

STAFF REPORT
August 8, 2013

No. 13RZ019 - Rezoning from Medium Density Residential District to General Commercial District **ITEM 6**

GENERAL INFORMATION:

APPLICANT	Horizon Properties, Inc.
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Horizon Properties Inc
REQUEST	No. 13RZ019 - Rezoning from Medium Density Residential District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lot 10 and Lot 11 of Block 5 of Gus Haines Subdivision, located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .38 acres
LOCATION	Northwest of the intersection of Hawthorne Avenue and of East Meade Street
EXISTING ZONING	Medium Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	General Commercial District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	July 11, 2013
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Rezoning from Medium 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 change the zoning designation of the above legally described property from Medium Density Residential District to General Commercial District. In addition, the applicant has submitted an Amendment to the

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August 8, 2013

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Comprehensive Plan (File #13CA011) to change the future land use designation from Residential to Commercial.

The property is located approximately 160 feet north of the intersection of Hawthorne Avenue and East Meade 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.*

It does not appear that there are any substantially changing conditions in the area.

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

The Rapid City Municipal Code states that the General Commercial District is established for personal and business services and the general retail business of the city. The subject property is located adjacent to dedicated right-of-way which is identified as the location of a future Collector Street on the City's Major Street Plan. However, at this time, Hawthorne Avenue has not been constructed between East Meade Street and East Saint Patrick Street. The property is located adjacent to a commercial corridor to the north along East Saint Patrick Street. The applicant has also submitted an Amendment to the Comprehensive Plan to change the future land use designation of the property from Residential to Commercial. It appears that the rezoning request is consistent with the intent and purpose of the Zoning Ordinance.

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.*

There is dedicated right-of-way adjacent to the property to the east. However, at this time, Hawthorne Avenue has not been constructed between East Meade Street and East Saint Patrick Street. Currently, the properties are void of any structural development. The applicant has submitted a preliminary site plan identifying that the properties to be rezoned will be developed in association with the commercial property to the north. The applicant should be aware that the proposed mini-storage facility will require a Conditional Use Permit. The property is served by Rapid City water and sewer.

Properties to the south and east are zoned Medium Density Residential District. However, a natural drainage feature extends along the southern boundary of the property. In addition, the Federal Emergency Management Agency 100 year floodplain extends along this drainage feature. The drainage channel serves as a natural buffer and separation between residential properties to the south and commercial properties to the north. It does not appear that the rezoning request will adversely affect any other

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No. 13RZ019 - Rezoning from Medium Density Residential District to General Commercial District **ITEM 6**

part of the City.

- 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 applicant has also submitted an Amendment to the Comprehensive Plan to change the future land use designation from Residential to Commercial. The property is served by Rapid City water and sewer. The right-of-way adjacent to the property is identified as the location of a future Collector Street on the City's Major Street Plan. If the associated Comprehensive Plan Amendment is approved, the proposed rezoning is consistent with the development plan of Rapid City.

Summary: Staff recommends that the proposed rezoning request be approved in conjunction with the associated Comprehensive Plan Amendment.

Notification: The mailings and sign have been picked up. As of this writing, the mailings have not been returned to Community Planning and Development Services for posting and staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the August 8, 2013 Planning Commission meeting if these requirements have not been met.