

STAFF REPORT  
July 26, 2012

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**No. 12RZ014 - Rezoning from No Use District to Light Industrial District**      **ITEM 8**

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GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Dennis Zandstra Real Estate Holding
REQUEST	<b>No. 12RZ014 - Rezoning from No Use District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	The SE1/4 of the NE1/4 and the E1/2 of the SE1/4 lying north of railroad right-of-way located in Section 20, T1N, R8E, and the W1/2 of the W1/2 of the SW1/4 less railroad right-of-way and less Old Folsom Road right-of-way located in Section 21, T1N, R8E, all located in BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 120.35 acres
LOCATION	North of Old Folsom road and south of Elk Vale Road
EXISTING ZONING	Heavy Industrial District (Pennington County) - Limited Agriculture District (Pennington County)
FUTURE LAND USE DESIGNATION	Industrial
SURROUNDING ZONING	
North:	General Agriculture District - Limited Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County) - Light Industrial District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Heavy Industrial District (Pennington County) - Limited Agriculture District (Pennington County) - General Commercial District (Pennington County)
PUBLIC UTILITIES	No Utilities
DATE OF APPLICATION	June 29, 2012
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to Light Industrial District be approved contingent upon the annexation of the property by the City of Rapid City.

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GENERAL COMMENTS: The applicant has submitted a request to rezone approximately 120.35 acres of property from No Use District to Light Industrial District. The applicant has submitted an associated request to annex approximately 120.35 acres of property (File #12AN003) into the boundaries of Rapid City, as well as a Comprehensive Plan Amendment to revise the Major Street Plan (File #12CA004) to realign two minor arterial streets and one collector street.

The property is located north of Old Folsom Road, approximately 4,500 feet east of the intersection of Old Folsom Road and U.S. Highway 79. The property is currently void of structural development.

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 district affected, or the City in general.*

The property is located south of Elk Vale Road, approximately 4,500 feet east of Old Folsom Road. The property is located in Pennington County, adjacent to the Rapid City limits to the north. Portions of the property are zoned Heavy Industrial District and Limited Agriculture District in Pennington County. The applicant has submitted an associated request to annex the property into the City. Property annexed into the City limits are automatically zoned No Use District upon annexation, and a Rezoning request must be submitted for the property within 120 days of annexation. This request to Rezone the property from No Use District to Light Industrial District is pending the approval of the associated Annexation request. The pending request for annexation of the property constitutes substantially changing conditions in the area.

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

The No Use District is intended as a temporary designation for the purpose of investigation and study of land uses for the property. The No Use District status shall be applied to newly annexed land area. The Light Industrial District is intended to provide areas in which the principal use of land is 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. These industries may require direct access to rail or street transportation routes; however, the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by the uses of the heavy industrial districts. The property is located on edge of the City along Old Folsom Road. Old Folsom Road is identified as a principal arterial street on the City's Major Street Plan, with direct access from Old Folsom Road to U.S. Highway 79. U.S. Highway 79 is a major north-south connection on the regional transportation network. In addition, U.S. Highway 79 turns into Cambell Street in the City limits and is also a principal arterial street on the City's Major Street Plan. Elk Vale Road to the north provides access to U.S. Interstate 90 to the north of the City, as well as U.S. Highway 16

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to the south of the City. The location of the property in proximity to the regional transportation network makes it suitable for industrial development. The proposed zoning is consistent with the intent and purpose 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 amendment.*

The majority of the property being requested for Rezoning is currently zoned Heavy Industrial in Pennington County. Upon annexation into the City limits, the property will be zoned No Use District. The Rezoning request will create an increase in the intensity of use on the property, however, the Future Land Use Plan designates the property appropriate for Industrial uses. Property to the northeast along Elk Vale Road is currently developing with industrial and commercial uses. Property along U.S. Highway 79 is also developing with a variety of industrial and commercial uses. Old Folsom Road will serve as a buffer between the industrial uses to the north and the agricultural uses in Pennington County to the south. The proposed amendment will not adversely affect any other part of the City.

- 4. The proposed amendment shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The Rapid City Major Street Plan identifies several proposed collectors and proposed minor arterials running through the property. The applicant has submitted a Comprehensive Plan Amendment (File # 12CA004) to change the City's Major Street Plan to adjust the locations of the proposed collector streets and minor arterial streets. The applicant should be aware that the development of the proposed collector street and minor arterial streets must be addressed as a part of future development of the site. In addition, the property is not currently serviced by Rapid City public utilities. The applicant should be aware that the extension of public utilities to the property must be addressed as a part of future development of the site. The Future Land Use Plan designates this property appropriate for industrial use. The proposed Rezoning from No Use District to Light Industrial District is consistent with the development plan for Rapid City.

Staff recommends the request to Rezone property from No Use District to Light Industrial District be approved contingent upon the property being annexed into the City limits.

Notification Requirements: The required sign has been posted on the property. As of this writing, the green cards and white receipts providing proof of the certified mailing have not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the July 26, 2012 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into this request.