

STAFF REPORT

April 4, 2013

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**No. 13RZ005 - Rezoning from No Use District to General Commercial District**      **ITEM 9**

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GENERAL INFORMATION:

APPLICANT	City of Rapid City
PROPERTY OWNER	Highway 16 Properties, LLC
REQUEST	<b>No. 13RZ005 - Rezoning from No Use District to General Commercial District</b>
EXISTING LEGAL DESCRIPTION	Lot A of the SW1/4 of the NW1/4 of Section 26 and Lot A of the SE1/4 of the NE1/4 of Section 27, all located in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.09 acres
LOCATION	West of South U.S. Highway 16 and south of Catron Boulevard
EXISTING ZONING	No Use District
FUTURE LAND USE DESIGNATION	Commercial/Residential
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	Suburban Residential District (Pennington County) - Highway Services District (Pennington County)
East:	General Commercial District (Planned Development Designation)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Public
DATE OF APPLICATION	March 8, 2013
REVIEWED BY	Katherine Palmer / Nicole Lecy

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: The property contains approximately 10.09 acres and is located on the west side of U.S. Highway 16 approximately 435 feet south of Catron Boulevard. The applicant has submitted a request to rezone the property from No Use District to General

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Commercial District. In addition, the applicant has submitted an application to amend the Comprehensive Plan (#13CA005) to change the future land use designation of approximately 3.60 acres of the property from Residential to Commercial.

On October 1, 2012, a Petition for Annexation, (#12AN004), that included the above legally described property, was approved by the City Council.

STAFF REVIEW: Staff has reviewed the proposed rezoning request for conformance with the four (4) 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 generally.*

A Petition for Annexation (#12AN004) was approved by the City Council on October 1, 2012. All annexed lands are temporarily designated as a No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property.

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 City of Rapid City's General Commercial Zoning District Code 17.18, is for personal and business services and the general retail business of the city. The remains of an abandoned travel park are currently located on the property. The property was previously zoned Planned Unit Development District by Pennington County to allow a travel park. In addition, the applicant has submitted an application for an Amendment to the Comprehensive Plan to change the future land use designation of approximately 3.60 acres of the property from Residential to Commercial. Land located to the north and east of the property is zoned General Commercial District with Planned Development Designations. Land located to the west and southwest of the property is zoned Suburban Residential District by Pennington County. Land located to the southeast of the property is zoned Highway Services District by Pennington County. The rezoning of the property is consistent with the intent and purpose of the 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 an amendment.*

The property currently contains two (2) abandoned buildings from the previous travel park use, along with electrical hook-up stems located throughout the lot. Access to the property is by a frontage road adjacent to U.S. Highway 16, a Collector on the Major Street Plan. Staff has not identified any significant adverse effects that the requested rezone would have on the surrounding area or on the City.

In early 2012, the City Council adopted the Infrastructure Design Criteria Manual. Based on the new criteria, when a commercial development is expected to exceed more than 100 peak hour vehicle trips, a traffic impact study is required. This property is estimated

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to generate anywhere from 220 to 750 peak hour trips. The applicant should be aware that upon submittal of a development application, a traffic impact study, per Section 2.17 of the Infrastructure Design Criteria Manual, will need to be submitted for the property or the applicant will need to seek an exception to the requirement.

- 4. The proposed amendment 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 property was zoned Planned Unit Development District by Pennington County. The applicant has submitted an application for an Amendment to the Comprehensive Plan to change the future land use designation of approximately 3.60 acres of the property from Residential to Commercial. Access to the property is by a frontage road that follows U.S. Highway 16, a Collector on the Major Street Plan and is conducive to commercial development. The proposed amendment will allow for the continuation of in-fill development within the City and enhance the existing economic base of Rapid City. The nearby commercial and residential developments in the area indicate that the proposed change will result in a logical and orderly development pattern.

NOTIFICATION REQUIREMENT: The required sign has been posted on the property. The green cards and white receipts from the certified mailings have been submitted to the Community Planning and Development Services staff. Staff has received no inquires regarding the proposed amendment.

STAFF RECOMMENDATION: Staff recommends that Rezoning from No Use District to General Commercial District be approved, in conjunction with approval of the associated Comprehensive Plan Amendment.