

STAFF REPORT

March 25, 2004

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**No. 04RZ009 - Rezoning from No Use District to Light Industrial District**      **ITEM 53**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 04RZ009 - Rezoning from No Use District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in the SW1/4 of Section 22, T2N, R8E, BHM, Pennington County, South Dakota, being more particularly described as beginning at the southwest corner of said Section 22; thence S89°47'57"E, 50.00 feet; thence N00°02'25"E, 1866.33 feet to the true point of beginning; thence N00°02'25"E, 241.99 feet; thence S88°49'19"E, 1275.54 feet; thence S00°01'44"W, 762.36 feet; thence N89°48'10"W, 44.10 feet; thence N39°12'45"W, 503.01 feet; thence N63°34'43"W, 352.18 feet; thence N90°00'00"W, 597.56 feet to the true point of beginning containing 10.390 acres more or less
PARCEL ACREAGE	Approximately 10.390 acres
LOCATION	Along North Elk Vale Road
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	General Agriculture District (County)
East:	General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	02/27/2004
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Light Industrial District be approved in conjunction with a Planned Development Designation and the related Comprehensive Plan Amendment.

GENERAL COMMENTS: This undeveloped property contains approximately 10.390 acres and is located along the east boundary of North Elk Vale Road north of U.S. Interstate 90. A

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Petition of Annexation (04AN002) is a companion item to this rezoning. Upon approval of the related annexation, this property will be given a No Use Zoning District designation.

In addition to this Rezoning application, the applicant has submitted fifteen companion applications including: A Petition to Annex, Preliminary Plat, Subdivision Variance, four Rezoning applications, three Planned Development applications, and five Comprehensive Plan Amendments (See companion items: 04PL020, 04SV014, 04AN002, 04CA005, 04PD014, 04RZ008, 04CA006, 04PD015, 04RZ010, 04CA007, 04RZ011, 04CA008, 04RZ012, 04CA009, and 04PD016).

**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.*

A voluntary annexation of the subject property (04AN002) has been submitted in conjunction with this Rezoning application. All annexed lands are temporarily designated as a No Use Zoning District. The 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.*

Light Industrial Zoning District is intended to provide a place 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. The applicant has indicated that mini storage units are planned for the subject property. The subject property is located adjacent to North Elk Vale Road, a principal arterial road on the City's Major Street Plan. This area will serve the storage needs of the adjacent property and the community. As future development occurs, concerns regarding traffic, drainage, lighting or other issues will be addressed through a Planned Light Industrial Development. An application for a Planned Development Designation (04PD015) has been submitted in conjunction with this Rezoning. Based on the location of the property adjacent to Elk Vale Road, rezoning the property Light Industrial District appears to be appropriate.

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 is unaware of any significant adverse effects that will result from the proposed rezoning. The subject property is located in the 100 year federally designated floodplain. As such, the applicant will be required to follow Chapter 15.32, the City's flood area regulations. The Planned Development Designation recommended as a stipulation of approval will also serve as a tool to insure that the property is being developed in

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compliance with the City's flood plain regulations.

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 Future Land Use Committee met on February 13, 2004 and recommended approval of an Amendment to the Comprehensive Plan to change the land use on the subject property from General Agriculture land use to Light Industrial land use with a Planned Light Industrial Development. If the related Amendment to the Comprehensive Plan (04CA006) is approved, rezoning this property from No Use District to Light Industrial District with the related Planned Development Designation will be consistent with the adopted Comprehensive Plan.

As of this writing, the required rezoning sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the March 25, 2004 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.