

STAFF REPORT

January 4, 2001

---

**RZN #00RZ056--Rezoning from Heavy Industrial District  
to General Commercial District**

**ITEM 38**

---

GENERAL INFORMATION:

PETITIONER	Robert Blumenthal for Century Resources, Inc.
REQUEST	<b>RZN #00RZ056 - Rezoning from Heavy Industrial District to General Commercial District</b>
LEGAL DESCRIPTION	The north 327.2 feet of the N1/2 SE1/4 of Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; excepting therefrom the W1/2 NW1/4 SE1/4; and excepting therefrom Lot 1 of Lot B of the NE1/4 SE1/4, as shown on the plat filed in Plat Book 3, Page 103; and excepting therefrom North Boulevard Addition; and excepting therefrom Lot RU-302A of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the Plat filed in Plat Book 14, Page 53; and excepting therefrom Lot RU-302B of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the Plat filed in Plat Book 14, Page 94; and excepting therefrom any street or highway rights of way
PARCEL ACREAGE	Approximately 9.232 Acres
LOCATION	1400 Philadelphia Street
EXISTING ZONING	Heavy Industrial District
SURROUNDING ZONING	
North:	Park Forest District/Medium Density Residential District
South:	Flood Hazard District
East:	Medium Density Residential District
West:	Park Forest District
PUBLIC UTILITIES	None
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Rezoning from Heavy Industrial District to General Commercial District be denied.

GENERAL COMMENTS: The applicant is proposing to rezone a 9.2 acre tract from Heavy Industrial District to General Commercial District. The applicant has also submitted a request for a Comprehensive Plan Amendment to the North Rapid Neighborhood Area Future Land Use Plan to change the future land use designation from Office Commercial with a Planned

## STAFF REPORT

January 4, 2001

---

### **RZN #00RZ056–Rezoning from Heavy Industrial District to General Commercial District**

**ITEM 38**

---

Commercial Development Overlay to General Commercial. This parcel is located north of Rapid Creek on West Philadelphia Street and is currently undeveloped. This parcel can be accessed from the east via Silver Street and from the south via Twelfth Street. The Major Street Plan identifies Twelfth Street and West Philadelphia Streets as proposed collector streets. Silver Street is currently a collector street. The subject property is surrounded by a variety of zoning districts and uses. The Executive Golf Course is located on park land south of this property and is zoned Flood Hazard District. The property to the north and west is currently zoned Park Forest and is undeveloped while the property to the north and east is partially developed and zoned Medium Density Residential.

STAFF REVIEW: Staff has reviewed this 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 amendment shall be necessary because of substantially changed or changing conditions of the area and districts affected on in the City in general.*

Staff does not believe that the proposed amendment is necessary because of substantially changed or changing conditions of the area. No new development or infrastructure improvements have occurred in this area in the recent past.

2. *The proposed amendments shall be consistent with the intent and purpose of this ordinance.*

According to Chapter 17.18.010 of the Rapid City Zoning Ordinance, the purpose of the General Commercial District is "...for personal and business services and the general retail business of the City." Uses allowed include retail and distribution establishments, eating establishments, service and repair establishment, hotels, motels, commercial recreational structures, offices, parking lots, garages and other service oriented uses. Staff does not believe that another general commercial area to cater to the general retail business of the City is needed at this location, particularly when consideration is given to the significant impacts that could affect the adjoining residences.

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.*

Staff believes that the proposed amendment will have an adverse affect on the surrounding properties. The traffic generated by a General Commercial use will be substantial and Staff believes that the current street network and access locations cannot support the increased traffic volume. Additional negative impacts include increased noise and light into the surrounding residential properties.

## STAFF REPORT

January 4, 2001

---

### **RZN #00RZ056–Rezoning from Heavy Industrial District to General Commercial District**

**ITEM 38**

---

4. *The proposed amendments 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 subject property is included in the North Rapid Neighborhood Area Future Land Use Plan and has been designated as Office Commercial in this plan. The Future Land Use Committee recommended Office Commercial Zoning for this parcel after discussions with the applicant because this zoning district is "...intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods." Staff believes that Office Commercial zoning is appropriate for this tract because of the existing adjacent residential neighborhoods.

The required rezoning sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has had one inquiry regarding this rezoning request.