

STAFF REPORT
August 25, 2011

No. 11RZ011 - Rezoning from General Commercial District to Light Industrial District **ITEM 7**

GENERAL INFORMATION:

APPLICANT	Century Resources, Inc.
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Century Resources, Inc.
REQUEST	No. 11RZ011 - Rezoning from General Commercial District to Light Industrial District
EXISTING LEGAL DESCRIPTION	<p>A portion of Lot 3R of Block 1 of Menard Subdivision, located in the NE1/4 of the SW1/4, Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the southeasterly corner of Lot 2 of Block 1 of Menard Subdivision, common with the northeasterly corner of Lot 3R of Block 1 of Menard Subdivision, and common to a point on the westerly edge of the dedicated right-of-way of East Anamosa Street; Thence, S44°48'01"E, along the northeasterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to the westerly edge of said dedicated right-of-way of East Anamosa Street, a distance of 25.00 feet, to a point on the northeasterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to a point on the westerly edge of said dedicated right-of-way of East Anamosa Street, and the Point of Beginning; Thence, first course: S44°48'01"E, along the northeasterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to the westerly edge of said dedicated right-of-way of East Anamosa Street, a distance of 157.22 feet, to a point on the northeasterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to a point on the westerly edge of said dedicated right-of-way of East Anamosa Street; Thence, second course: S45°11'32"W, a distance of 330.05 feet, to a point on the southwesterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to a point on the easterly boundary of a portion of the NE1/4 of the SW1/4 of Section 32, T2N, R8E, B.H.M.; Thence, third course: N44°47'38"W, along the southwesterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to the easterly boundary of a portion of said NE1/4 of the SW1/4 of Section 32, T2N, R8E, B.H.M., a distance of 157.38 feet,</p>

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to a point on the southwesterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to a point on the easterly boundary of a portion of the said NE1/4 of the SW1/4 of Section 32, T2N, R8E, B.H.M.; Thence, fourth course: N45°13'14"E, a distance of 330.03 feet, to a point on the northeasterly boundary of said Lot 3R of Block 1 of Menard Subdivision, common to a point on the westerly edge of said dedicated right-of-way of East Anamosa Street, and the Point of Beginning

PARCEL ACREAGE	Approximately 1.192 acres
LOCATION	On the south side of East Anamosa Street southeast of the intersection of East Anamosa Street and North Creek Drive
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District
East:	General Commercial District (Planned Commercial District)
West:	General Agriculture District
PUBLIC UTILITIES	City/ City
DATE OF APPLICATION	7/29/2011
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

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

GENERAL COMMENTS: On August 12, 2011, the applicant submitted a request to rezone approximately 1.192 acres of land on portions of two lots from General Commercial District to Light Industrial District. In addition, the applicant has submitted an associated Comprehensive Plan Amendment to the Elk Vale Future Land Use Plan to change the land use designation from General Commercial to Light Industrial.

The applicant has also submitted an associated Rezoning request (File #11RZ012) to change approximately .379 acres of land from General Agriculture District to Light Industrial District.

The applicant has also submitted an associated Preliminary Plat request (File #11PL040) to replat the lot line between Lot 2R and Lot 3R. The proposed Plat and Rezones are shown on

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Exhibit "A".

The property is located on the south side of East Anamosa Street, approximately 950 feet southeast of the intersection of East North Street and East Anamosa Street. Currently, warehousing and retail are located on Lot 2R. Lot 3R is currently undeveloped.

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 district affected, or the City in general.*

The property is currently zoned General Commercial. No substantially changed conditions have been identified that make it necessary to rezone the land in question.

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

The Rapid City Municipal Code says that a Light Industrial 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. These industries may require direct access to rail or street transportation routes; however, the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by the uses of the heavy industrial districts. The applicant has previously presented a master plan of the area to the Future Land Use Committee identifying a mix of commercial and industrial development in the area. In particular, the plan identified a Light Industrial development located adjacent to the south. A rezoning from General Commercial District to Light Industrial District was approved for that property (File #11RZ048). The applicant has submitted the current Rezoning request in association with a Comprehensive Plan Amendment for the property. The proposed zoning to Light Industrial 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 amendment.*

The property is located in an area currently developing as an industrial and commercial area located adjacent to a General Commercial District. East Anamosa Street is a principal arterial street on the Major Street Plan. The property adjacent to the southeast was rezoned from General Commercial to Light Industrial in 2010. A stormwater detention pond buffers the property from General Commercial and Heavy Industrial development to the west and south. East Anamosa Street provides separation between current General Commercial developments to the northeast. Staff is not aware of any significant adverse effects that would result from rezoning the property from General Commercial District to Light Industrial District.

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4. *The proposed amendment shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The associated comprehensive Plan Amendment to the Elk Vale Future Land Use Plan to change the land use designation from General Commercial to Light Industrial is being recommended for approval in conjunction with this rezoning. If the Comprehensive Plan Amendment is approved, the rezoning request will be consistent with the adopted Future Land Use Plan. The rezoning does not conflict with the Major Street Plan or the Community Facilities Plan. As such, staff recommends that the rezoning request from General Commercial District to Light Industrial District be approved in conjunction with the associated Comprehensive Plan Amendment.

Notification Requirements: As of this writing, the required sign has not been posted on the property. The receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the August 25, 2011 Planning Commission meeting if these requirements have not been met. As of this writing, staff has received no inquiries regarding the proposed Rezoning request.