

STAFF REPORT
February 24, 2005

No. 05RZ010 - Rezoning from No Use District to Light Industrial District **ITEM 38**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 05RZ010 - Rezoning from No Use District to Light Industrial District
EXISTING LEGAL DESCRIPTION	That portion of the SW1/4 lying northwest of Deadwood Avenue right-of-way and the west 34 feet of the Deadwood Avenue right-of-way, located in the SW1/4 of Section 15, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; that portion of the SE1/4 of Section 16 lying north and east of Interstate 90 right-of-way, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; and that portion of the E1/2 of Section 21 lying north and east of Interstate 90 right-of-way, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	N/A
LOCATION	Deadwood Avenue right-of-way lying north of Interstate 90
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Light Industrial District/General Commercial District
East:	No Use District
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Private utilities
DATE OF APPLICATION	1/28/2005
REVIEWED BY	Patsy Horton / Curt Huus

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

GENERAL COMMENTS: The subject property is located west of Deadwood Avenue and northeast of Interstate 90. At least six existing structures are located on the property. A building permit application is pending for Lot 1 of Farrar Business Park. The property was annexed on December 2, 2002 (02AN008) and is located within the Deadwood Neighborhood Area Future Land Use Plan currently under being drafted. After annexation,

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the property was placed in a No Use Zoning District designation on the subject property. The property owner plans to build industrial structures on this property.

In addition to the Rezoning application, a companion item (05CA009) has been submitted to amend the Comprehensive Plan to change the land use designation on these properties from General Agriculture to Light Industrial.

STAFF REVIEW: The 1974 Rapid City Comprehensive Plan indicates that this property is appropriate for Agriculture. At the present time, a Comprehensive Plan Amendment to change the land use from Agriculture to Light Industrial has been submitted.

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.*

A voluntary annexation of the subject property (02AN008) was approved on December 2, 2002. All annexed lands are temporarily placed in the 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 intended to provide a place 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 properties are located adjacent to Limited Agriculture Districts in Pennington County across Interstate 90. The properties are also adjacent to a Deadwood Avenue, a principal arterial road on the City's Major Street Plan. As future development occurs, concerns regarding traffic, drainage, lighting or other issues will be addressed when the development plans are brought forward.

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 is unaware of any significant adverse effects that would result from the proposed rezoning.

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 Future Land Use Committee has drafted the Deadwood Avenue Area Future Land Use Plan and has identified this area as appropriate for Light Industrial land uses. If the related Amendment to the Comprehensive Plan (05CA009) is approved, rezoning these properties

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from No Use District to Light Industrial District will be consistent with the adopted Comprehensive Plan.

As of this writing, the required rezoning sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed rezoning.