

STAFF REPORT

March 21, 2002

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**No. 02RZ011 - Rezoning from No Use District To Light Industrial District**      **ITEM 24**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02RZ011 - Rezoning from No Use District to Light Industrial District</b>
EXISTING LEGAL DESCRIPTION	That portion of SD Highway 44 right-of-way lying south of Lot H1 in Lots A and B of the Johnson School Subdivision located in the NE1/4 NW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .62 acres
LOCATION	A portion of SD Highway 44 right-of-way between School Drive and Twilight Drive
EXISTING ZONING	No Use District/Right-of-Way
SURROUNDING ZONING	
North:	Light Industrial District w/Planned Light Industrial Development
South:	Suburban Residential District (County)
East:	Right-of-Way
West:	Right-of-Way
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	02/06/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Light Industrial District be approved in conjunction with a Planned Development Designation.

GENERAL COMMENTS: The property is S.D. Highway 44 right-of-way between School Drive and Twilight Drive. The parcel is entirely road right-of-way. This property was annexed into the City effective January 22, 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 City of Rapid City has 120 days to identify the correct zoning for the property and complete the rezoning process. The purpose of this application

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is to complete that process.

Land zoned Light Industrial Zoning District with a Planned Light Industrial Development designation is located on the north side of this property. South of the property is the location of Suburban Residential Zoning District by Pennington County. S.D. Highway 44 right-of-way continues east and west of the subject property.

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 January 22, 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.**

This property is located north of S.D. Highway 44 and west of Twilight Drive. The Light Industrial Zoning District is established to create areas for light industrial purposes that may require access to street transportation. This right-of-way is located adjacent to property with industrial land uses and rights-of-way, and as such is 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.**

The amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure as the subject property is right-of-way only.

**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 shows the subject property as appropriate for development as Light Industrial land uses with a Planned Development Designation.

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.