

STAFF REPORT
December 7, 2006

No. 06RZ061 – Rezoning from General Commercial District to Light Industrial District **ITEM 32**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06RZ061 - Rezoning from General Commercial District to Light Industrial District
EXISTING LEGAL DESCRIPTION	Lot 1B of Starlite Subdivision located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.48 acres
LOCATION	Southeast corner of Beale Street and Dyess Avenue and north of Eglin Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Light Industrial District - General Agriculture District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	10/27/2006
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION: Staff recommends that the Rezoning from General Commercial District to Light Industrial District be **approved in conjunction with the Comprehensive Plan Amendment and the Planned Development Designation.**

GENERAL COMMENTS: **This staff report has been revised as of November 29, 2006. All revised and/or added text is shown in bold print. This application was continued at the November 22, 2006 Planning Commission to allow the applicant to submit an application for a Planned Development Designation.** This undeveloped property contains approximately 5.48 acres and is located at the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street. Land located west of the subject property is zoned General Commercial District. Land located east of the property is zoned Light Industrial District. Land located south of the subject property is zoned Light Industrial and General Agriculture Districts. Land located north of the subject property is zoned General Agriculture District. In addition to this Rezoning from General Commercial District to Light Industrial District the applicant has submitted an Amendment to the Comprehensive Plan to

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revise the Elk Vale Neighborhood Future Land Use Plan by changing the land use from General Commercial District to Light Industrial District (06CA046). A Planned Development Designation will also be submitted in conjunction with this Rezoning and Comprehensive Plan Amendment applications.

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:

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 undeveloped property is currently zoned General Commercial District. The property owner has indicated that he wishes to develop this property with Light Industrial land uses. Staff has found no substantially changing conditions of the area making the proposed amendment necessary.

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

The Light Industrial Zoning District is established to provide areas in which the principal use of land is for light manufacturing and assembly plants, 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 subject property is located adjacent to Light Industrial and General Commercial Zoning Districts and is adjacent and highly visible to U.S. Interstate 90. Although the general commercial properties are not developed, there is a potential to have conflict in the future with the commercial uses. Due to the high visibility from U.S. Interstate 90 and the general commercial land uses adjacent to the subject property, Staff is requesting that a Planned Light Industrial Development be approved prior to any development to help mitigate any potential conflicts in the future.

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.*

The subject property is located adjacent to General Commercial and Light Industrial Zoning Districts. Light Industrial land uses are located south and east of the subject property. Future plans are to extend water and sewer along Eglin Street to the area. Traffic has access along Eglin Street and the adjacent US Interstate 90. Due to the high visibility corridor and entrance into Rapid City, staff believes that a Planned Development Designation is appropriate for the subject property. The Initial and Final Planned Light Industrial Development will serve as a tool to address the issues specific to the subject property and will help mitigate any potential negative impacts the industrial use may have on existing and future land uses within the area. As such, staff recommends that an application for a Planned Development Designation shall be submitted prior to approval of the rezoning application.

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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 Elk Vale Neighborhood Future Land Use Plan identifies this area as appropriate for General Commercial land use. An application for a Comprehensive Plan Amendment to change the land use on the subject property from General Commercial to Light Industrial has been submitted in conjunction with the rezoning of the subject property. Upon approval of the Comprehensive Plan Amendment, the land use would then be consistent with adjacent property to the south and east. Due to the high visibility corridor and entrance into Rapid City, staff has recommended that a Planned Development Designation be submitted for the subject property. The Initial and Final Planned Light Industrial Development will mitigate any negative impacts that the industrial use may have on the area. Rezoning the subject property from General Commercial District to Light Industrial District with a Planned Development Designation and in conjunction with a Comprehensive Plan Amendment appears to be appropriate.

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 on November 22, 2006 if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.

Staff recommends that the Rezoning from General Commercial District to Light Industrial District be continued to the December 7, 2006 Planning Commission meeting at the applicant's request to allow the submittal of the Planned Development Designation. **The Planned Development Designation application has been submitted. As such, Staff recommends that the Rezoning from General Commercial District to Light Industrial District be approved in conjunction with the Comprehensive Plan Amendment and the Planned Development Designation.**

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