

STAFF REPORT
February 21, 2013

No. 13RZ002 - Rezoning from General Commercial District to Light Industrial District **ITEM 6**

GENERAL INFORMATION:

APPLICANT	G/GSA Inc.
AGENT	John Herr
PROPERTY OWNER	G/GSA Inc
REQUEST	No. 13RZ002 - Rezoning from General Commercial District to Light Industrial District
EXISTING LEGAL DESCRIPTION	Lot 3 of Tract D of W-Y Addition, located in the E1/2 of the SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.173 acres
LOCATION	4503 and 4507 South I-90 Service Road
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Heavy Industrial District (Pennington County) - Box Elder
South:	General Commercial District
East:	General Commercial District
West:	Box Elder
PUBLIC UTILITIES	Water cistern/ septic
DATE OF APPLICATION	January 28, 2013
REVIEWED BY	Fletcher Lacock / 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 request.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the above legally described property from General Commercial District to Light Industrial District. In addition, the applicant has submitted an Amendment to the Comprehensive Plan (File #13CA001) to change the future land use designation from Commercial to Industrial.

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On May 15, 2008, the above legally described property was annexed (File #08AN003) into the City of Rapid City.

On August 18, 2008, the City Council approved a Rezoning request (File # 08RZ026) to change the zoning designation from No Use District to General Commercial District.

On September 25, 2008, the City Council approved an Amendment to the Comprehensive Plan (File #08CA025) to change the future land use designation from Industrial to General Commercial.

The property is located south of South Interstate 90 Service Road, south of U.S. Interstate 90 and east of the intersection of North Elk Vale Road and Edwards Street. Currently, there are two one-story wholesale and retail distribution structures located on the property.

STAFF REVIEW:

Staff has reviewed this proposed rezoning request 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 generally.*

Currently, it does not appear that there are any substantially changing conditions in the area.

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 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 Rezoning request is located at the south end of a cul-de-sac extending from the South Interstate 90 Service Road. The properties located along the cul-de-sac are in the City of Box Elder and are industrial in nature. The property to the northeast is located in Pennington County and is zoned Heavy Industrial. In addition, the property is bordered to the south by railroad right-of-way and land zoned General Commercial District. When the property was annexed in 2008, staff noted that it would be appropriate for industrial uses. The applicant has also submitted an Amendment to the Comprehensive Plan to change the future land use designation from Commercial to Industrial. It appears that the Rezoning request 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 an amendment.*

The property is located at the south end of a cul-de-sac extending from the South

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Interstate 90 Service Road. Property to the south is zoned General Commercial District. However, railroad right-of-way located along the south property line serves as a buffer to commercial property to the south. Currently, the land to the south is undeveloped. The City's Major Street Plan identifies a proposed collector street running through the property. There are no plans to construct the proposed collector street at this time. The proposed collector street would dead-end at the South Interstate 90 Service Road to the north.

- 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 applicant has also submitted an Amendment to the Comprehensive Plan to change the future land use designation from Commercial to Industrial. In 2008, the City Council approved an Amendment to the Comprehensive Plan to change the future land use designation from Industrial to Commercial. The proposed Industrial use is consistent with existing uses located in the City of Box Elder, along the cul-de-sac to the north. In addition, the City's Major Street Plan identifies a collector street running north/south through the property. There are no plans to construct the proposed collector street at this time.

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

Notification: As of this writing, the white certified mail receipts have been returned. The green cards have not been returned. The required sign has been posted on the property. Staff will notify the Planning Commission at the February 21, 2013 Planning Commission meeting if these requirements have not been met.