

STAFF REPORT
November 9, 2006

No. 06RZ043 - Rezoning from No Use District to Light Industrial District **ITEM 52**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06RZ043 - Rezoning from No Use District to Light Industrial District
EXISTING LEGAL DESCRIPTION	Lot B of the W1/2 SW1/4, less Lot H1; and Lot Y of Lot H2 of the SW1/4 less Lot H1 and H2, all located in Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.51 acres
LOCATION	Northeast of the intersection of Deadwood Avenue and Interstate 90
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	No Use District
West:	General Agriculture (ROW)
PUBLIC UTILITIES	Private water and septic system
DATE OF APPLICATION	8/3/2006
REVIEWED BY	Karen Bulman / Todd Peckosh

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

GENERAL COMMENTS: This property contains approximately 11.51 acres and is located at the northeast intersection of Deadwood Avenue and U.S. Interstate 90. The property has been annexed and is currently zoned No Use District. Land located north of the subject property is zoned Light Industrial District. Land located west of the subject property is zoned General Agriculture District. Land located east of the subject property is zoned No Use District. Land located south of the subject property is zoned General Commercial District. In addition to this application for a Rezoning from No Use District to Light Industrial District, the applicant has submitted a Comprehensive Plan Amendment to change the land use from General Agriculture to Light Industrial with a Planned Light Industrial Development (06CA034).

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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 developed property is located at the northeast intersection of Deadwood Avenue and U.S. Interstate 90 and west of Harley Drive. Currently, a heavy equipment sales dealership is located on the subject property.

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

The Light Industrial Zoning District is established 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. The subject property is located in an area appropriate for the established industrial development. The subject property is located adjacent to Light Industrial Zoning District, General Commercial Zoning District and a proposed General Agriculture Zoning District as a holding zone. A Comprehensive Plan Amendment has been submitted with this rezoning application to change the land use from General Agriculture to Light Industrial with a Planned Light Industrial Development. With the approval of the Comprehensive Plan, the proposed zoning will be consistent with the adjacent zoning designation and the intent 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 subject property is located adjacent to Light Industrial Zoning District. Currently, private water and septic systems serve the property. However, dry sewer is located in Tatanka Road and Harley Drive. Plans to extend City sewer east of the subject property are being developed with a possible construction time frame for summer 2007. U.S. Interstate 90 is located south of the subject property and Deadwood Avenue is located west of the subject property. 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.

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 Comprehensive Land Use Plan identifies this area as appropriate for General Agriculture land uses. A Comprehensive Plan Amendment application has been submitted with this rezoning request to change the land use from General Agriculture to Light Industrial

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with a Planned Light Industrial Development. With approval of the Comprehensive Plan Amendment, rezoning the subject property from No Use District to Light Industrial District with a Planned Light Industrial Development will be consistent with the Comprehensive Plan. The Initial and Final Planned Light Industrial Development will help to mitigate any negative effects the development may have on existing or future land uses in the area.

As of this writing, the required rezoning sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission on November 9, 2006 if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.

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