

STAFF REPORT  
January 8, 2015

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**No. 14RZ014 - Rezoning from General Commercial District to Medium Density Residential District** **ITEM 4**

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GENERAL INFORMATION:

APPLICANT	Century Resources, Inc.
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Century Resources Inc
REQUEST	<b>No. 14RZ014 - Rezoning from General Commercial District to Medium Density Residential District</b>
EXISTING LEGAL DESCRIPTION	A portion of the NW ¼ of the SW ¼, located in the NW ¼ of the SW ¼, Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Lot 1 of Huffman Subdivision and the Point of Beginning; Thence, first course: N00°01'35"E, a distance of 157.33 feet; Thence, second course: S89°59'16"E, a distance of 315.38 feet; Thence, third course: S00°00'44"W, a distance of 218.42 feet; Thence, fourth course: N89°47'25"W, a distance of 315.43 feet; Thence, fifth course: N00°01'35"E, a distance of 60.00 feet; to the southeasterly corner of said Lot 1 Huffman Subdivision, and the Point of Beginning
PROPOSED LEGAL DESCRIPTION	Lot 5 of Block 2, of Menard Subdivision, located in the NW1/4 of the SW1/4 and the NE1/4 of the SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.22 acres
LOCATION	Southwest of the intersection of N. Creek Drive and E. Anamosa Street
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Mixed Use Commercial
SURROUNDING ZONING	
North:	General Commercial District
South:	High Industrial District
East:	General Agricultural District
West:	Light Industrial District

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PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	December 12, 2014
REVIEWED BY	Fletcher Lacock / Ted Johnson

**RECOMMENDATION:**

Staff recommends that the Rezoning from General Commercial District to Medium Density Residential District be approved.

**GENERAL COMMENTS:**

The applicant has submitted a Rezoning request to change the zoning designation of the above legally described property from General Commercial District to Medium Density Residential District for a parcel of land approximately 2.22 acres in size.

The applicant has also submitted a Preliminary Subdivision Plan (File #14PL068) to subdivide the property into a separate lot. In addition, the applicant has submitted a Rezoning request (File #14RZ013) to change the zoning designation of an adjacent property to the east from General Agriculture District to Medium Density Residential District.

The property is located approximately 1,010 feet east of the intersection of North Cambell Street and East Philadelphia Street. Currently, the property is void of structural development.

**STAFF REVIEW:**

Staff has reviewed this proposed rezoning request 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 generally.*

The applicant has submitted a Preliminary Subdivision Plan (File #14PL068) showing the subdivision of the subject property into a separate lot. The plan includes the extension of North Creek Drive from the north and Century Road from the northwest. The City's Future Land Use Plan identifies the property as suitable for Mixed Use Commercial. Higher density residential is identified as a secondary use in the district.

2. The proposed amendments shall be consistent with the intent and purposes of this title.

The Rapid City Municipal Code states that the Medium Density Residential District is established to provide for medium to high population density with the principal uses of land ranging from single-family to multiple-family apartment uses. The City's Future Land Use Plan identifies the property as suitable for Mixed Use Commercial. Higher density residential is identified as a secondary use in the district. It appears that the rezoning request is consistent with the intent and purpose of the Zoning Ordinance.

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3. *The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from the amendment.*

The property is currently zoned General Commercial District. The property is identified as suitable for mixed use commercial on the City's Future Land Use Map. Public Works staff has indicated that there may be water and sewer capacity issues depending on the intensity of development. The applicant should be aware that higher density development may need upgrades to water and sewer services.

4. *The proposed amendments 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 proposed Rezoning is not in conflict with the Major Street Plan or the Future Land Use Plan.

Summary: The City's Future Land Use Plan identifies the property as suitable for Mixed Use Commercial. Higher density residential is identified as a secondary use in the district. It appears that the rezoning request is consistent with the intent and purpose of the Zoning Ordinance. Staff recommends that the rezoning request be approved.

Notification: The mailings and sign have been picked up. The mailings have been returned to Community Planning and Development Services for posting. Staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the January 8, 2015 Planning Commission meeting if this requirement has not been met.