATION	Along the east side of Elk Vale Road approximately 1,000 feet north of the intersection of East Anamosa Street and Elk Vale Road
EXISTING ZONING	Office Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Development Designation)
South:	General Commercial District (Planned Development Designation)
East:	Low Density Residential District (Planned Development Designation)
West:	General Agriculture District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	11/23/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

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

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the

STAFF REPORT
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No. 11RZ026 - Rezoning from Office Commercial District to General Commercial District **ITEM 12**

above property from Office Commercial District to General Commercial District.

On June 16, 2003, the City Council approved a Petition for Annexation (File #03AN006) with stipulations.

On January 20, 2006, a Planned Development Designation for the above property was approved with stipulations.

On February 6, 2006, the City Council approved a Rezoning request from No Use District to Office Commercial District (File #05RZ068).

On February 6, 2006, the City Council approved a Comprehensive Plan Amendment to change the future land use designation from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development (File #05CA050).

The property is located approximately 1,600 feet northeast of the intersection of North Elk Vale Road and East Anamosa Street. Currently, the property is undeveloped.

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.*

A Petition for Annexation was approved by the City Council on June 16, 2003. The property was rezoned Office Commercial District on February 6, 2006. The rezoning request to General Commercial District is consistent with the current future land use designation of Commercial.

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

The purpose of the General Commercial District as stated in the Zoning Ordinance is for personal and business services and the general retail business of the city. The Future Land Use Plan indicates that this property is appropriate for Commercial land uses. Within the same lot to the north and east is land zoned Low Density Residential District with a Planned Development Designation and Medium Density Residential District with a Planned Development Designation. The property located to the south is zoned Office Commercial District with a Planned Development Designation, Low Density Residential with a Planned Development Designation and General Commercial District with a Planned Development Designation. Land located to the west of the property is zoned General Agricultural District. The rezoning of this property appears to be appropriate and 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*

STAFF REPORT
January 5, 2012

No. 11RZ026 - Rezoning from Office Commercial District to General Commercial District **ITEM 12**

direct or indirect adverse effects result from such an amendment.

Access will be provided by the street network as shown on the City's Major Street Plan. Access to the property cannot be taken from North Elk Vale Road, a principal arterial street on the City's Major Street Plan. The property is served with water and sewer service through the City of Rapid City. No significant adverse impacts resulting from the requested rezoning have been identified.

- 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 City's adopted Future Land Use Plan identifies the future use of the property as appropriate for Commercial land use. A Planned Development Designation has been approved for the above property requiring that any development on the property be approved through a Planned Commercial Development. North Elk Vale Road is identified as a principal arterial street on the City's Major Street Plan which is conducive to commercial development. Access to the property cannot be taken from North Elk Vale Road. Rezoning the subject property from Office Commercial District to General Commercial District is consistent with the adopted Comprehensive Plan.

Notification Requirement: As of this writing, the white slips and green cards have not been returned. The required sign has not been posted on the property. Staff will notify the Planning Commission at the January 5, 2012 Planning Commission meeting if these requirements have not been met.