

STAFF REPORT

January 22, 2004

No. 03RZ056 - Rezoning from Light Industrial District to General Commercial District **ITEM 26**

GENERAL INFORMATION:

PETITIONER	Renner & Associates LLC for First Western Bank
REQUEST	No. 03RZ056 - Rezoning from Light Industrial District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lots 1 thru 16, Lots 21 thru 28, Lots A thru F, all located in Block 4 of Riverside Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.654 acres
LOCATION	At the southwest corner of the intersection of Omaha Street and West Boulevard
EXISTING ZONING	General Commercial w/PCD/Light Industrial
SURROUNDING ZONING	
North:	General Commercial District /Flood Hazard District
South:	Light Industrial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/26/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Rezoning from Light Industrial District to General Commercial District be approved in conjunction with the Major Amendment to the Initial Planned Commercial Development.

GENERAL COMMENTS:

The applicant has submitted a request to rezone the above legally described property from Light Industrial District to General Commercial District. In addition, the applicant has submitted a Major Amendment to an Initial Planned Commercial Development to increase the boundaries of the development to include the subject property. The applicant has also submitted a Layout Plat to combine 31 lots and a vacated alley into one commercial lot, including the subject property. (See companion items #03PD062 and 03PL126.)

On July 25, 2000, the City Council approved an Initial Planned Commercial Development to

STAFF REPORT

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allow a bank to be constructed on the north half of the subject property. The property is located in the southwest corner of the Omaha Street/West Boulevard intersection. Currently, two billboards are located on the property.

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is outlined below:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

The north half of the block located along Omaha Street is currently zoned General Commercial District. The applicant is proposing to rezone the subject property, the south half of the block, to General Commercial District in order to develop the entire block as one commercial development. The balance of properties located along this corridor of Omaha Street are currently zoned General Commercial. The recent reconstruction of this portion of Omaha Street, a principal arterial road, has changed conditions within the area to support the extension of commercial development. Omaha Street as well as West Boulevard serve as a major gateway into Rapid City, making the area desirable for commercial activities to serve the traveling public. The proposed Initial Planned Commercial Development will serve as a tool to mitigate any negative impact the commercial development may create and to address the issues, traffic concerns and topographic and drainage concerns specific to the subject property.

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

The purpose of the General Commercial District as stated in the Zoning Ordinance is to "...provide for personal and business services and the general retail business of the City". The location of the property adjacent to Omaha Street and West Boulevard, principal arterial streets, makes it a desirable location for general commercial activities serving the general retail business needs of the community.

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 amendment.*

Staff does not believe that rezoning this property will result in any significant adverse impacts if approved in conjunction with the associated Initial Planned Commercial Development. The additional review provided by an Initial and Final Planned Commercial Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site.

STAFF REPORT

January 22, 2004

No. 03RZ056 - Rezoning from Light Industrial District to General Commercial District **ITEM 26**

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 City's Long Range Comprehensive Plan identifies the appropriate land use as commercial. As such, rezoning the property to General Commercial District is consistent with the City's Future Land Use Plan for the subject property.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the January 22, 2004 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquires regarding this proposal.