

STAFF REPORT

July 5, 2012

No. 12RZ012 - Rezoning from General Agriculture District to General Commercial District **ITEM 5**

GENERAL INFORMATION:

APPLICANT	HDRK Properties, LLC
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Richard Huffman
REQUEST	No. 12RZ012 - Rezoning from General Agriculture District to General Commercial District

EXISTING
LEGAL DESCRIPTION

A portion of Tract C of Rushmore Center 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, thence N89°57'35"W, a distance of 220.52 feet, to a point on the southerly boundary of said Tract C, common to a point on the northerly edge of East Anamosa Street right-of-way, 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 140.88 feet; Thence, second course: along the southerly boundary of said Tract C, common to the northerly edge of said East Anamosa Street right-of-way, curving to the left, on a curve with a radius of 844.00 feet, a delta angle of 02°39'54", a length of 39.26 feet, a chord bearing of N83°18'22"W, and chord distance of 39.26 feet; Thence, third course: N41°40'33"W, along the westerly boundary of said Tract C, common to the easterly edge of Luna Avenue right-of-way, a distance of 28.95 feet; Thence, fourth course: N01°57'56"E, along the westerly boundary of said Tract C, common to the easterly edge of said Luna Avenue right-of-way, a distance of 375.86 feet; Thence, fifth course: along the westerly boundary of said Tract C, common to the easterly edge of said Luna Avenue right-of-way, curving to the left, on a curve with a radius of 2030.00 feet, a delta angle of 00°12'03", a length of 7.12 feet, a chord bearing of N01°51'55"E, and chord distance of 7.12 feet; Thence, sixth course: S89°54'12"E, a distance of 617.03 feet, to a point on the easterly boundary of said Tract C, common to a point on the westerly boundary of Lot 5A, Block 2 of Rushmore Crossing; Thence, seventh course: S00°08'44"W, along the easterly boundary of said Tract C, common to the

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westerly boundary of said Lot 5A, a distance of 28.36 feet; Thence, eighth course: N89°50'59"W, along the easterly boundary of said Tract C, a distance of 30.09 feet; Thence, ninth course: S00°06'36"W, along the easterly boundary of said Tract C, a distance of 40.40 feet; Thence, tenth course: N89°50'00"W, a distance of 400.18 feet; Thence, eleventh course: S00°06'16"W, a distance of 340.49 feet, to the said point of beginning

PARCEL ACREAGE	Approximately 2.454 acres
LOCATION	At the northeast corner of the intersection of East Anamosa Street and Luna Avenue
EXISTING ZONING	General Agriculture District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	Medium Density Residential District
East:	Low Density Residential District, General Agriculture District
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	June 8, 2012
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

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

GENERAL COMMENTS: The applicant has submitted a Rezoning request to rezone approximately 2.454 acres of property from General Agriculture District to General Commercial District. The applicant has submitted an associated Rezoning request (File #12RZ011) to rezone approximately 3.14 acres of property from Low Density Residential District to General Commercial District. The applicant has submitted a Comprehensive Plan Amendment (File # 12CA003) to change the Future Land Use designation on the property of the associated Rezoning request from Residential to Commercial. The future land use designation for the property being considered in this Rezoning request is Commercial and as such, a Comprehensive Plan Amendment for this property is not required.

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The property is located immediately 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 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 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 zoned General Commercial District. The General Commercial District to the north continues to develop as the Rushmore Crossing commercial development. Property to the east is currently zoned Low Density Residential District with a pending request to Rezone the property to General Commercial District. 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.

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

The General Agriculture District is intended to provide for land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. The types of uses, area and intensity of use of land which is authorized in this district is designed to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made. 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

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development to the south and commercial development to the north. The General Agriculture District being considered for Rezoning is adjacent to property zoned General Commercial District to the north and west, and Low Density Residential District to the east. 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. As such, staff recommends that the request to Rezone property from General Agriculture District to General Commercial District be approved

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.