

STAFF REPORT
June 21, 2007

No. 07RZ048 - Rezoning from No Use District to Light Industrial District **ITEM 31**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 07RZ048 - Rezoning from No Use District to Light Industrial District
EXISTING LEGAL DESCRIPTION	Lots A, AB and C, less Lots H1 and H2, located in the NW1/4 NW1/4, Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.47 Acres
LOCATION	East of S.D. Highway 79 and south of Elk Vale Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	General Agriculture District (Pennington County)
East:	No Use District
West:	No Use District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	5/29/2007
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to Light Industrial District be approved.

GENERAL COMMENTS: The subject property is located east of S.D. Highway 79 and south of Elk Vale Road. The area includes approximately 12.47 acres, and a contractor's equipment storage yard is currently located on the subject property. The subject property was annexed into the City limits effective July 7, 2004 (#04AN011). Upon annexation into the City limits, the property was zoned No Use District. The properties located north, east, and west of the subject property are zoned No Use District. The property located south of the subject property is zoned General Agricultural District by Pennington County. An application requesting an Amendment to the Adopted Comprehensive Plan (#07CA029) to change the land use designation from General Agriculture to Light Industrial has also been submitted for the subject property.

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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.

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. Since the subject property is located adjacent to an arterial street, the ability to extend City water and sewer services, and the topography of the area, the proposed rezoning would appear to be 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.*

Staff noted that a light industrial use is currently developed on the subject property and is located in an area that is developing as an Industrial area. Sewer and water is adjacent to the subject property in the S.D. Highway 79 right-of-way. Water pressure appears to be adequate to serve the existing development and detailed water and sewer information will be required as part of future platting and development 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 Major Street Plan identifies South Dakota Highway 79 as a principal arterial street. Allowing industrial use(s) along an arterial street is in compliance as a street serving the highest traffic volume corridors and major centers of activity such as an industrial use. In conjunction with the rezoning of this property the applicant is requesting an Amendment to the Comprehensive Plan by revising the Comprehensive Future Land Use Plan from General Agriculture to Light Industrial. If the requested Comprehensive Plan Amendment is approved the proposed amendment will be consistent with the Development Plan of Rapid City including the Comprehensive Future Land Use Plan.

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Staff recommends that the Rezoning from No Use District to Light Industrial District be approved.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 21, 2007 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.