

STAFF REPORT

May 23, 2002

No. 02RZ024 - Rezoning from No Use District to Heavy Industrial District **ITEM 24**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02RZ024 - Rezoning from No Use District to Heavy Industrial District
EXISTING LEGAL DESCRIPTION	The 80 foot wide vacated Brave Heart Street right-of-way on the southern boundary of Lot 1 and Lot 2 of Deblen Subdivision and the northern boundary of Block 1 and 4 as shown on the plat of Block 1 and 4 of Lot 2 of NW1/4 NW1/4 and of Lot 3 of SW1/4 NW1/4 and Blocks 2 and 3 of Lot 3 of SW1/4 NW1/4, Section 17, T1N, R8E, and the 80 foot wide vacated Red Cloud street right-of-way lying within Lot A and B of Tract 2 of Kormylo Subdivision and Block 1 and 2 as shown on the plat of Blocks 1 and 4 of Lot 2 of NW1/4 NW1/4 and Lot 3 of SW1/4 NW1/4 and Blocks 2 and 3 of Lot 3 of SW1/4 NW1/4 Section 17, T1N, R8E, all located in Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 32.1217 acres
LOCATION	East of SD Highway 79, south of Fairmont Boulevard and north of Minnesota Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	Heavy Industrial District
East:	Heavy Industrial District/Railroad Right-of-Way
West:	Heavy Industrial District/Right-of-Way
PUBLIC UTILITIES	NA
DATE OF APPLICATION	4/26/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Heavy Industrial District be approved.

GENERAL COMMENTS: The property is located east of S.D. Highway 79, south of Fairmont

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Boulevard and north of Minnesota Street and is public right-of-way. This property was annexed into the City effective March 21, 2002 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 purpose of this application is to complete that process.

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 March 21, 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 to the north, south, east and west of this right-of-way are located in Heavy Industrial Zoning Districts. As the street right-of-way is located adjacent to Heavy Industrial Zoning Districts, designating this property as a Heavy Industrial Zoning District appears to be the appropriate zoning district for the property.

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 intended to remain street right-of-way.

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 as appropriate for Industrial land uses. An updated Future Land Use Neighborhood Plan has not yet been developed for this area.

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.

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No. 02RZ024 - Rezoning from No Use District to Heavy Industrial District ITEM
