

STAFF REPORT

February 21, 2002

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**No. 02RZ002 - Rezoning from No Use District to Light Industrial District**      **ITEM 30**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02RZ002 - Rezoning from No Use District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	The 1548.92 feet of the 100 foot wide Lange Road right-of-way adjacent and parallel to the north side of Interstate 90 along Lot B of W1/2 SW1/4 including Lot Z, and along R & L Subdivision Lots 1 and 2 and 3, all located in Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.56 acres
LOCATION	Lange Road north of Interstate 90 and east of Deadwood Avenue North
EXISTING ZONING	No Use District (Right-of-Way)
SURROUNDING ZONING	
North:	Heavy Industrial District (County)/Light Industrial District (City)
South:	Interstate Right-of-Way (City)
East:	Light Industrial District (City)
West:	Heavy Industrial District (City)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	12/26/2001
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Light Industrial District be approved in conjunction with the Amendment to the Comprehensive Plan.

GENERAL COMMENTS: The property is located north of U.S. Interstate 90 and east of Deadwood Avenue. The parcel is entirely road right-of-way. This property was annexed into the City effective November 19, 2001 and is currently designated as 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 City of Rapid City has 120 days to identify

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the correct zoning for the property and complete the rezoning process. The purpose of this application is to complete that process.

A Light Industrial Zoning District in Pennington County is located east of this right-of-way. Land to the north of the subject property is zoned Light Industrial in the City and Heavy Industrial in Pennington County. Land to the west is zoned Heavy Industrial by Pennington County. U.S. Interstate 90 right-of way is located directly south of this right-of-way.

**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 November 19, 2001. 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.**

This property is located north of U.S. Interstate 90 and east of Deadwood Avenue. This ordinance is established to create areas for light industrial purposes that may require access to street transportation. This right-of-way is located adjacent to property with industrial land uses and as such is consistent with the intent and purposes of this 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 an amendment.**

The amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure as the subject property is right-of-way only.

**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 shows the subject property with an Agricultural land use designation. As such, an amendment to the Comprehensive Plan from Agriculture land use designation to Light Industrial land use designation is being considered in conjunction with this proposed rezoning.

An updated Future Land Use Neighborhood Plan has not yet been developed for this area.

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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.