

STAFF REPORT
February 8, 2007

No. 07RZ006 - Rezoning from General Agriculture to Light Industrial ITEM 29

GENERAL INFORMATION:

PETITIONER	CETEC Engineering for Franklin O. Simpson
REQUEST	No. 07RZ006 - Rezoning from General Agriculture to Light Industrial
EXISTING LEGAL DESCRIPTION	Tract P of Fountain Springs Business Park and dedicated public right-of-way in the S1/2 of the NE1/4 and the N1/2 of the SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.00 acres
LOCATION	Corner of North Plaza Drive and Fountain Plaza Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Agriculture District
East:	General Agriculture District
West:	Light Industrial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/12/2007
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture to Light Industrial be approved in conjunction with the Comprehensive Plan Amendment to the Future Land Use Plan.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the subject property from General Agriculture District to Light Industrial District. In addition, the applicant has submitted an Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Light Industrial. (See companion item number 07CA003.)

On December 28, 2006, the City approved a Final Plat subdividing the subject property into a five acre parcel to be known as "Tract P of Fountain Springs Business Park".

The property is located in the southeast corner of the intersection of North Plaza Drive and

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Fountain Plaza Drive. To date, the subject property is void of any structural development.

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments established in Section 17.54.040 (D) (1). A summary of Staff findings is 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 subject property is currently zoned General Agriculture District. The General Agriculture District has served as a holding zone until such time as the property is developed. The properties located north and west of the subject property are zoned Light Industrial District. The properties located east and south of the subject property are currently zoned General Agriculture District. The continued growth and development in the area constitutes the changing condition that necessitates the proposed rezoning.

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

The purpose of the Light Industrial District is to establish areas for light manufacturing and assembly plants, processing, storage, warehousing, and wholesaling and distribution operations. The Zoning Ordinance requires that these types of uses be conducted so that noise, odor, dust and glare are completely confined within enclosed structures. Light industrial uses currently exist to the north and west of the subject property. The properties located east and south of the subject property are also owned by the applicant and are currently zoned General Agriculture District. The General Agriculture District is serving as a holding zone until the applicant develops the property. The proposed rezoning request would allow for the continuation of light industrial uses within the area.

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.*

Staff has not identified any significant adverse impacts that will result from the requested rezoning. As previously indicated, the Light Industrial District requires that any proposed use be conducted so that noise, odor, dust and glare are completely confined within an enclosed structure. Any future use of the property must conform to the requirements of the Rapid City Municipal Code. In addition, the properties located north and west of the subject property are currently zoned Light Industrial District with existing light industrial use(s). In addition, the properties located directly south and east are currently zoned General Agriculture District and are currently void of any structural development.

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 Major Street Plan identifies North Plaza Drive as a minor arterial. Allowing industrial

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use(s) along a principal arterial street is in compliance with the Major Street Plan. City water and sewer currently exists in the North Plaza Drive and Fountain Plaza Drive rights-of-way and will be extended to serve the subject property. Upon approval of the associated Comprehensive Plan Amendment request, the Rezoning request will be in compliance with the Long Range Future Land Use Plan.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at their February 8, 2007 Planning Commission meeting if this requirement has not been met.