

STAFF REPORT  
November 24, 2004

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**No. 04RZ056 - Rezoning from Park Forrest District to Office Commercial District**      **ITEM 25**

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GENERAL INFORMATION:

PETITIONER	Mike Tennyson and Pat Tlustos
REQUEST	<b>No. 04RZ056 - Rezoning from Park Forrest District to Office Commercial District</b>
EXISTING LEGAL DESCRIPTION	The north 640 feet of the unplatted portion of the W1/2 NW1/4 SE1/4 except Block 1, North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.69 acres
LOCATION	1350 West Chicago Street
EXISTING ZONING	Heavy Industrial District/Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/29/2004
REVIEWED BY	Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from Park Forrest District to Office Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the above legally described property from Park Forest District to Office Commercial District. In addition, the applicant has submitted a Comprehensive Plan Amendment to change the future land use designation of the northern 750 feet of the unplatted portion of the W1/2 NW1/4 SE1/4 except Block 1, North Riverside Addition from Planned Residential Development with a maximum density of one dwelling unit per three acres to Office Commercial with a Planned Commercial Development. The Comprehensive Plan Amendment includes the subject property. (See companion item #04CA063.)

STAFF REPORT  
November 24, 2004

---

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On October 8, 2004, the applicant submitted a Rezoning request to change the zoning designation of the unplatted portion of the W1/2 NW1/4 SE1/4 and Block 1, North Riverside Addition from Heavy Industrial District to Office Commercial District. The Rezoning request included the subject property. Upon review of the associated Rezoning request, staff noted that the northern 640 feet of the subject property is currently zoned Park Forest District. In addition, a small portion of the southeast corner of the subject property is currently zoned Flood Hazard District. Staff also noted that the North Rapid Neighborhood Future Land Use Map identifies the appropriate use of the northern 750 feet of the property as a Planned Residential Development with a maximum density of one dwelling unit per three acres. As such, the applicant requested that the Rezoning request be continued to the November 24, 2004 Planning Commission meeting to be heard in conjunction with this Rezoning request from Park Forest to Office Commercial and the Comprehensive Plan Amendment to the North Rapid Neighborhood Future Land Use Plan

On November 10, 2004, the City staff approved a Planned Development Designation for the subject property.

The property is located at the western terminus of W. Philadelphia Street and W. Chicago Street. Currently, the Federal Beef Processing Plant is located on the property; however, the plant is not operational at this time.

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 Federal Beef Plant currently located on the property is no longer operating on the site due to a fire that destroyed a majority of the building(s) and equipment. Since that time, the City has looked at potential redevelopment of the property and has noted that office commercial use(s) would be a compatible land use with the existing open areas and residential development within this area of the community. In addition, the property is located in the core of the City which makes it desirable for office commercial use(s).

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

The purpose of the Office Commercial District as stated in the Zoning Ordinance is to "...provide 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". The subject property is central to the City and located adjacent to a residential area. In addition, the existing Planned Development Designation will serve as a tool to address concerns specific to the subject property. The Planned Development Designation will also help mitigate any potential negative impacts the office commercial use may have on the adjacent properties.

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---

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 has not identified any significant adverse impacts that will result from the requested rezoning. The additional review provided by a future Initial and Final Planned Commercial Development process will insure that any possible adverse impacts of redevelopment are adequately mitigated as a part of the redevelopment of the site.

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.*

As previously indicated, the applicant has submitted a Comprehensive Plan Amendment from Planned Residential Development with a maximum density of one dwelling unit per three acres to Office Commercial with a Planned Commercial Development for the northern 750 feet of the subject property. The balance of the property is currently identified as appropriate for office commercial uses with a Planned Commercial Development. Upon approval of the Comprehensive Plan Amendment, the subject property will be consistent with the City's Future Land Use Plan for the subject property.

Notification Requirement: The receipts for the certified mailing have been returned and the sign(s) have been posted on the property. As of the writing of this Staff Report, staff has not received any calls of inquiry regarding this Rezoning request.