

STAFF REPORT
April 25, 2013

No. 13RZ006 - Rezoning from Light Industrial District to General Commercial District **ITEM 6**

GENERAL INFORMATION:

APPLICANT	M Hill Business Plaza, LLC
AGENT	Bradley H. Estes
PROPERTY OWNER	M Hill Business Plaza, LLC
REQUEST	No. 13RZ006 - Rezoning from Light Industrial District to General Commercial District
EXISTING LEGAL DESCRIPTION	The 147 foot square parcel in the SE corner of Block 18 of Gateway Subdivision and the 3 feet by 147 feet vacated Omaha Street abutting the north side, and Lots 1 thru 5 and adjacent vacated alleys less a 20 feet by 35 feet Tract in the NW corner of said Lot 1 of Block 18 of Gateway Subdivision, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.01 acres
LOCATION	1401 West Omaha Street
EXISTING ZONING	Light Industrial District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Flood Hazard District
South:	General Commercial District
East:	Light Industrial District - General Commercial District
West:	Flood Hazard District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	March 21, 2013
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

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

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the

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above legally described properties from Light Industrial District to General Commercial District.

On February 2, 1981, the City Council approved a Rezoning request (File #RZ413) to change the zoning designation from Floodway District to Light Industrial District.

The property is located on the south side of West Omaha Street between Canal Street and Oshkosh Street. Currently, a one story industrial building and a parking lot are located on the properties.

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.*

Currently, it does not appear that there are any substantially changing conditions in the area.

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

The Rapid City Municipal Code states that the General Commercial District is established to provide areas in which the principal use of land is for personal and business services and the general retail business of the city. The subject properties are located on the south side of West Omaha Street which is identified as a Principal Arterial Street on the City's Major Street Plan. Land located to the south of the subject properties is zoned General Commercial District. In addition, land located east of the subject property, on the south side of Omaha Street, is also zoned General Commercial District and serves as a commercial corridor. It appears that the Rezoning request is consistent with the intent and purpose of the Zoning 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.*

Access to the property is from West Omaha Street and Canal Street. West Omaha Street is identified as a Principal Arterial Street on the City's Major Street Plan. The properties are served by Rapid City water and sewer. The applicant should be aware that the properties are located in the Federal Emergency Management Agency's 100 year Flood Plain. A Flood Plain development permit will be required for any future development of the properties. Currently, a one story building and a parking lot are located on the property. No significant adverse impacts resulting from the requested rezoning have been identified.

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*

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Use Plan, and Community Facilities Plan.

The City's adopted Future Land Use Plan identifies the future use of the properties as appropriate for Commercial land use. The properties are located on the south side of West Omaha Street which is identified as a Principal Arterial Street on the City's Major Street Plan. Rezoning the subject properties from Light Industrial District to General Commercial District is consistent with the adopted Comprehensive Plan.

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

Notification: As of this writing, the first class mailings have not been returned to the Community Planning and Development Services Department for mailing. The sign has been picked up, however, as of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the April 25, 2013 Planning Commission meeting if these requirements have not been met.