

STAFF REPORT
November 5, 2009

No. 09RZ042 - Rezoning from General Commercial District to Business Park District **ITEM 10**

GENERAL INFORMATION:

APPLICANT	Hoag Land Co. - West Central Mfg.
AGENT	James Hoag
PROPERTY OWNER	Hoag Land Co., LLC
REQUEST	No. 09RZ042 - Rezoning from General Commercial District to Business Park District
EXISTING LEGAL DESCRIPTION	Lots 1 thru 4 of Lot H of Lot 1 of the SW1/4 SE1/4, vacated alley adjacent to said Lots 3 and 4, Lots 3 thru 9 and Lots 5 thru 8 of Lot H of Lot 1 of the SW1/4 SE1/4, Section 6, T1N, R8E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.577
LOCATION	818, 910 and 920 E. St. Andrew Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/29/2009
REVIEWED BY	Patsy Horton / Mary Bosworth

RECOMMENDATION: **Staff recommends that the Rezoning from General Commercial District to Business Park be approved in conjunction with the associated Comprehensive Plan Amendment.**

GENERAL COMMENTS: (Update, October 26, 2009. All revised and/or added text is shown in bold print.) This item was continued to the November 5, 2009 Planning Commission meeting to allow development of language regarding conditional uses within the Business Park Zoning District including the addition of manufacturing and industrial uses provided that those uses are conducted inside the structure.

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This developed property contains approximately 4.577 acres and is located north of East Saint Andrew Street, east of Hawthorne Street and south of the South Dakota School of Mines and Technology campus. The property is currently zoned General Commercial District. Land located east of the property is zoned Medium Density Residential District. Land located north, south and west of the property is zoned General Commercial District. The applicant(s) intends to expand the business in the future and is seeking to bring the properties into compliance with the Zoning Ordinance.

The adopted Comprehensive Land Use Plan indicates that this property is appropriate for Residential land uses. An application to change the land use designation on the property from Residential to Business Park with a Planned Commercial Development (#09CA025) has been submitted in conjunction with this Rezoning application. It should be noted that the preliminary draft neighborhood land use plan that is being developed by the Future Land Use Committee identifies this area as being appropriate for business park development. The Committee noted the need to identify an area for developing a business park to support the research activities occurring at the South Dakota School of Mines and Technology.

STAFF REVIEW: The Adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. In order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

Staff 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 has not identified any changing condition that requires rezoning the property.

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

The Business Park Zoning District is intended for the integration of the functional elements of a business or group of businesses which for purposes of security, efficiency and flexibility are located in close proximity or on the same developmental lot. The district provides for the integration of office, assembly and warehousing functions. The properties in question are adjacent to property currently zoned General Commercial District and vacant, undeveloped parcels. Because of the location in close proximity to the South Dakota School of Mines and Technology, the proposed rezoning to Business Park District appears to be consistent with the intent and purpose of the Zoning Ordinance.

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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Land located north, south and west of the property is zoned General Commercial District. Land located east of the property is zoned Medium Density Residential District. The Business Park District requires additional screening when adjacent to residential districts to help mitigate potential impacts to adjoining properties. The applicant has also requested a Planned Development Designation that will help ensure buffers are in place to address potential incompatible uses. As such, the proposed rezoning to Business Park District appears to be compatible with the adjacent properties.

- 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 Future Land Use Committee considered the associated Comprehensive Plan Amendment to change the land use designation from Residential to Business Park with a Planned Commercial Development and recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Residential to Business Park with a Planned Commercial Development be approved. If the associated Comprehensive Plan Amendment is approved, the rezoning request will be consistent with the adopted Comprehensive Plan. As such, staff recommends that the rezoning request from General Commercial District to Business Park District be approved in conjunction with the associated Comprehensive Plan Amendment.

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received one inquiry regarding the proposed Rezoning application.

Staff recommends that the Rezoning from General Commercial District to Business Park be continued to the November 5, 2009 Planning Commission meeting at the applicant's request.

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