



# Rapid City Planning Commission

## Rezoning Project Report

March 9, 2017

<b>Item #13</b>
<b>Applicant Request(s)</b>
Case # 17RZ003 – Rezoning request from General Commercial District to Light Industrial District
Companion Case(s) N/A

<b>Development Review Team Recommendation(s)</b>
The Development Review Team recommends that the Rezoning request be denied.

<b>Project Summary Brief</b>
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**(Update February 27, 2017. All revised and/or added text is shown in bold.) This item was continued from the February 23, 2017 Planning Commission at the applicant's request. Please note that no other part of this report has been changed.** The applicant has submitted a Rezoning request to change the zoning designation from General Commercial District to Light Industrial District for two parcels of land approximately 3.84 acres in size. The applicant has indicated that "Grimm's Pump and Industrial" is proposing to occupy the site. The property is currently occupied by "Eddie's Truck Service and Sales" which is relocating to a new facility.

Applicant Information	Development Review Team Contacts
Applicant: EHR Enterprises LLC	Planner: Fletcher Lacock
Property Owner: EHR Enterprises LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: Fisk Land Surveying & Consulting Engineers Inc	DOT: Stacy Bartlett

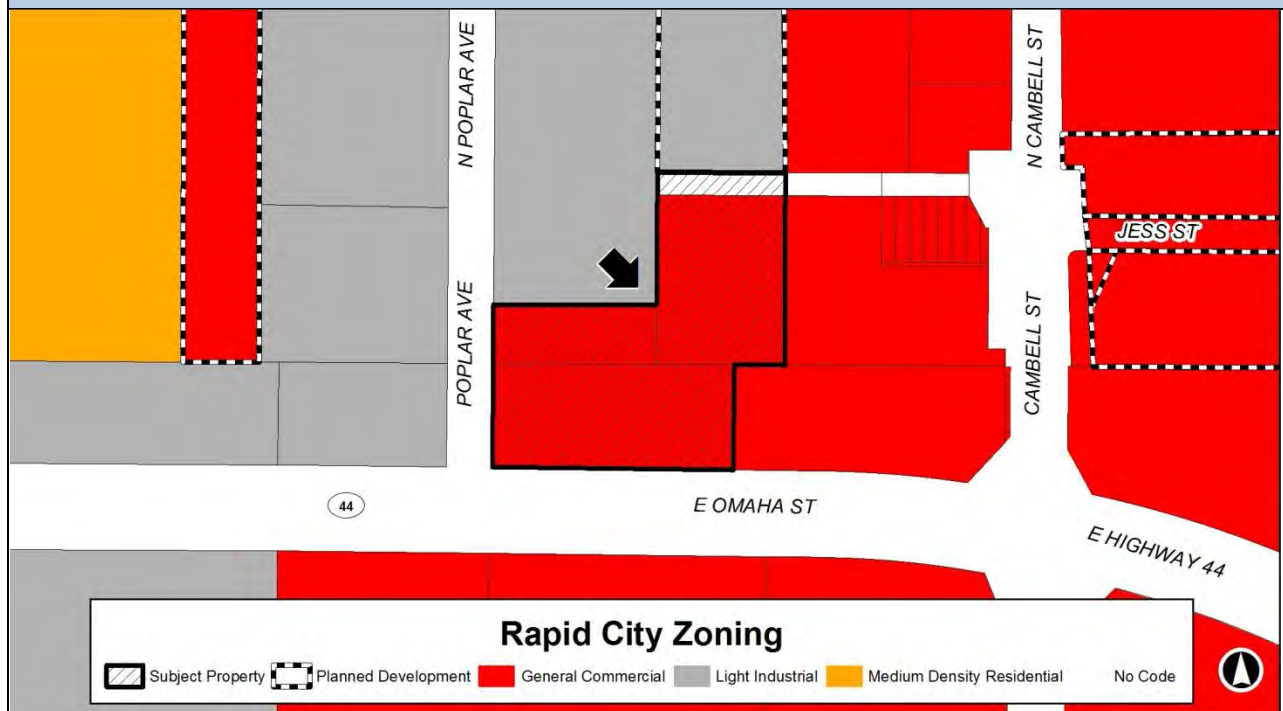
<b>Subject Property Information</b>
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Address/Location	1002 East Omaha Street
Neighborhood	North Rapid
Subdivision	Rypkema Subdivision and Poplar Subdivision
Land Area	3.84 acres
Existing Buildings	Approximately 23,900 square feet
Topography	Relatively flat
Access	East Omaha Street and Poplar Avenue
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

### Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC-Revitalization Corridor	Commercial building and storage yards
Adjacent North	LI	LI	Industrial structures
Adjacent South	GC	MUC-Revitalization Corridor	Auto sales
Adjacent East	GC	MUC-Revitalization Corridor	Auto sales
Adjacent West	LI	LI - Revitalization Corridor	Distribution building

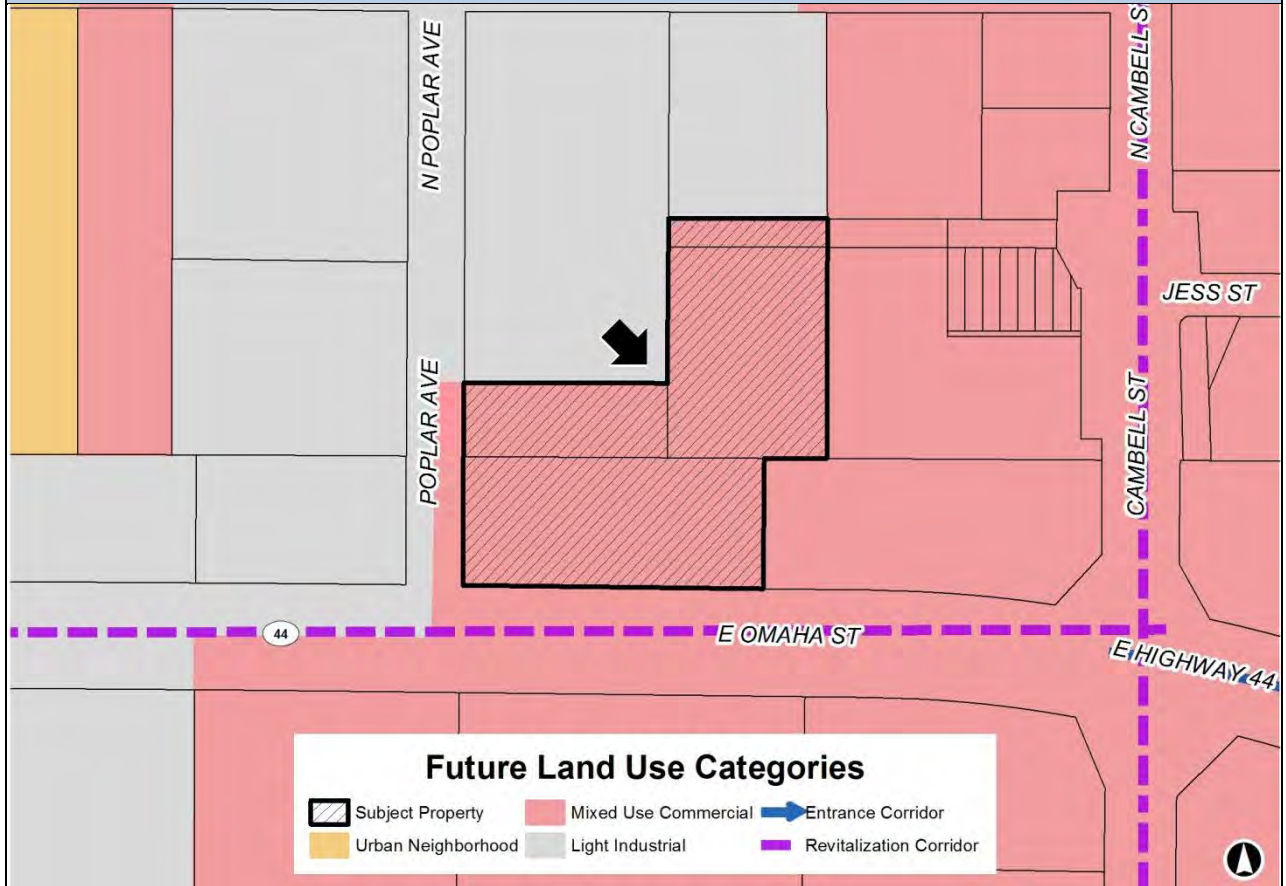
### Zoning Map



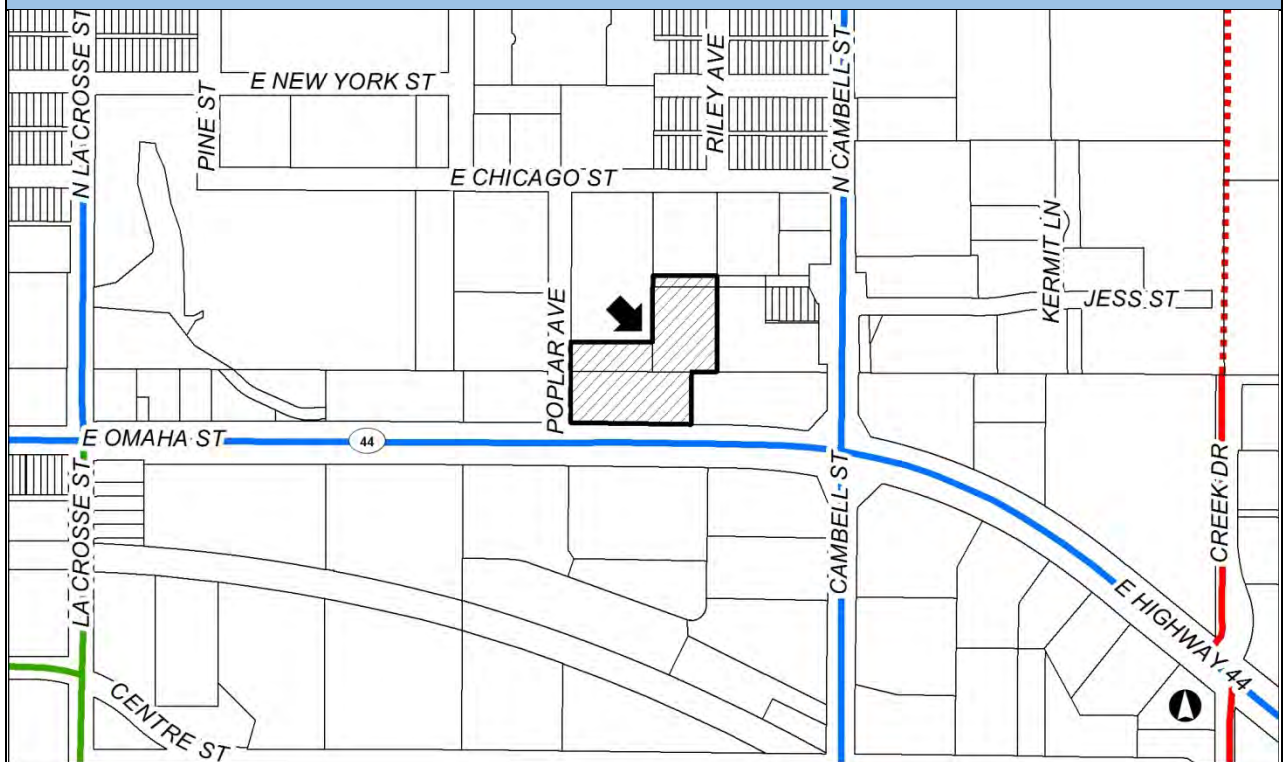
### Existing Land Uses



### Comprehensive Plan Future Land Use



### Parks or Transportation Plan



### Major Street Plan






<b>Relevant Case History</b>			
<b>Case/File#</b>	<b>Date</b>	<b>Request</b>	<b>Action</b>
VAR No. 5450	02/19/2008	Variance request to reduce the minimum required landscaping from 152,500 to 30,000	Granted
<b>Relevant Zoning District Regulations</b>			
<b>Light Industrial District</b>		<b>Required</b>	<b>Proposed</b>
Lot Area		20,000 square feet	Approximately 167,270 square feet
Lot Frontage / Lot Width		N/A	Approximately 420 feet
Maximum Building Heights		4 stories, 45 feet	One story
Maximum Density		75%	100%
Minimum Building Setback:			
• Front		25 feet	Approximately 40 feet
• Rear		25 feet	"0" feet
• Side		25 feet	Approximately 32 feet
• Street Side		25 feet	Approximately 50 feet
Minimum Landscape Requirements:			
• # of landscape points		152,500	Variance granted February 19, 2008 to allow 30,000 points
• # of landscape islands		N/A	N/A
Minimum Parking Requirements:			
• # of parking spaces		76	92
• # of ADA spaces		4	1
Signage		1,200 square feet allowed	437 square feet existing
Fencing		Pursuant to RCMC	Existing fencing along north property lines





<b>Planning Commission Criteria and Findings for Approval or Denial</b>	
