

STAFF REPORT
January 5, 2006

No. 05RZ063 - Rezoning from Light Industrial District to General Commercial District **ITEM 32**

GENERAL INFORMATION:

PETITIONER	Baffuto Architectura for Destiny Foursquare Church
REQUEST	No. 05RZ063 - Rezoning from Light Industrial District to General Commercial District
EXISTING LEGAL DESCRIPTION	Lots 1 and 2 of Buckingham Addition all located in the N1/2 of the NW1/4 of the SE1/4 of the SE1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.109 acres
LOCATION	901 and 927 East Philadelphia Street
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Light Industrial District
East:	Light Industrial District
West:	Public District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/7/2005
REVIEWED BY	Karen Bulman / Not Assigned

RECOMMENDATION: Staff recommends that the Rezoning from Light Industrial District to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment to revise the North Rapid Neighborhood Area Future Land Use Plan to change the land use from Light Industrial to General Commercial.

GENERAL COMMENTS: This developed property contains approximately 3.109 acres and is located at 901 and 927 East Philadelphia Street, south of North Street and west of Cambell Street. Land located north of the subject property is zoned General Commercial District. Land located west of the property is zoned Public District. Land located east and south of the subject property is Light Industrial District. An application for a Comprehensive Plan Amendment to change the North Rapid Neighborhood Area Future Land Use from Light Industrial District to General Commercial District (05CA045) has been submitted in conjunction with the Rezoning of the subject property.

STAFF REVIEW: Staff has reviewed this proposed rezoning for conformance with the four

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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 in general.*

This developed property is zoned Light Industrial District and has a warehouse building currently located on the property. General Commercial and Public Districts are located adjacent to the subject property. The property owner plans to redevelop the property and convert the building into a church. Water and sewer are located on site. Cambell Street, a Major Arterial Street on the Major Street Plan is located east of the subject property. A church is an allowed use in General Commercial Zoning Districts. As such, the applicant has submitted this request 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.*

The General Commercial Zoning District is for personal and business services and the general retail business of the City. A church is an allowed use in General Commercial Zoning Districts. The subject area is a mixture of industrial, public and commercial development. West of the subject area are residential land uses. General Commercial District is an appropriate transition from the Light Industrial Zoning District on the east to the Public Zoning District and further Medium Density Residential District on 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.*

Staff has not identified any significant adverse affects on any of the surrounding land uses or any other part of the City.

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 North Rapid Neighborhood Area Future Land Use Plan identifies this area as appropriate for Light Industrial land uses. An application for a Comprehensive Plan Amendment to change the land use from Light Industrial land use to General Commercial Land use has been submitted with this application for rezoning. Upon approval of the request to change the land use from Light Industrial land uses to General Commercial land uses, the proposed rezoning would be consistent with the Development Plan of Rapid City. The designation of General Commercial zoning at this location would be appropriate as the property is located adjacent to Philadelphia Street and west of Cambell Street, a principal arterial street. Infrastructure improvements are located on the subject property.

As of this writing, the required rezoning sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning

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Commission at the January 5, 2006 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.