

STAFF REPORT

June 9, 2005

No. 05RZ041 - Rezoning from Light Industrial District to General Commercial District

ITEM 26

GENERAL INFORMATION:

PETITIONER	Joseph A. Carlin, Jr. for D. Hamm Limited Partnership/Joe & Michele Carlin
REQUEST	No. 05RZ041 - Rezoning from Light Industrial District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lots 17 through 22, Block 3, Section 35, T2N, R7E, and the north 40 feet of Lots 8, 8B, and 9 through 12, and the south 40 feet of the vacated Rapid Street adjacent to said lots, Block 6 all located in Riverside Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1 acre
LOCATION	At the intersection of Sum Place, Twelfth Street and West Rapid Street
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Light Industrial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	5/13/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION: Staff recommends that the Rezoning from Light Industrial District to General Commercial District be approved in conjunction with the associated Amendment to the Comprehensive Plan.

GENERAL COMMENTS: This developed property contains approximately 1.0 acre and is located at the intersection of 12th Street and West Rapid Street. Land located south of the subject property is zoned Light Industrial District. Land located north, east and west of the subject property is zoned General Commercial District.

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

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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 in general.*

The subject property is zoned Light Industrial District. The property owners have indicated they plan to remove the existing unoccupied industrial structure and related debris and re-develop the property with a commercial building. This area was an industrial area; however, over the last several years has been changing to a commercial area. With the reconstruction of Omaha Street, the shift from industrial to commercial development has increased. Additional commercial buildings have been constructed in the area, including a new bank currently under construction. The subject property is located one block from Omaha Street, a principal arterial street, and is close to downtown development. The proposal to rezone the subject property from Light Industrial to General Commercial Zoning District is reflective of the changing conditions and is a continuation of commercial development in the area.

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

The General Commercial Zoning District is for personal and business services and the general retail business of the City. Property located south of the subject property is zoned Light Industrial Zoning District. Properties located north, east and west of the subject property are zoned General Commercial District. Since the 1972 Flood; and, stimulated by the reconstruction of Omaha Street, the location of the adjacent Greenway, and the proximity to downtown, the industrial structures are being replaced by commercial businesses. This area continues to be in transition from industrial to commercial uses to serve the needs of the community. The proposed zoning appears to be consistent with the intent of this 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.*

This property is located adjacent to an area that is in transition from industrial land uses to commercial land uses. Access to the property will be from 12th Street and West Rapid Street. Omaha Street, a principal arterial street located one block from the property, can accommodate any additional traffic from the redevelopment of this property. Sewer and water services are located on the subject property. The proposed amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

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 Comprehensive Plan identifies this area as appropriate for industrial land use. The Future Land Use Committee met and recommended approval to change the land use from Light Industrial to General Commercial. An Amendment to the Comprehensive Plan to

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change the land use designation on the subject property from Light Industrial to General Commercial has been submitted in conjunction with this rezoning application. If the Amendment is approved, the rezoning will be compatible with the land use plan.

As of this writing, the required rezoning sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 9, 2005 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.

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