

STAFF REPORT

September 26, 2002

No. 02RZ048 - Rezoning from No Use District to Heavy Industrial District **ITEM 53**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02RZ048 - Rezoning from No Use District to Heavy Industrial District
EXISTING LEGAL DESCRIPTION	That portion of the NW1/4 SW1/4, formerly known as Lots 8, 9, & 10 of Swander's Addition located in the NW1/4 SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Lot A lying in the NW1/4 SW1/4, Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Lot 1 of BHPL Hwy 79 Substation in Tract D in W1/2 of SW1/4, Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Tract D of W1/2 SW1/4 less BHPL Hwy 79 Substation, less E. Hoff Subdivision and less Lot H1, and Lot H1 and Lot H2 and Lot H3 of W1/2 SW1/4, Lot H2 and Lot H3 of Lot C of W1/2 SW1/4, Lot H1 of Tract D of W1/2 SW1/4 less Lot 1 of BHPL Highway 79 Substation, Lot H1 in Lot E in the SW1/4 SW1/4, Lot H1 in Lot F in the SW1/4 SW1/4, Lot H1 in Lot B in the SW1/4 SW1/4, Lot H1 in Lot A in the SE1/4 SW1/4, Lot H5 of NW1/4 SW1/4, all located in Section 17, T1N, R8E, BHM, Pennington County, South Dakota, and All railroad rights-of-way, previously not annexed, located in the NW1/4 SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; and All rights-of-way not previously annexed lying west of the east boundary of the DM&E railroad right-of-way located in the SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota.
PARCEL ACREAGE	Approximately 31.08 acres
LOCATION	East of SD Highway 79 and north of Folsom Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Heavy Industrial/Light Industrial/General Commercial
South:	Light Industrial / Heavy Industrial / General Commercial/Heavy Industrial (County)
East:	Heavy Industrial/Light Industrial/General Commercial/No

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West:	Use District No Use District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	09/02/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the rezoning from No Use Zoning District to Heavy Industrial Zoning District be approved.

GENERAL COMMENTS: This property is located east of South Dakota Highway 79 and north of Folsom Road. The property was annexed into the City of Rapid City effective June 25, 2002, and is currently in a No Use Zoning District. The No Use Zoning District is a temporary zoning designation utilized when property is annexed into the City of Rapid City, pursuant to the provisions of Section 17.26.020 of the Rapid City Municipal Code. The purpose of this application is to complete that process.

STAFF REVIEW: Staff has reviewed this proposed rezoning 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 are 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.

The subject property was annexed into the City on June 25, 2002. All annexed lands are temporarily placed in the No Use Zoning District. The recent annexation of the property constitutes the changing condition requiring rezoning of the property.

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

The properties located to the north of the subject property are zoned Heavy Industrial District, Light Industrial District, and General Commercial District. The properties located to the east of the subject property are zoned Heavy Industrial District, Light Industrial District, General Commercial District, and No Use District. The properties located to the south of the subject property are zoned Heavy Industrial District, Light Industrial District and General Commercial District in the City and Heavy Industrial District by Pennington County. The property located west of the subject property is the location of South Dakota Highway 79 right-of-way and is zoned No Use District. The subject properties are located in an area of Heavy Industrial and Light Industrial Zoning Districts. Designating these properties as Heavy Industrial Zoning District appears to be the appropriate zoning district for the properties.

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- 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.**

The amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

- 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 Rapid City Comprehensive Plan for this area identifies the subject property as appropriate for Industrial land uses. An updated Future Land Use Neighborhood Plan has not yet been developed for this area.

Staff has mailed certified letters to notify surrounding property owners of the proposed rezoning and has posted the required sign on this property. As of this date, staff has received no comments or objections regarding this request.