

STAFF REPORT

July 5, 2012

**No. 12RZ011 - Rezoning from Low Density Residential District to
General Commercial District**

ITEM 4

GENERAL INFORMATION:

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| APPLICANT | HDRK Properties, LLC |
| AGENT | Renee Catron - Renner & Associates, LLC |
| PROPERTY OWNER | Richard Huffman |
| REQUEST | No. 12RZ011 - Rezoning from Low Density Residential District to General Commercial District |
| EXISTING LEGAL DESCRIPTION | A portion of Tract C of Rushmore Center, vacated Lots 22-28 of Block 11 of Plainview 2nd Addition to the City of Rapid City, and vacated alley adjacent to Lots 22-28 of Block 11 of Plainview 2nd Addition to the City of Rapid City, located in the SE1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Tract C of Rushmore Center, and the point of beginning; Thence, first course: N89°57'35"W, along the southerly boundary of said Tract C, common to the northerly edge of said East Anamosa Street right-of-way, a distance of 220.52 feet; Thence, second course: N00°06'16"E, a distance of 340.49 feet; Thence, third course: S89°50'00"E, a distance of 400.18 feet, to a point on the easterly boundary of said Tract C; Thence, fourth course: S00°07'24"W, along the easterly boundary of said Tract C, a distance of 179.55 feet; Thence, fifth course: S00°04'10"W, a distance of 19.95 feet; Thence, sixth course: S00°01'07"W, a distance of 140.13 feet; Thence, seventh course: N89°57'35"W, a distance of 54.85 feet; Thence, eighth course: N89°56'53"W, a distance of 124.97 feet to the said point of beginning |
| PARCEL ACREAGE | Approximately 3.14 acres |
| LOCATION | On the north side of East Anamosa Street east of the intersection of East Anamosa Street and Luna Avenue |
| EXISTING ZONING | Low Density Residential District |
| FUTURE LAND USE DESIGNATION | Residential |
| SURROUNDING ZONING | |

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|--------|-------------------------------------|
| North: | Low Density Residential District |
| South: | Medium Density Residential District |
| East: | Low Density Residential District |
| West: | Low Density Residential District |

PUBLIC UTILITIES Rapid City water and sewer

DATE OF APPLICATION June 8, 2012

REVIEWED BY Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the request to Rezone from Low Density Residential District to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: The applicant has submitted a Rezoning request to rezone approximately 3.14 acres of property from Low Density Residential District to General Commercial District. The applicant has submitted an associated Rezoning request (File #12RZ012) to rezone approximately 2.454 acres of property from General Agriculture District to General Commercial District. In addition, the applicant has submitted an associated Comprehensive Plan Amendment (File # 12CA003) to change the Future Land Use designation on the property from Residential to Commercial.

The property is located northeast of the intersection of East Anamosa Street and Luna Avenue, in the northeast section of the City. Currently, the property is void of structural development.

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 amendment shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

The property is adjacent to the north of the recently constructed East Anamosa Street. East Anamosa Street is a minor arterial street on the City's Major Street Plan, making it suitable for commercial development. Property to the north and west is currently zoned General Agriculture District with a pending request to Rezone the property to General Commercial District. The General Commercial District to the north of these Rezoning requests continues to develop as the Rushmore Crossing commercial development. Property to the south of East Anamosa Street is zoned Medium Density Residential District. The completion of East Anamosa Street and the expanding commercial development in the area create substantially changing conditions in the area.

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

The General Commercial District is for personal and business services and the general retail business of the City. Commercial development in the area has been expanding, particularly the Rushmore Crossing commercial development to the north and the east. East Anamosa Street will access La Crosse Street to the west and East North Street to the east. Both La Crosse Street and East North Street are classified as principal arterial streets on the City's Major Street Plan, with direct access to Interstate 90. The location of the property in proximity to arterial streets with direct access to the regional transportation network, as well as existing and expanding commercial development, makes it suitable for commercial development. It appears the requested Rezoning is consistent with the intent and purpose of the zoning 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.*

Property to the south of the Rezoning request is zoned Medium Density Residential District. The proposed Rezoning request will create an increase in the intensity of use of land. However, East Anamosa Street will serve as a buffer between residential development to the south and commercial development to the north. The property is located between land zoned General Commercial District to the north and land zoned Medium Density Residential District to the south. The requested Rezoning will create a uniform separation between commercial and residential uses. East Anamosa Street is designed as a minor arterial street suitable for the higher traffic volumes associated with commercial development. The proposed amendment will not adversely affect any other part of the City.

4. *The proposed amendment 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.*

The Rapid City Bicycle and Pedestrian Master Plan identifies a side path located along the north side of East Anamosa Street. The applicant should note that future development of the property will require that sidewalk be installed on East Anamosa Street. The property is served by Rapid City water and sewer.

One of the goals of the Rapid City Future Land Use Plan is to develop a unified land use and transportation system that balances today's community needs and goals while adequately planning for those of tomorrow. A policy for the support of that goal is to provide for the location of employment areas at sites which are convenient to existing and proposed residential areas throughout the area and accessible from the existing or proposed transportation system. The proposed Rezoning will create a General Commercial District adjacent to a minor arterial street, and well connected to the City and regional transportation networks while improving the separation between residential and commercial uses.

The portions of property currently zoned Low Density Residential District are currently

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designated for residential and commercial development in the City's Future Land Use Plan. The applicant has submitted an associated Comprehensive Plan Amendment to change a portion of the future land use designation from residential to commercial (File #12CA003). The applicant met with the Future Land Use Committee on June 28, 2012 to discuss the potential development of the property and the Future Land Use Committee voted to approve the Comprehensive Plan Amendment to change the Future Land Use on the property from Residential to Commercial.

The proposed Rezoning is consistent with the development plan for Rapid City if approved in conjunction with the associated Comprehensive Plan Amendment.

Notification Requirements: The required sign has been posted on the property. As of this writing, the green cards and white receipts providing proof of the certified mailing have not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the July 5, 2012 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into this request.