

STAFF REPORT
May 10, 2012

No. 12RZ008 - Rezoning from Light Industrial District to Heavy Industrial District **ITEM 5**

GENERAL INFORMATION:

APPLICANT	Pat Tlustos By-Pass Development , LLC
PROPERTY OWNER	By-Pass Development, LLC
REQUEST	No. 12RZ008 - Rezoning from Light Industrial District to Heavy Industrial District
EXISTING LEGAL DESCRIPTION	Lot 6 of Block 2 of I-90 Heartland Business Park located in Section 21, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.69 acres
LOCATION	At the current northern terminus of Rearden Court
EXISTING ZONING	Light Industrial District
FUTURE LAND USE DESIGNATION	Industrial
SURROUNDING ZONING	
North:	General Agriculture District
South:	Light Industrial District
East:	General Agriculture District
West:	Light Industrial District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	4/13/2012
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Rezoning from Light Industrial District to Heavy Industrial District be approved.

GENERAL COMMENTS: The applicant has submitted a Rezoning request to rezone approximately 7.69 acres of land from Light Industrial District to Heavy Industrial District. On July 17, 2012, a Final Plat was approved for Lots 6 through 8 of Block 2 of the I-90 Heartland Business Park. Portions of Lot 6 were Rezoned from No Use District to Light Industrial District and from General Agriculture District to Light Industrial District by City Council on December 15, 2008 (File #08RZ040 and File #08RZ047).

The property is located at the northern terminus of Rearden Court, approximately 520 feet

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north of the intersection of Seger Drive and Rearden Court, in the northeastern section of the City. The property is currently void of structural development.

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 Light Industrial District. The purpose of the Light Industrial 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 a closed building. Property to the south and to the west is zoned Light Industrial District. Property to the north and east is zoned General Agriculture District. Public Works staff has noted that the proposed heavy industrial use is compatible with upcoming City development of a large sewer lift station southeast of the property. The expected infrastructure development of the sewer lift station constitutes substantially changing conditions in the area.

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

The Heavy Industrial District is intended to provide areas in which the principal land use is for manufacturing, assembling, fabricating, and warehousing. These uses do not require frequent visits of customers or clients, but usually require good accessibility to major rail or street transportation routes. The Rezoning request is located in an area of industrial development located on the fringes of the City, making it desirable for further industrial development. Property located to the north of the proposed Rezoning are zoned General Agriculture District. The General Agriculture District is used to designate land on the fringes of the city that will be undergoing future development and is viewed as a holding designation for land until such time as it is developed. It appears that the proposed zoning is consistent with the intent and purpose of the 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.*

Seger Drive, located approximately 500 feet south of the property, is classified as a minor arterial street on the City's Major Street Plan. Rearden Court, located immediately southwest of the property, is classified as an industrial street. Elk Vale Road is located approximately 1,700 feet east of the intersection of Seger Drive and Rearden Court and provides direct access to U.S. Interstate 90. Elk Vale Road is classified as a principal arterial street on the City's Major Street Plan. The location of the property near a minor arterial street and with close access to the regional transportation network makes it desirable for a higher intensity of use.

Property to the northeast of the intersection of Elk Vale Road and Seger Drive is zoned

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Mobile Home Residential with a Planned Development Designation. Staff has noted that the proposed heavy industrial use on the property may create an overall decrease in traffic in the area. The existing Light Industrial District and General Commercial Districts located to the south and east of the proposed Rezone serve as a transitional buffer between the proposed heavy industrial use and residential uses.

- 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 property is served by Rapid City water and sewer services. Northern portions of the property lie within the 100-Year Federally Designated Floodplain. The majority of the site is located within the 500-Year Federally Designated Floodplain. The Future Land Use Plan shows the property is designated for industrial use. The Public Works Department has indicated that property in the area to the east will be developed as a sewage lift station, which is compatible with the proposed heavy industrial use. The City's Major Street Plan shows that Seger Drive is a minor arterial street. Elk Vale Road is a principal arterial street with access to U.S. Interstate 90. Rearden Court is classified as an industrial street. The industrial and arterial streets near the regional transportation network make the area desirable for industrial uses. The Rezoning request is consistent with the development plan for the City. As such, staff recommends that the Rezoning request be approved.

Notification Requirements: The required sign has been posted on the property. The required receipts of the certified mailings have been returned to Community Planning and Development Services. At this time, there has been one inquiry into the Rezoning request.