

STAFF REPORT
June 7, 2007

No. 07RZ032 - Rezoning from No Use District to Light Industrial District **ITEM 22**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 07RZ032 - Rezoning from No Use District to Light Industrial District
EXISTING LEGAL DESCRIPTION	All of the dedicated right-of-way adjacent to the easterly boundary of Tract C of the SE1/4 SE1/4, Lot H of Tract A and Lot N of Tract A of Schlottman Addition, to the centerline of East Saint Andrew Street located in the SE1/4 SE1/4 Section 5; and, all of the dedicated right-of-way adjacent to the westerly boundary of Lot 1 of Lot D and Lot D to the centerline of East Saint Andrew Street, located in the SW1/4 SW1/4, Section 4, all located in T1N, R8E, BHM, Rapid City, South Dakota more generally described as being located on South Valley Drive south of South Dakota Highway 44
PARCEL ACREAGE	Approximately 0.63 acres
LOCATION	Valley Drive south of SD Highway 44
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Light Industrial District
South:	No Use District
East:	General Commercial District (Pennington County)
West:	Light Industrial District
PUBLIC UTILITIES	NA
DATE OF APPLICATION	4/13/2007
REVIEWED BY	Monica Heller / Emily Fisher

RECOMMENDATION: **Staff recommends that the Rezoning from No Use District to Light Industrial District be approved for the following revised legal. All of the dedicated right-of-way adjacent to the easterly boundary of Tract C of the SE1/4 SE1/4, Lot H of Tract A and Lot N of Tract A of Schlottman Addition, to the centerline of East Saint Andrew Street located in the SE1/4 SE1/4 Section 5.**

GENERAL COMMENTS: **This staff report has been revised as of May 29, 2007. All revised**

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and/or added text is shown in bold print. This application was continued at the May 10, 2007 Planning Commission meeting to allow staff to revise the legal. This street right-of-way known as South Valley Drive contains approximately 0.63 acres and is located south of SD Highway 44 East and north of E. St. Patrick Street. The property was annexed into the City limits effective December 3, 2004 (#04AN011). Upon annexation into the City limits, the property was zoned No Use District. The property located north of the subject property is zoned Light Industrial District. The property located west of the subject property is zoned Light Industrial District. The property located east of the subject property is zoned General Commercial District by Pennington County. The property located south of the subject property is zoned No Use District. The Rapid City Comprehensive Plan indicates that this property is appropriate for Light Industrial District. **The legal description for this rezoning should be: All of the dedicated right-of-way adjacent to the easterly boundary of Tract C of the SE1/4 SE1/4, Lot H of Tract A and Lot N of Tract A of Schlottman Addition, to the centerline of East Saint Andrew Street located in the SE1/4 SE1/4 Section 5. The remainder of the legal description originally noted is being rezoned with #07RZ040.**

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 has been annexed into the City limits and temporarily placed in a No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property. This street right-of-way known as South Valley Drive contains approximately 0.63 acres and is located south of SD Highway 44 East and north of E. St. Patrick Street.

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

A General Commercial Zoning District is located to the east of the property proposed for rezoning. A Light Industrial Zoning District is located to the west of the property proposed for rezoning. Light Industrial Zoning District for this portion of the street right-of-way appears to be the appropriate 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 subject property is located in an area that is developing as a General Commercial and Light Industrial area. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from No Use District to Light Industrial District.

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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 is identified in the Comprehensive Plan as appropriate for Light Industrial. Rezoning the subject property from No Use District to Light Industrial District appears to be appropriate.

As of this writing, the required sign has been posted on the property. Staff recommends that the Rezoning from No Use District to Light Industrial District be approved.