

STAFF REPORT

August 23, 2001

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**No. 01RZ051 - Rezoning from General Commercial District and Medium Density Residential District to Light Industrial District**      **ITEM 39**

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GENERAL INFORMATION:

PETITIONER	D.C. Scott Co. for Paul Bradsky
REQUEST	<b>No. 01RZ051 - Rezoning from General Commercial District and Medium Density Residential District to Light Industrial District</b>
LEGAL DESCRIPTION	Property being 0.52 acre of land located in the NE1/4 SE1/4 of Section 7, Township 1 North, Range 8 East of the Black Hills Meridian, Rapid City, Pennington County, South Dakota; said 0.52 acre of land being more particularly described by metes and bounds as follows: BEGINNING at the southwest corner of Lot 4 of Polar Bear Subdivision, as shown on survey plat recorded in Plat Book 28, Page 69 in the office of the Pennington County Register of Deeds; Thence South 89°56'58" East along the south line of said Lot 4 of Polar Bear Subdivision, a distance of 450.28 feet to the southeast corner of said Lot 4 of Polar Bear Subdivision on the west right-of-way line of South Dakota Highway 79; Thence South 00°09'00" East, along said west right-of-way line of South Dakota Highway 79, a distance of 50.00 feet to the northeast corner of a certain tract of land described in deed recorded in Book 111, Page 249 in the office of the Pennington County Register of Deeds; Thence North 89°56'58" West, along the north line of said tract of land, a distance of 450.36 feet to a point for corner; Thence North 00°03'38" West, a distance of 50.00 feet to the POINT OF BEGINNING and containing 0.52 acres of land, more or less
PARCEL ACREAGE	Approximately .52 acres
LOCATION	On Highway 79 south of Sydney Drive
EXISTING ZONING	General Commercial District - Medium Density Residential District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Heavy Industrial District
West:	Medium Density Residential District

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PUBLIC UTILITIES                      City water and sewer

REPORT BY                              Lisa Seaman

**RECOMMENDATION:** Staff recommends that the Rezoning from General Commercial District and Medium Density Residential District to Light Industrial District be continued to the September 6, 2001 Planning Commission meeting to allow the applicant time to complete the required certified mailing.

**GENERAL COMMENTS:** This is a request to rezone a 0.52 acre parcel from General Commercial Zoning District and Medium Density Residential Zoning District to Light Industrial Zoning District. This request is a companion item to a Preliminary and Final Plat request to create a 3.62 acre tract by shifting the south lot line of the existing Lot 4 south 50 feet. The east 400 feet of the 50 foot strip is currently zoned General Commercial Zoning District and the west 50.36 feet is zoned Medium Density Residential Zoning District. The 50 foot by 50.36 foot area currently zoned Medium Density Residential Zoning District does not meet the minimum lot size requirements of the Medium Density Residential Zoning District. In addition, having multiple zoning designations on one parcel is not a preferred situation because of differences in permitted uses, setback and buffering requirements from one zoning district to another.

**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 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.*

As the need for additional industrial areas continues to grow in Rapid City, properties along the South Dakota Highway 79 corridor have been rezoned to Light Industrial and Heavy Industrial Zoning Districts. The businesses located along this section of South Dakota Highway 79 are generally Light Industrial in nature. The proposed light industrial zoning designation is appropriate for the subject property.

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

The purpose of the Light Industrial Zoning District is to provide areas in which the principal use of land is for light manufacturing, processing, storage, warehousing, wholesaling and distribution in which operations are conducted so that noise, odor, dust and glare are completely confined within an enclosed building. The proposed light industrial use of the property is consistent with the intent of the Light Industrial Zoning District.

*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.*

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The proposed light industrial use of the property is consistent with the use of the property immediately north and east. The property to the west is currently zoned Medium Density Residential District and is undeveloped. The property to the south is zoned General Commercial Zoning District and is the location of a veterinary clinic. Veterinary Clinics are consistent with uses allowed in the Light Industrial Zoning District.

*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 subject property has not yet been included in one of the neighborhood future land use plans that the city is currently developing. However, the 1976 Rapid City Five Year Comprehensive Plan identified this area for industrial use. The location of this request is a continuation of the light industrial uses located within the area. Based on conformance with the criteria for the review of zoning map amendments, staff is recommending approval of the rezoning request.

The petitioner has indicated that the certified mailing will not be completed and postmarked seven days prior to the Planning Commission meeting as required. Therefore staff is recommending that the request to rezone the subject property from General Commercial District and Medium Density Residential District to Light Industrial District be continued to the September 6, 2001 Planning Commission meeting to allow the applicant time to complete the required certified mailing. The required rezoning sign has been posted on the property. Staff has not received any objections or inquiries regarding this request.