

City Council Agenda Item Memo

From: Ryan Miller, City Planner

City Council Meeting: April 23, 2024 / May 7, 2024

Subject: Ordinance 24-004: Rezone Outlots 6, 7, 8, 9 and 14 in the West ½ of the South ½ of the Northeast ¼ in Section 11, Township 109, Range 50, Brookings County, South Dakota

Person(s) Responsible: Mike Struck, Community Development Director

Summary:

Keith Poppen has submitted a petition to rezone Outlots 6, 7, 8, 9 and 14 in the West ½ of the South ½ of the Northeast ¼ in Section 11, Township 109, Range 50. The outlots are currently zoned Joint Jurisdiction Agriculture and Joint Jurisdiction Residence R-3A. The property owner would like to rezone the outlots to Joint Jurisdiction Business B-3 Heavy District in anticipation of a future redevelopment of the lots.

Staff recommends approval of the rezone.

The Planning Commission voted 8-0 to recommend approval.

Background:

The property owner recently submitted a request to amend the future land use map of the City's 2040 Comprehensive Plan. The request amended the future land use map to Urban Medium Intensity, a future land use category that supports a mix of residential and business uses including high density residential and business. The future land use category would not support industrial zoning. The applicant requested the amendment of the future land use map in anticipation of a subsequent rezoning petition to Business B-3 Heavy District.

The property has historically been used for agriculture purposes. One residential dwelling is located in the southwest corner of the property with access to 37th Street South. This residential dwelling will become a nonconforming use and subject to Sec.94-41 upon rezoning of the property.

Item Details:

The request is to rezone the outlots from Joint Jurisdiction Ag and Joint Jurisdiction R-3A to Joint Jurisdiction Business B-3 Heavy District.

Adjacent zoning includes JJ B-3 Heavy District to the west across Main Avenue South, JJ Agriculture to the east, a mix of JJ Agriculture and JJ R-3A multifamily residential to the north across 36th Street, and a mix of JJ Agriculture, JJ B-3 and JJ R-3A to the

south across 37th Street. The area is located within a roughly half mile stretch of JJ B-3 zoning along Main Avenue South in this area. Joint Jurisdiction B-3 zoning would follow the City's zoning standards including B-3 zoning and supplemental zoning standards.

Legal Consideration:

None.

Strategic Plan Consideration:

Economic Growth – The rezone will support future business growth opportunities.

Financial Consideration:

None.

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move item to a study session
5. Discuss / take no action / table

Staff recommends approval of the rezone.

The Planning Commission voted 8-0 to recommend approval.

Supporting Documentation:

Ordinance

Hearing Notice – City Council

Hearing Notice – Planning Commission

Planning Commission Minutes

Location Map

Zoning Map

Future Land Use Map

B-3 Zoning Regulations