

STAFF REPORT

August 23, 2001

No. 01RZ052 - Rezoning from No Use District to Light Industrial District **ITEM 42**

GENERAL INFORMATION:

PETITIONER	Geiger Architecture for Rapid City School District, West River Electric Association, William C. Gikling, and the State of South Dakota Department of Transportation
REQUEST	No. 01RZ052 - Rezoning from No Use District to Light Industrial District
LEGAL DESCRIPTION	Lot 1, Less Lot H-1, Lot 2 and Lot 3 less Lot H-1, all in Block Two (2), Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lots 1, less the H lot in Lot 1, 2, 3 and 4 less the H-lot in Lot 4, in Block 1 of the Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lots 6 less the H lot in Lot 6, 7, 8 and 9 less the H-lot in Lot 9, in Block 1 of the Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lot 2 of Lot D in NW1/4 of NE1/4; Lot C, School lot and lot RS all in Johnson School Subdivision in NW1/4 of NE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lot A of Lot 1 of Lot D, and Lot B of Lot 1 of Lot D, and Lot B, all in the NW1/4 NE1/4; and Lot A less the H lot in Lot A of the NE1/4 NW1/4 and Lot A less the H lot in Lot A of the NW1/4 NE1/4, all in Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.3482 acres
LOCATION	At the intersection of S.D. Highway 44 and Twilight Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	General Commercial District (PCD) - General Agriculture District (City)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
REPORT BY	Vicki L. Fisher

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RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Light Industrial District be approved in conjunction with the Planned Development Designation and contingent upon a Comprehensive Plan Amendment to the Elk Vale Neighborhood Area Future Land Use Plan being approved.

GENERAL COMMENTS: The applicant has submitted a rezoning request to change the zoning on the above legally described property from No Use District to Light Industrial District. The applicant has also submitted an application requesting approval of a Planned Development Designation on the subject property. In addition, the applicant has submitted a Petition for Annexation and a Comprehensive Plan Amendment to change the future land use designation from General Commercial, Public and Low Density Residential to Light Industrial with a Planned Light Industrial Development. (See companion items #01PD048, 01AN014 and 01CA027.)

The property is located between the southeast connector right-of-way and Twilight Drive, directly north of S. D. Highway 44. Currently, the West River Electric Association, Inc. headquarters building, an elementary school and unoccupied single family residences and accessory structures are located on the subject property. The applicant has indicated that West River Electric Association, Inc., currently located within the southern portion of the subject property, will eventually re-develop the entire property for the purposes of expanding their facility.

STAFF REVIEW: Staff has reviewed this request 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 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.*

With the recent acquisition of the Heartland Express right-of-way located along the west lot line of the subject property, conditions have changed within the area. The proposed rezoning request is reflective of changing conditions within the area.

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

The intent of the Light Industrial District is to establish areas for light manufacturing and assembly plants, processing, storage, warehousing, and wholesaling and distribution operations. The Zoning Ordinance requires that these types of uses be conducted so that noise, odor, dust and glare are completely confined within enclosed structures. The proposed rezoning request, in conjunction with the Planned Development Designation, is consistent with the intent and purposes of the 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.*

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Rezoning the property to Light Industrial District with the protections provided by the Planned Light Industrial Development should not impose any significant adverse affects upon the surrounding properties or any other part of the City. As previously indicated, the Light Industrial District requires that any proposed use be conducted so that noise, odor, dust and glare are completely confined within an enclosed structure. Any outdoor storage cannot create any of the negative impacts as identified. Any future use of the property must continue to conform to the requirements of the Zoning Ordinance and will be reviewed through the Planned Light Industrial Development process.

- 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 applicant has submitted a Comprehensive Plan Amendment to change the future land use designation from General Commercial, Public and Low Density Residential to Light Industrial with a Planned Light Industrial Development. The Future Land Use Committee discussed the plan amendment and the proposed future use of the property. The Committee concurred that the proposed use of the property along with the control afforded by the accompanying Planned Light Industrial Development would likely promote development which will be compatible with the development along this portion of S. D. Highway 44 and the Heartland Express and reflective of changed market conditions.

As of this writing, the required sign has not been posted on the property nor has the applicant returned the receipts from the certified mailing. Staff will notify the Planning Commission in the event these requirements are not met. Staff has not received any objections or inquiries regarding this rezoning request.