

STAFF REPORT  
September 23, 2010

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**No. 10RZ048 - Rezoning from General Agriculture District to Light Industrial District**      **ITEM 5**

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GENERAL INFORMATION:

APPLICANT	Century Resources, Inc.
AGENT	Bob Brandt for
PROPERTY OWNER	Century Resources, Inc.
REQUEST	<b>No. 10RZ048 - Rezoning from General Agriculture District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	A portion of the NE1/4 of the SW1/4 of Section 32, T2N, R8E, B.H.M., located in the NE1/4 of the SW1/4, Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota more fully described as follows: commencing at the southwesterly corner of the dedicated right-of-way of East Anamosa Street as shown in Plat Book 28, Page 22, and the Point of Beginning; thence, first course: S45°16'55"W, a distance of 194.01 feet; thence, second course: N89°52'32"W, a distance of 317.97 feet; thence, third course: N00°07'28"E, a distance of 180.00 feet; thence, fourth course: N45°11'32"E, a distance of 394.23 feet, to a point on the westerly edge of the right-of-way of said East Anamosa Street; thence, fifth course: southeasterly, along the westerly edge of the right-of-way of said East Anamosa Street, curving to the right on a curve with a radius of 800.00 feet, a delta angle of 26°30'33", an arc length of 370.14 feet, a chord bearing of S28°37'25"E, and a chord distance of 366.84 feet, to the southwesterly corner of the dedicated right-of-way of East Anamosa Street, and the Point of Beginning
PARCEL ACREAGE	Approximately 3.155 acres
LOCATION	Approximately 1/4 mile south of the intersection of North Creek Drive and East Anamosa Street
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District - General Commercial District (Planned Commercial Development)
South:	General Agriculture District
East:	General Commercial District (Planned Commercial

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West:	Development) General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/27/2010
REVIEWED BY	Patsy Horton / Ted Johnson

**RECOMMENDATION:**

Based on the Future Land Use Committee's recommendations on the related Comprehensive Plan Amendment, 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:** This undeveloped portion of the property contains approximately 3.155 acres and is located at the terminus of East Anamosa Street south of East North Street. The applicant has submitted a rezoning application to change the zoning from General Commercial District to Light Industrial District. In addition, the applicant has submitted an associated Comprehensive Plan Amendment to the Elk Vale Future Land Use Plan to change the land use designation from General Commercial to Light Industrial with a Planned Industrial Development.

The applicant anticipates building a new building for the business of selling and servicing all types of pumps, with a screened yard for storage of pumps, tanks and pipes as well as trucks and equipment for services. This includes constructing a 10,000 square foot structure for retail sales area and offices along with a 5,000 square foot area for storage and service, and a 2000 square foot service bay area in order to relocate Grimm's Pump and Industrial Supply to the site. In addition to this Rezoning application, the applicant has submitted an Amendment to the Comprehensive Plan (#10CA034) to change the land use designation from General Commercial to Light Industrial with a Planned Industrial Development, and an application for a Planned Development Designation (#10PD055).

In September 7, 2010, the City Council approved a Preliminary Plat application (#10PL042) to plat one lot.

**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 districts affected or in the City in general.*

The property is currently void of any development and is located in an area with continuing commercial land use growth. No substantially changed or changing conditions have been identified.

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

The Light Industrial Zoning 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. These industries may require direct access to rail or street transportation routes; however, the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by the uses of the heavy industrial districts. The applicant has presented a master plan of the property to the Future Land Use Committee identifying additional commercial development to the west along with a proposal for additional industrial development to the south. The Future Land Use Committee has requested that within 60–90 days the applicant submit a Comprehensive Plan Amendment addressing the balance of the property. The proposed rezoning to Light Industrial District appears to be 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 in an area that is developing as an industrial and commercial area and is located adjacent to General Commercial Districts and in close proximity to Heavy Industrial Districts. The property in question is adjacent to East Anamosa Street, a principal arterial on the Major Street Plan. The property is located adjacent to a stormwater detention pond to the west, which provides a buffer between the proposed industrial use and the commercial uses to the west. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from General Commercial District to Light Industrial District.

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 Future Land Use Committee considered the associated Comprehensive Plan Amendment to the Elk Vale Future Land Use Plan to change the land use designation from General Commercial to Light Industrial with a Planned Industrial Development and recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial to Light Industrial with a Planned Industrial Development be approved. If the associated Comprehensive Plan Amendment is approved, the rezoning request will be consistent with the adopted Future Land Use Plan. As such, staff recommends that the rezoning request from General Commercial District to Light Industrial District be approved in conjunction with the associated Comprehensive Plan Amendment.

As of this writing, the required sign has been posted on the property but the receipts from

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the certified mailing have not been returned. Staff will notify the Planning Commission at the September 23, 2010 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.