

STAFF REPORT  
May 5, 2011

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**No. 11RZ004 - Rezoning from Flood Hazard District to Light Industrial District**      **ITEM 8**

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GENERAL INFORMATION:

APPLICANT	Rod Johnson - City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 11RZ004 - Rezoning from Flood Hazard District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	Tract 31 of the Rapid City Greenway Tracts located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota less the following property described by metes and bounds: beginning at the northeast corner of said Tract 31, thence S00°09'30"W 30.00 feet, thence N44°48'45"W 42.45 feet, thence S89°47'00"E 30.00 feet to the point of beginning, all located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.479 acres
LOCATION	At the southwest corner of the intersection of Steele Avenue and East Main Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Right-of-way and Railroad Right-of-Way
East:	Flood Hazard District - Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/8/2011
REVIEWED BY	Karen Bulman / Ted Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from Flood Hazard District to Light Industrial District be approved.

GENERAL COMMENTS: The applicant has submitted a Rezoning request to change the zoning designation of the property from Flood Hazard District to Light Industrial District.

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The Comprehensive Plan identifies the future use of the property as appropriate for Industrial land uses.

The property is located at the southwest corner of the intersection of Steele Avenue and East Main Street. Currently, the property is void of any structural development.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is 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 currently zoned Flood Hazard Zoning District. A Building Permit would not be allowed in the Flood Hazard Zoning District and would prevent further expansion of the site. However, the applicant has noted that the property is not located within the hydraulic floodway. As such, the request to rezone the property to Light Industrial Zoning District would allow the expansion of the site.

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

The purpose of the Light Industrial District as stated in the Zoning Ordinance is 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 adopted Comprehensive Land Use Plan indicates that this property is appropriate for Light Industrial land uses. The property is located north of a principal arterial street and adjacent to industrial uses located east and west of the property. Due to the existing zoning of the adjacent properties and the appropriate uses as indicated in the adopted Comprehensive Land Use Plan, the 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 amendment.*

East Main Street bounds the property to the south and Steele Avenue to the east. Access to the property is from Steele Avenue. The property is the location of the Rapid City Street Department. The property located north of the property is zoned Flood Hazard District. The property to the east is zoned Light Industrial District and Flood Hazard District. The property to the west is zoned Light Industrial District. Based on the location of adjacent Light Industrial zoning and Flood Hazard zoning, no significant adverse impacts that will result from the requested rezoning have been identified.

4. *The proposed amendments 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.*

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The adopted Comprehensive Plan identifies this property as appropriate for Light Industrial land uses. The Major Street Plan identifies E. Main Street as a principal arterial street. Allowing industrial use(s) within an identified industrial area appears to be appropriate. Rezoning this property from Flood Hazard District to Light Industrial District is consistent with the approved Comprehensive Plan.

The Resolution establishing a Rapid Creek Floodplain Policy, as amended on July 7, 2008, indicates that Flood Hazard District shall be applied to public property matching the boundaries of the 100 year floodway downstream from the Chapel Lane Road Bridge. This property is not located in the 100 year floodway, but in the 100 year and 500 year floodplain. As such, rezoning this property from Flood Hazard District to Light Industrial District is consistent with the approved Rapid Creek Floodplain Policy.

As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the May 5, 2011 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

Staff recommends that the rezoning from Flood Hazard District to Light Industrial District be approved.