

APPLICANT:	New Skelgas Inc.	BUSINESS:	Same as applicant
SITE ADDRESS:	26554 County Hwy O	DISTRICT:	Commercial General
TAX PARCEL:	022-2741-6000	REQUEST:	Rezone
DESCRIPTION:	Rezone from ETZ Commercial to ETZ Industrial to keep empty LP tanks on lot		
MEETINGS:	Plan Commission Meeting on 05/28/25 and Common Council Meeting on 06/03/25		

Background:

While reviewing the area, it was determined that the subject parcel had been using the parcel for the storage of LP tanks which is prohibited in a commercial district (ETZ). No records allowing the storage of tanks could be located. After receiving notification of the violation, the agent/owner opted to pursue rezoning the parcel. Should a rezone be approved, the owner will subsequently apply for a conditional use permit to allow the continued storage of LP tanks in an industrial district (ETZ).

Ordinance Language:

475.04 (21) REZONING.

Rezoning for any individual business or industry shall not be permitted except in the following circumstances:

- a) The rezoned property is an extension of an existing Commercial or Industrial District.
- b) The rezoned property is designed to be a part of a larger, integrated and planned business or industrial development area as designated on the City's Master Plan.
- c) The City Council finds other compelling reasons for such rezoning, not inconsistent with the overall plan of development of the City.

CRITERIA FOR CONSIDERATION	Yes	No
The request is consistent with the Comprehensive Plan and Future Land Use map.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The request is compatible with surrounding land uses.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The request demonstrates adequate public facilities, including roads and drainage, and utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The request will minimize adverse effects on the natural environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The request will not create undue traffic congestion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The request will not adversely affect public health, safety, and welfare.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The request serves a broader community interest rather than benefiting a single owner (spot zoning).	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Staff Recommendation:

Denial of the petition to rezone as it is inconsistent with the Comprehensive Plan and Future Land Use Map. Additionally approving the petition to rezone would likely constitute spot zoning.

