

STAFF REPORT

June 21, 2001

No. 01RZ029 - Rezoning from General Commercial District to Light Industrial District **ITEM 36**

GENERAL INFORMATION:

PETITIONER	Stan Houston Equipment Co., Inc.
REQUEST	No. 01RZ029 - Rezoning from General Commercial District to Light Industrial District
LEGAL DESCRIPTION	Tract C located in the SE1/4 SW1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.38 Acres
LOCATION	1210 Deadwood Avenue
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Light Industrial District - General Commercial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Rezoning from General Commercial District to Light Industrial District be approved.

GENERAL COMMENTS: This request is to rezone a 2.38 acre parcel from General Commercial Zoning District to Light Industrial Zoning District. The applicant operates a construction equipment rental and sales business on the property and has applied for a building permit to enclose the existing loading dock area. The sale or rental of construction equipment is not permitted in the General Commercial Zoning District. The proposed addition will increase the square footage of the existing structure by more than twenty percent, requiring compliance with the Rapid City Zoning Ordinance. Therefore, the applicant has requested that the subject property be rezoned to Light Industrial Zoning District.

STAFF REVIEW: Staff has evaluated this rezoning request with respect to the four criteria established for review of zoning map amendments in Section 17.54.040(D)(1). A summary of staff findings are outlined below:

1. *The proposed amendment shall be necessary because of substantially changed or changing*

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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 Deadwood Avenue and Commerce Road have been rezoned to Light Industrial District. This area has been transitioning from General Commercial to Light Industrial over the past several years. The proposed rezoning request is consistent with the changing conditions of the area.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

According to Chapter 17.22.010 of the Rapid City Zoning Ordinance, the purpose of the Light Industrial Zoning District is "...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".

Staff believes the purposes and intent of the Light Industrial Zoning District are being met through this request. The subject property is located in close proximity to major traffic arterials (Deadwood Avenue and US Interstate 90). Stan Houston Equipment Company, Inc. has requested this rezoning because they would like to expand their existing building to accommodate addition storage of equipment and tools. Contractor's equipment storage yards or plants, or rental of equipment commonly used by contractors are allowed as permitted uses in 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.*

The contractor's equipment sales and rental business has been operating for several years on this property with no apparent adverse affects on any of the surrounding properties. The properties to the east, west and south are all zoned Light Industrial while the property to the north is zoned General Commercial Zoning District.

4. *The proposed amendments 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 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 as industrial. The area has developed into a mixture of commercial and industrial uses. The location of this request is a continuation of the light industrial uses located within the area. Based on conformance with the criteria for

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review of zoning map amendments, Staff is recommending approval of the rezoning request.

The Engineering Division has noted that the current western-most approach is only 5 feet from the signalized intersection at Deadwood Avenue and Commerce Avenue. The Street Design Criteria Manual indicates that the safe distance to the nearest approach be no less than 230 feet.

The required rezoning sign has been posted on the property, however, the receipts from the certified mailing have not been returned as of the writing of this staff report. Staff will notify the Planning Commission in the event the receipts are not received prior to the June 21, 2001 Planning Commission meeting.