

STAFF REPORT

November 21, 2002

No. 02RZ070 - Rezoning from No Use District to Heavy Industrial District **ITEM 38**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02RZ070 - Rezoning from No Use District to Heavy Industrial District
EXISTING LEGAL DESCRIPTION	The east half of Sedivy Lane lying in the SE1/4 of Section 5 adjacent to Lot 4 in the SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .17 acres
LOCATION	North of E. St. Patrick Street and south of SD Highway 44
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Right-of-Way
South:	Right-of-Way
East:	Heavy Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	10/22/2002
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 north of E. St. Patrick Street and south of SD Highway 44. The property was annexed into the City of Rapid City effective October 20, 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.

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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 October 20, 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 and south of the subject property are Sedivy Lane right-of-way. The property located to the east of the subject property is zoned Heavy Industrial District. The property located to the west of the subject property is zoned Light Industrial. It would appear to be appropriate to rezone this property to a Heavy Industrial Zoning District based on the surrounding land use and zoning.

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 and adjacent properties as appropriate for residential land use(s). An Amendment to the Comprehensive Plan to change the land use for the subject property from Residential to Heavy Industrial has been submitted in conjunction with this rezoning application. Sedivy Lane is located adjacent to Heavy Industrial Zoning District. Therefore, rezoning the subject property from No Use District to Heavy Industrial District appears to be appropriate.

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.