

STAFF REPORT  
November 20, 2008

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**No. 08RZ044 - Rezoning from General Commercial District to Light Industrial District ITEM 29**

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GENERAL INFORMATION:

APPLICANT	Steve Wynia for Wyngaard Investments and the City of Rapid City
AGENT	Britton Engineering & Land Surveying, Inc.
PROPERTY OWNER	Eagles Lodge, Jim Mulellenberg
REQUEST	<b>No. 08RZ044 - Rezoning from General Commercial District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	Lot 9 of Cambell Square Addition, located in Government Lot 4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
LEGAL DESCRIPTION	
PARCEL ACREAGE	Approximately 1.52 acres
LOCATION	1410 Centre Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/24/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from General Commercial District to Light Industrial District be approved in conjunction with the associated Amendment to the Amendment to the Adopted Comprehensive Plan.

GENERAL COMMENTS: The applicant has submitted a Rezoning request from General Commercial District to Light Industrial District for the property. In addition, the applicant has submitted an Amendment to the Adopted Comprehensive Plan (#08CA040) to change the land use designation from Commercial to Industrial. The property is located on the north side of Centre Street and east of Cambell Street. Currently there is no structural

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development on the property.

On October 23, 2008 Planning Commission approved a Conditional Use Permit (#08UR014) to allow ministorage warehousing on the property with stipulations.

On November 3, 2008 City Council approved a Preliminary Plat (#08PL130) and a Variance to the Subdivision Regulations (#08SV046) with stipulations for the property.

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.*

Staff is unaware of any changing conditions requiring rezoning of the property.

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

The Light Industrial Zoning District was 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. Since there are existing light industrial uses such as ministorage warehousing and propane distribution adjacent to the property rezoning the property from General Commercial District to Light Industrial District appears to be consistent with the intent and purpose of the 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.*

Water and sewer is available to the property from Centre Street. Traffic will have adequate access from Centre Street as it continues along the south property line. It does not appear that the potential uses allowed in the Light Industrial Zoning District will have an adverse impact on the surrounding uses in the area because of the current access to the site, existing utilities and the surrounding light industrial uses in the area.

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 Long Range Comprehensive Plan indicates that this property is appropriate for General Commercial land uses. In conjunction with the rezoning of this property the applicant is requesting an Amendment to the Adopted Comprehensive Plan (#08CA040) to change the land use designation from Commercial to Industrial. If the proposed Comprehensive Plan Amendment is approved, the requested rezoning will be consistent with the adopted development plans of Rapid City including the Adopted Comprehensive Plan.

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Notification Requirement: To date, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify Planning Commission at the November 20, 2008 Planning Commission meeting if the legal notification requirements have not been met.