No. 13RZ011 - Rezoning from Medium Density Residential District to Light Industrial District ITEM 5

GENERAL INFORMATION:

APPLICANT	Jake Boerger
PROPERTY OWNER	Franklin Simpson
REQUEST	**No. 13RZ011 - Rezoning from Medium Density Residential District to Light Industrial District**
EXISTING LEGAL DESCRIPTION	A parcel of land located in Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: starting at a point that bears 19.32 feet S41°00'00"W from the northeast corner of previously vacated Tract C Revised of the S.G. Interstate Plaza located in the S1/2 NE1/4 and the N1/2 SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota and being the point of beginning. Thence first course: S41º00'00"W a distance of 600.00 feet, Thence second course: N61°00'00"W a distance of 254.90 feet, Thence third course: N35°00'00"E a distance of 493.10 feet, Thence fourth course: S77°23'18"E a distance of 342.00 feet to the point of beginning
PARCEL ACREAGE	Approximately 3.507 acres
LOCATION	On the south side of North Plaza Drive approximately 450 feet east of the intersection of Fountain Plaza Drive and North Plaza Drive
EXISTING ZONING	Medium Density Residential District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Agricultural District
East:	General Agricultural District
West:	General Agricultural District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	April 26, 2013
REVIEWED BY	Robert Laroco / Brandon Quiett

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RECOMMENDATION:

    Staff recommends that the Rezoning from Medium Density Residential District to Light Industrial District be approved in conjunction with the associated Comprehensive Plan Amendment to the Future Land Use Plan.

GENERAL COMMENTS: The applicant has submitted a Rezoning request for approximately 3.507 acres of land from Medium Density Residential District to Light Industrial District. In the spring of 2012, the City Council approved a Rezoning request for this property from General Agriculture District to Medium Density Residential District (File #12RZ004). The Rezoning request for the property was approved in conjunction with a Layout Plat (File #12PL009) to create one lot, as well as a Comprehensive Plan Amendment (File #12CA002) to change the land use designation from Commercial to Residential. The property owner's intention at the time was to develop the property with multifamily housing. The development of the property did not occur and subsequent interested parties have expressed interest in developing the property with light manufacturing with sales and offices as accessory uses. Manufacturing with sales and offices as accessory uses is a permitted use in the Light Industrial District. As such, the applicant has submitted this Rezoning request for the property. The Future Land Use Plan has identified this property as appropriate for residential uses. The proposed Light Industrial zoning requires that the future land use designation be industrial. As such, the applicant has submitted an associated Comprehensive Plan Amendment (File #13CA007) to change the future land use designation on the property from residential to industrial.

The property is located on the south side of North Plaza Drive, east of the intersection of North Plaza Drive and Fountain Plaza Drive. The property is currently undeveloped.

STAFF REVIEW: Staff has reviewed the proposed rezoning for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040.D(1) and has noted the following considerations:

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 zoned Medium Density Residential District. Property to the east is zoned High Density Residential District. Property to the northeast, east, south, and west is zoned General Agriculture District. Property to the north is zoned Light Industrial District. The future land use designation for the property is residential and the applicant has submitted an associated Comprehensive Plan Amendment to change the future land use designation on the property to industrial. The area is developed with a mix of residential, industrial, and commercial uses. The property is currently zoned Medium Density Residential District due to a Rezoning request for the property that was approved by the City Council in the spring of 2012. The anticipated residential development has not occurred and new development plans for the property include a light manufacturing use with offices and sales. The area continues to develop with a mix of uses. There are no substantially changed or changing conditions in the area.

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

   The Medium Density Residential District is intended to provide for medium to high population density. The principal use of land may range from single-family to multi-family apartment uses. 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 Rezoning request will allow for a light industrial use in an area close to existing light industrial uses. The Coca Cola bottling plant is located across North Plaza Drive to the north. Currently, the area is developed with a mix of residential, commercial and light industrial uses. The proposed zoning is consistent with the intent and purposes of this 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.*

   The Rezoning request will change the zoning from Medium Density Residential District to Light Industrial District. The area is comprised of a mix of residential, commercial, and industrial uses already. The Rezoning request is an overall increase in the intensity of uses permitted on the property; however, the anticipated residential development on the property has not occurred. The Light Industrial District limits industrial uses to those completely confined within an enclosed structure and which do not produce excessive noise, odor, dust, glare and excessive freight volume. It is not expected that the Rezoning request will 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.*

   The City's adopted Future Land Use Plan shows that the property has been designated for residential use. Property located adjacent to the north is classified with an industrial land use designation. The Rezoning request is consistent with the Future Land Use Plan if approved in conjunction with the associated Comprehensive Plan Amendment. North Plaza Drive as identified as a Minor Arterial street on the City's Adopted Major Street Plan, capable of handling the residential, commercial, and light industrial uses anticipated in the area. For these reasons, staff recommends the request to change the zoning on the property from Medium Density Residential District to Light Industrial District be approved in conjunction with the associated Comprehensive Plan Amendment.

Notification Requirements: The required sign has not been posted on the property. The proof of notification mailing has not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the May 23, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into this request.