

STAFF REPORT
May 6, 2004

No. 04RZ018 - Rezoning from General Agriculture District to Light Industrial District **ITEM 11**

GENERAL INFORMATION:

PETITIONER	Franklin Simpson for Fountain Springs Development
REQUEST	No. 04RZ018 - Rezoning from General Agriculture District to Light Industrial District
EXISTING LEGAL DESCRIPTION	A parcel of land described by metes and bounds as beginning at the southwest corner of Tract L of the Fountain Springs Business Park: Thence first course: N89°23'38"E - 203.63 feet; thence second course: S00°36'37"E - 555.42 feet; thence third course: S89°25'48"W - 124.89 feet; thence fourth course: N08°41'27"W - 560.92 feet; said parcel located in the SW1/4 NE1/4 and NW1/4 SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, containing 2.0949 acres, more or less and to be further described in platting as: Tract N of the Fountain Springs Business Park formerly a portion of Tract C-R-3 of Fountain Springs Golf Course and Gardens located in the SW1/4 NE1/4 and NW1/4 SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.0949 acres
LOCATION	Along Fountain Plaza Drive between North Plaza Drive and South Plaza Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	03/11/2004
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to Light Industrial District be **approved in conjunction with the related Amendment to the Comprehensive Plan.**

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GENERAL COMMENTS: This staff report has been revised as of April 26, 2004. All revised and/or added text is shown in bold print. This item was continued at the April 8, 2004 Planning Commission meeting to allow an application for an Amendment to the Comprehensive Plan to change the land use from Agriculture to Light Industrial to be submitted in conjunction with this rezoning. This undeveloped property contains approximately 2.0949 acres and is located west and adjacent to Fountain Plaza Drive. The property was annexed in 1982 and zoned General Agriculture District. The property located north of the subject property is zoned Light Industrial District. The property located south of the subject property is zoned General Commercial District. The property located east and west of the subject property is zoned General Agriculture District.

Currently, the subject property is a portion of a larger parcel developed as a golf course. The subject property is undeveloped and is not part of the established golf course. The property owner has indicated that he wishes to sell this parcel. The property owner has submitted applications for a Layout and Preliminary Plat (04PL036) and a Subdivision Variance (04SV019) in conjunction with this rezoning application. **The applicant has also submitted an Amendment to the Comprehensive Plan (04CA018) (Revised 4-26-04).**

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.

The Deadwood Avenue industrial area has been in the process of developing for several years. A majority of the properties are developed and zoned Light Industrial. The subject property is an undeveloped portion of a golf course and has been held for future development. The applicant has indicated that the property is now ready for development. The proposal to rezone the subject property to a Light Industrial Zoning District is reflective of a continuation of the industrial development in the area.

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 adjacent to Fountain Plaza Drive, a street developed as an industrial street. Deadwood Avenue, a truck route and a principal arterial street, is located in the vicinity. Sewer and water are available to the subject property. The location of the subject property is adjacent to properties zoned Light Industrial District and adjacent to open undeveloped areas. Staff believes this rezoning is appropriate given the location of the subject property and the availability of infrastructure.

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- 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 Light Industrial Zoning Districts and adjacent to Fountain Plaza Drive, classified as an industrial street. Water and sewer are available within Fountain Plaza Drive right-of-way. It is important for cities to classify areas of the city as appropriate for industrial use. Staff is not aware of any adverse effects that would result from rezoning the subject property from General Agriculture District to Light Industrial District.

- 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 Comprehensive Plan indicates that the subject property is appropriate for agriculture land uses. An application for an Amendment to the Comprehensive Plan has been submitted in conjunction with this rezoning to change the land use from Agriculture to Light Industrial (04CA018). If the Amendment to the Comprehensive Plan is approved, this rezoning request will then be consistent with the City's Comprehensive Plan.

As of this writing, the required rezoning sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing. (Revised 4-26-04)