

STAFF REPORT

March 25, 2004

No. 04RZ003 - Rezoning from Light Industrial District to General Commercial District **ITEM 37**

GENERAL INFORMATION:

PETITIONER	Kennedy Design Group for the Fraternal Order of Eagles
REQUEST	No. 04RZ003 - Rezoning from Light Industrial District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lot 10 of Cambell Square Addition, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.66 acres
LOCATION	1410 Centre Street
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	Septic system and City water
DATE OF APPLICATION	02/18/2004
REPORT BY	Karen Bulman

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

GENERAL COMMENTS: The applicant is requesting to rezone property located at 1410 Centre Street from Light Industrial District to General Commercial District. Properties located north, south and east of the subject property are zoned Light Industrial District. Property located west of the subject property is zoned General Commercial District. The subject property and surrounding property were annexed into the City limits in 1977 and subsequently rezoned Light Industrial District. The adjacent property to the west, owned by the Fraternal Order of Eagles, was rezoned in 1992 from Light Industrial to General Commercial.

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 summary of Staff findings are outlined below:

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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.*

A large portion of the Fraternal Order of Eagles lodge building, located on the subject property, was destroyed by fire. The applicant has indicated that they plan to rebuild the structure. Private clubs and lodges are allowed in the General Commercial District, but are not a permitted use in the Light Industrial District. As such, the applicant is requesting to rezone the subject property from Light Industrial District to General Commercial District.

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

General Commercial Zoning District is intended to provide a place for personal and business services and the general retail business of the city. This property is located along a transition line between General Commercial zoning on Cambell Street and SD Highway 44 to the west and Light Industrial zoning north and east of the subject property. Approval of the request would allow this property to be zoned General Commercial along with the properties to the west.

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.*

A septic system is currently located on the subject property. Any future building plans and site development must show the location of the septic tanks and drain field. Any on-sale liquor uses will require a Conditional Use Permit. Staff is unaware of any significant adverse effects that will result from the proposed rezoning.

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 the subject property as General Commercial land use(s). Rezoning the subject property from Light Industrial District to General Commercial District appears to be consistent with the adopted Comprehensive 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 March 25, 2004 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.