<b>Pursuant to Section 17.54.040.D of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to Rezone:</b>	
<b>Criteria</b>	<b>Findings</b>
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.	The previous occupant of the property, "Eddie's Truck Sales and Service" is moving their business to Turbine Drive. The applicant has indicated that "Grimm's Pump and Industrial" is proposing to purchase the property and operate an industrial business.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The existing development on the property which was constructed in compliance with the area regulations of the General Commercial District would be in violation of the area regulations for the Light Industrial District. In particular, the minimum required rear yard setback is 25 feet in the Light Industrial District and the existing structure was constructed with a "0" foot setback which is allowed in the General Commercial District. In addition, the lot coverage in the General Commercial District does not include paved surfaces and the existing structure is in compliance with the design requirements. However, the lot coverage in the Light Industrial District includes paved surfaces and allows a maximum of 75%. The total lot coverage for the existing development is approximately 100%. As such, the proposed Rezoning would create non-conforming setbacks and lot coverage in the Light Industrial District and would not be consistent with the intent of the

	Zoning Ordinance. A Variance would need to be granted before approval of the Rezoning request.
3. The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from the amendment.	The South Dakota Department of Transportation (SDDOT) has stated that the applicant should be aware that changes to the traffic characteristics such as a change in use or an increase in traffic volume by at least 25% may initiate a review of the existing access from East Omaha Street. The applicant has indicated that proposed truck access would be primarily from Poplar Street located on the west side of the property. However, up to 40% of traffic would be from sales and use the East Omaha Street approach.
4. The proposed amendments 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 Future Land Use Designation of the property is Mixed Use Commercial abutting East Omaha Street which is identified as a Revitalization Corridor. East Omaha Street is also identified as a Principal Arterial Street on the City's Major Street Plan. East of the intersection of East Omaha Street and Cambell Street is East S.D. Highway 44 which is identified as an Entrance Corridor. The subject property is located on the western edge of a commercial corridor extending from the intersection with Cambell Street. Properties that abut East Omaha Street, East S.D. Highway 44, and Cambell Street to the north, south, east and west of the intersection are also zoned General Commercial District. The requested Rezoning would reduce the commercial corridor and allow further encroachment of industrial uses adjacent to an Entrance Corridor. An Entrance Corridor supports coordinated landscaping, buffering, and other design elements to enhance positive impressions. The identified permitted and conditional uses in the Light Industrial District would not be in compliance with the goals of the Mixed Use Commercial land use designation, the Revitalization Corridor, nor the Entrance Corridor characteristics.

**Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial**

**In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:**

<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
	<b>A Balanced Pattern of Growth</b>
BPG-1.2C	<b>Priority Revitalization Corridors:</b> East Omaha Street is identified as a Revitalization Corridor. In combination with the Mixed-Use Commercial land use designation, this portion of the corridor promotes a mix of uses including high density residential, offices and mixed-use commercial development. The expansion of the Light Industrial land use designation is not in compliance with the goals of the Revitalization Corridor.
	<b>A Vibrant, Livable Community</b>
LC-1.3B	<b>Entrance Corridor Coordination:</b> East of the intersection of East Omaha Street and Cambell Street transitions into East S.D. Highway 44.
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
	N/A

 <b>Efficient Transportation and Infrastructure Systems</b>	
T1-2.1A	<b>Major Street Plan Integration:</b> East Omaha Street is identified as a Principal Arterial Street on the City's Major Street Plan. As noted above, the SDDOT has indicated that the applicant should be aware that the proposed change in use may initiate a review of the existing access from East Omaha Street.
 <b>Economic Stability and Growth</b>	
EC-3.1C	<b>Other Employment Areas:</b> The proposed Rezoning request does not support the development of Mixed-Use Commercial uses in an established commercial corridor. The proposed Rezoning would create a non-conforming property with no incentive for redevelopment as it abuts a Revitalization Corridor and the terminus of an Entrance Corridor. Based on the type of uses allowed in a Light Industrial District, the expansion of an industrial corridor along this section of Omaha Street would not support the goal of revitalization of the corridor to promote a more positive image of Rapid City as a regional destination..
 <b>Outstanding Recreational and Cultural Opportunities</b>	
	N/A
 <b>Responsive, Accessible, and Effective Governance</b>	
GOV-2.1A	The proposed Rezoning request requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Rezoning is before the Planning Commission and will go before the City Council for review and approval. The public has an opportunity to provide input at these meetings.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
<b>Future Land Use Plan Designation(s):</b>	<b>Mixed-Use Commercial / Revitalization Corridor</b>
<b>Design Standards:</b>	
N/A	The future land use designation of the subject property is Mixed-Use Commercial abutting a Revitalization Corridor and the current zoning is General Commercial District. The current development complies with the area requirements of the General Commercial District. Rezoning to Light Industrial District would create non-conformities with setbacks and lot coverage.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
<b>Neighborhood:</b>	<b>North Rapid</b>
<b>Neighborhood Goal/Policy:</b>	
NR-NA1.1A	<b>Reinvestment Areas:</b> The property abuts East Omaha Street which is identified as a Principal Arterial Street on the City's Major Street Plan and a Revitalization Corridor. In addition, East S.D. Highway 44 located east of the property is identified as an Entrance Corridor. The proposed Rezoning request does not support the goal of reinvestment and redevelopment in the North Rapid Neighborhood Area.

Findings	
Staff has reviewed the Rezoning request criteria pursuant to Chapter 17.50.040(D) of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The proposed Rezoning request does not support the redevelopment and reinvestment of mixed-use commercial in an established commercial corridor. The proposed Rezoning would	

create a non-conforming property with no incentive for redevelopment. The property abuts a Revitalization Corridor in East Omaha Street and the terminus of an Entrance Corridor in East S.D. Highway 44. Based on the type of uses allowed in a Light Industrial District, the expansion of an industrial corridor along this section of Omaha Street would not support the goal of revitalization of the corridor to promote a more positive image of Rapid City as a regional destination.

**Planning Commission Recommendation and Stipulations of Approval**

Staff recommends that the Rezoning request be denied.