

## STAFF REPORT

May 24, 2001

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### **No. 01RZ019 - Rezoning from General Commercial District to Light Industrial District ITEM 14**

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#### GENERAL INFORMATION:

PETITIONER	Robert Antior and Leslie Stadel
REQUEST	<b>No. 01RZ019 - Rezoning from General Commercial District to Light Industrial District</b>
LEGAL DESCRIPTION	Lots 1-3 and East one-half (1/2) vacated alley adjacent to said lots in Block 1, Deadwood Avenue Tract, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	1.03
LOCATION	631 Deadwood Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Heavy Industrial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

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

GENERAL COMMENTS: The applicant is proposing to rezone the above legally described property from General Commercial District to Light Industrial District. The property is located on the west side of Deadwood Avenue, immediately north of the Sinclair gas station. Currently, NAPA Auto Parts is located on the property.

The applicant is proposing to construct a warehouse in excess of 5,000 square feet on the property to serve as storage for NAPA Auto Parts. A warehouse in excess of 5,000 square feet is permitted in the Light Industrial District but requires approval of a Use On Review in the General Commercial District. The applicant is proposing to rezone the property as identified in order to obtain a building permit.

STAFF REVIEW: Staff has reviewed this 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 is 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.*

As the need for additional industrial areas continues to grow in Rapid City, properties along Deadwood Avenue and Industrial Street have been rezoned to Light Industrial District. In 1992, the property located directly west of the subject property was rezoned from General Commercial to Light Industrial to allow for the construction of several warehouse units on the property. The property to the east is currently zoned Light Industrial District with additional warehousing and outdoor storage. The properties to the south are currently zoned Heavy Industrial and in addition to the Sinclair gas station, Black Hills Power and the cement plant are located on the properties. This area has been transitioning from General Commercial to Light Industrial over the past several years. The proposed rezoning request is consistent with the changing conditions of the area.

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

The intent of the Light Industrial District is to establish areas for light manufacturing and assembly plants, processing, storage, warehousing, and wholesaling and distribution operations. The Zoning Ordinance requires that these types of uses be conducted so that noise, odor, dust and glare are completely confined within enclosed structures. Light industrial uses currently exist to the south, east and west of the subject property. The proposed rezoning request would allow for the continuation of light industrial uses within the area.

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.*

Rezoning the property to Light Industrial District should not impose any adverse affects upon the surrounding properties or any other part of the City. The applicant is proposing to construct a warehouse in excess of 5,000 square feet on the property to serve as storage for NAPA Auto Parts. As previously indicated, the Light Industrial District requires that any proposed use be conducted so that noise, odor, dust and glare are completely confined within an enclosed structure. The proposed outdoor storage cannot create any of the negative impacts as identified. Any future use of the property must continue to conform to the requirements of the Zoning Ordinance.

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 1976 Rapid City Five Year Comprehensive Plan identified this area as industrial. The area has developed into a mixture of commercial and industrial uses. The location of this request is a continuation of the light industrial uses located within the area. Staff's review indicates that the proposed rezoning request is in general compliance with the criteria established for review.

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As of this writing, the required sign has not been posted on the property nor has the applicant returned the receipts from the certified mailing. Staff will notify the Planning Commission in the event these requirements are not met. Staff has not received any objections or inquiries regarding this rezoning request.