

STAFF REPORT  
February 20, 2014

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**No. 14RZ001 - Rezoning from General Agricultural District to Light Industrial District**      **ITEM 5**

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GENERAL INFORMATION:

APPLICANT	Jared Dupont
PROPERTY OWNER	David R. Wise
REQUEST	<b>No. 14RZ001 - Rezoning from General Agricultural District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	Tract 1, Less Lot H2 of Bradsky Subdivision #2 and Tract 2 of Bradsky Subdivision #2, located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.3 acres
LOCATION	West of Creek Drive between Centre Street and East St. Patrick Street
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Industrial
SURROUNDING ZONING	
North:	General Agricultural District
South:	Flood Hazard District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	January 24, 2014
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

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

GENERAL COMMENTS: The applicant has submitted a request to Rezone approximately 8.30 acres of property from General Agriculture District to Light Industrial District. The property is comprised of two undeveloped lots. The applicant has indicated that future plans for the development of the site include a light industrial use. Portions of the property are located within the Federally Designated 500 Year Flood Plain. In addition, a small portion of the property is located within the Federally Designated 100 Year Flood Plain.

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The property is located approximately 1,200 feet south of the intersection of S.D. Highway 44 and Creek Drive, on the west side of Creek Drive. The property 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.

*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 area is currently developing with a mix of commercial and industrial uses. It is anticipated that development of the area will continue. The General Agriculture District is generally viewed as a holding district, to be used on properties at the fringes of the City which have not undergone development, but which are expected to in the near-term future. The continuing development of the area with commercial and light industrial uses represent changing conditions in the area. As previously noted, portions of property are located within the Federally Designated 500 Year Flood Plain and portions of the property are located within the Federally Designated 100 Year Flood Plain. The applicant should be aware that future development on the property will require that a Flood Plain Development Permit be obtained. However, a Flood Plain Development Permit is not required as a part of the review of this application.

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

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 proposed zoning is consistent with the intent and purpose of the ordinance.

*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 applicant should be aware that sewer and water mains are currently installed adjacent to portions of the properties. Development of the site may require the extension of sanitary sewer and water mains in accordance with City regulations. In addition, development of the site must comply with City stormwater management and post construction water quality treatment requirements. The applicant should be aware that future development may have an effect on any of the other surrounding uses or on the public infrastructure.

*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 currently designated for industrial use on the City's Future Land Use Plan

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and, as such, no amendment to the Comprehensive Plan is required. The requested Rezone is consistent with the City's adopted Future Land Use Plan.

Creek Drive is identified as a Minor Arterial Street on the City's Major Street Plan, capable of accommodating the traffic associated with the mix of uses in the area. The City's Major Street Plan identifies a proposed collector street running east to west through the properties. The applicant should be aware that future development of the properties will require that the collector street be provided in compliance with requirements of the City regulations. As previously noted, extension of water and sewer services may be required as a part of the development of this property.

The Rapid City Fire Department has not noted any concerns with the requested Rezone.

The request meets all the criteria for an amendment to the Zoning Ordinance. The General Agriculture District is intended as a holding district for property that will be undergoing development in the near-term future. The continuing development of the area with a mix of commercial and industrial uses represents changing conditions in the area. The request is in compliance with the Future Land Use Plan. Future Development of the property must be in compliance with the requirements of the Rapid City Municipal Code and the Infrastructure Design Criteria Manual. For these reasons, staff recommends that the request to rezone the property from General Agriculture District to Light Industrial District be approved.

**NOTIFICATION REQUIREMENTS:** The notification letters have been returned to Community Planning and Development Services for mailing. The sign has been picked up by the applicant; however, at this time staff has not confirmed that the sign has been posted on the property. Staff will inform the Planning Commission at the February 20, 2014 Planning Commission meeting if this requirement has not been met. As of this writing, there have been no inquiries regarding this item.