

STAFF REPORT
October 6, 2011

No. 11RZ019 - Rezoning from General Commercial District to Light Industrial District **ITEM 3**

GENERAL INFORMATION:

APPLICANT	Richard Huffman
PROPERTY OWNER	William C. Gikling and Sharon K. Gikling
REQUEST	No. 11RZ019 - Rezoning from General Commercial District to Light Industrial District
EXISTING LEGAL DESCRIPTION	Lot 1A of Starlite Subdivision located in Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.83 acres
LOCATION	At the northeast corner of the intersection of Dyess Avenue and Eglin Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District (Planned Industrial Development)
South:	General Agriculture District
East:	Light Industrial District (Planned Industrial Development)
West:	General Commercial District
PUBLIC UTILITIES	City/ City
DATE OF APPLICATION	8/26/2011
REVIEWED BY	Robert Laroco / Brandon Quiett

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: **(Update: October 6, 2011. All revised and/or added text is included in bold print.) This item was continued at the September 22, 2011 Planning Commission meeting to allow the applicant to submit an associated Comprehensive Plan Amendment with the rezone request. The associated Amendment (File #11CA011) will be heard at the October 6, 2011 Planning Commission meeting.**

On August 29, 2011, the applicant submitted a Rezoning request to rezone approximately 5.83 acres of land from General Commercial District to Light Industrial District. In particular,

STAFF REPORT
October 6, 2011

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the applicant is requesting to rezone Lot 1A of the Starlite Subdivision. The adjacent property to the east was rezoned from General Commercial to Light Industrial in 2006 (File # 06RZ061). An associated Comprehensive Plan Amendment was approved for that property in conjunction with the rezone request (File #06CA046).

An associated Comprehensive Plan Amendment to change the Future Land Use designation from General Commercial to Light Industrial has been submitted and will be considered at the October 6, 2011 Planning Commission meeting.

The property is located immediately east of Dyess Avenue, south of U.S. Interstate 90, and north of Eglin Street. The land 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 District. Light Industrial development has substantially expanded in recent years. The neighboring property to the east was rezoned from General Commercial District to Light Industrial District in 2006. Development in the area is primarily industrial in nature. Additionally, approval of the associated Comprehensive Plan Amendment will change the land use designation from General Commercial to Light Industrial. The expansion of industrial development in the area constitutes a change of conditions in the area which necessitate a change in the Zoning Ordinance.

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

The Rapid City Municipal Code states that the Light Industrial District is intended 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 area consists of a mix of Light Industrial and General Commercial development. The proposed zoning is 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.*

Industrial development in the area continues to expand. Development to the east is primarily industrial. Land to the south is zoned General Agriculture. The General Agriculture District is generally viewed as a holding designation for lands that should be developed in the future. Heavy industrial development with a higher intensity of use is also occurring in the area to the south of Eglin Street. The proposed Rezoning will not

STAFF REPORT
October 6, 2011

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adversely affect any other part of the city.

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.*

A cursory review for a building permit was completed for this property in August of 2011. The proposed Master Plan for the property showed the proposed development to be a trucking terminal. A trucking terminal is a permitted use in a Light Industrial District. East North Street, located to the west of the property, is classified as a Principal Arterial on the Major Street Plan. East North Street provides direct access to U.S. Interstate 90 to the north. Eglin Street is classified as a Minor Arterial.

Staff has noted that a 20 foot wide utility easement runs from east to west across the property. Future development of the site may not occur within the utility easement.

The Rapid City Area Future Land Use Plan shows that this area is currently designated as General Commercial. A rezone from General Commercial District to Light Industrial District is an increase in the intensity of use. A Comprehensive Plan Amendment is required to change the Future Land Use from General Commercial to Light Industrial. The submitted Comprehensive Plan Amendment will create an industrial land use designation for the property. As such, Staff recommends that the rezoning request be continued to the October 6, 2011 Planning Commission meeting to be considered in conjunction with the submitted Comprehensive Plan Amendment.

Notification Requirements: The proposed sign has been posted on the property. As of this writing, the required receipts of the certified mailings have not been returned to the Growth Management Department. Staff will inform the Planning Commission at the October 6, 2011 Planning Commission meeting if the notification requirements have not been met. At this time, there have been no inquiries about this request.

Staff recommends that the rezoning request be approved in conjunction with the associated Comprehensive Plan Amendment.