

STAFF REPORT

August 10, 2000

**RZN #00RZ026 - Rezoning from the Flood Hazard
Zoning District to Light Industrial Zoning District**

ITEM 7

GENERAL INFORMATION:

PETITIONER	TSP Three for Montana Dakota Utilities
REQUEST	RZN #00RZ026 - Rezoning from the Flood Hazard Zoning District to Light Industrial Zoning District
LEGAL DESCRIPTION	A tract of land in Lot B of Tract 32 of Rapid City Greenway Tracts, in Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the intersection of the centerlines of vacated East St. Joseph Street and vacated Brennan Avenue, marked by a 3" diameter pipe; Thence S00 07'51"W along the centerline of vacated Brennan Avenue, a distance of 296.15 feet to a rebar with a survey cap No. 1771 on the north right-of-way line of the DM&E Railroad; Thence curving northwesterly to the left along said right-of-way line on an arc of radius 2,914.93 feet and chord of N58 33'57"W, 473.52 feet an arc distance of 474.04 feet to a rebar; Thence, continuing along said right-of-way N58 25'21"W a distance of 30.17 feet to a rebar on the centerline of vacated East St. Joseph Street; Thence, S89 52'40"E along said centerline, a distance of 407.35 feet to the point of beginning. Said Tract contains 1.30 acres, more or less, located in Section 6, T1N, R8E
PARCEL ACREAGE	Approximately 1.30 Acres
LOCATION	718 Steele Avenue
EXISTING ZONING	Flood Hazard
SURROUNDING ZONING	
North:	Light Industrial
South:	Park Forest
East:	Flood Hazard
West:	Park Forest
PUBLIC UTILITIES	City Sewer and Water
REPORT BY	Blaise Emerson

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RECOMMENDATION: Staff recommends that the Rezoning from the Flood Hazard Zoning District to Light Industrial Zoning District be continued to the August 24, 2000 Planning Commission meeting at the request of the applicant.

GENERAL COMMENTS: This Staff Report has been revised. New or revised text is shown in bold print. This request is to rezone an existing tract of land approximately one acre in size from the Flood Hazard Zoning District to the Light Industrial Zoning District. This parcel of property was recently acquired by Montana Dakota Utilities Company from the City as part of a land swap approved via ballot during the April, 2000 public election. The property directly north of the subject property is currently the location of the Montana Dakota Utilities headquarters/industrial facility. Most of the property is located within the one hundred year floodplain while a small portion is located within the 500 year floodplain. **This request was originally heard by the Planning Commission on July 13, 2000 but was continued at that time at the request of the applicant.**

STAFF REVIEW: Staff has evaluated this rezoning request with respect to the four criteria established for review of zoning map amendments established in Section 17.54.040(D)(1). A summary of Staff findings is 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.*

This request is reflective of changing conditions. Until recently, the subject property has been publicly owned park land but is now privately owned. According to the City's adopted floodplain development policy, publicly owned land located within the 100 year floodplain boundary should be zoned as Flood Hazard while privately owned property within the 100 year floodplain does not have to be zoned Flood Hazard.

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

According to Chapter 17.22.010 of the Zoning Ordinance, the purpose of the Light Industrial Zoning District is "...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."

Staff believes the purposes and intent of the Light Industrial Zoning District are being met through this request. The subject property is in close proximity to major traffic arterials (Omaha Street and East Saint Joseph Street) and to the DM&E railroad line. Montana Dakota Utilities has requested this rezoning as they wish to rebuild and expand their existing

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headquarters. Additionally, the corporate offices which are currently located in a separate building will be incorporated into the new facility. Offices, public utility service yards and related uses are allowed as Permitted Uses in the Light Industrial Zoning District.

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.

Staff does not believe that any adverse impacts will result as part of this rezoning. The property directly north and west of the subject property is already developed with industrial uses. The property to the east is zoned Flood Hazard and is primarily undevelopable as the land is located substantially within the hydraulic floodway along Rapid Creek. The South Dakota School of Mines and Technology is located to the south of the subject property but is separated from the subject property by East Saint Joseph Street and East Main Street.

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 subject property has not yet been included as part of the City's Future Land Use Planning process. The 1976 Comprehensive Plan – 5th Year Review identifies the subject property and surrounding area as being located within an industrial land use area.

The required rezoning sign has been posted on the property. **The receipts from the certified mailing have been returned.**

Based on conformance with the criteria for review of zoning map amendments, Staff **is supportive of the rezoning request. However, the applicant has requested that this request be continued to the August 24, 2000 Planning Commission meeting.**