Rapid City Planning Commission
Rezoning Project Report
January 27, 2022

Item #6
Applicant Request(s)
Case #21RZ029 – Rezoning request from No-Use District to Heavy Industrial District
Companion Case(s): - 21AN004 - Petition for Annexation - 21RZ026 - Rezoning request from No-Use District to Light Industrial District - 21RZ027 - Rezoning request from No-Use District to Heavy Industrial District - 21RZ028 – Rezoning request from No-Use District to General Commercial District - 21RZ038 – Rezoning request from No-Use District to Heavy Industrial District - 21RZ039 – Rezoning request from No-Use District to Heavy Industrial District - 21PL152 – Preliminary Subdivision Plan - 21TI003 - An application for Tax Increment Financing

Development Review Team Recommendation(s)
The Development Review Team recommends that the Rezoning request from No-Use District to Heavy Industrial District be approved contingent upon approval of the associated annexation.

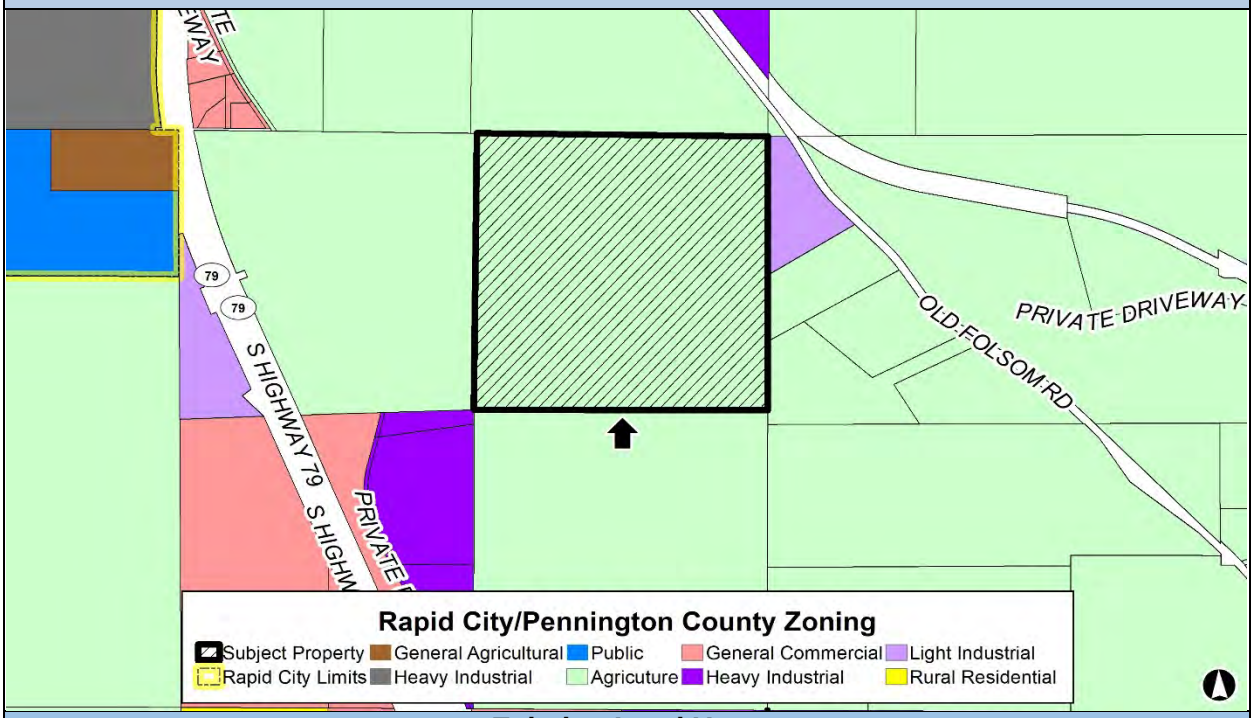
Project Summary Brief
The applicant has submitted a Rezone request from No-Use District to Heavy Industrial District due to the annexation of the property into the City limits. The subject property is 150.7 acres in size and has a Future Land Use Designation of Light Industrial District and Heavy Industrial District. In addition to the annexation (21AN004), the applicant has also submitted a Tax Increment Financing Application (21TI003) and a Preliminary Subdivision Plan (21PL152) to create 12 lots. The City is not currently able to provide water or sewer utilities to the subject property. The developer will be required to extend utilities and infrastructure to serve the subject property.

Applicant Information	Development Review Team Contacts
Applicant: David Lamb and Andrea Andersen Revocable Trust	Planner: Sarah Hanzel
Property Owner: Same	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings/Jerome Harvey
Engineer: Dream Design International	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Todd Peckosh
Other: N/A	DOT: Stacy Bartlett

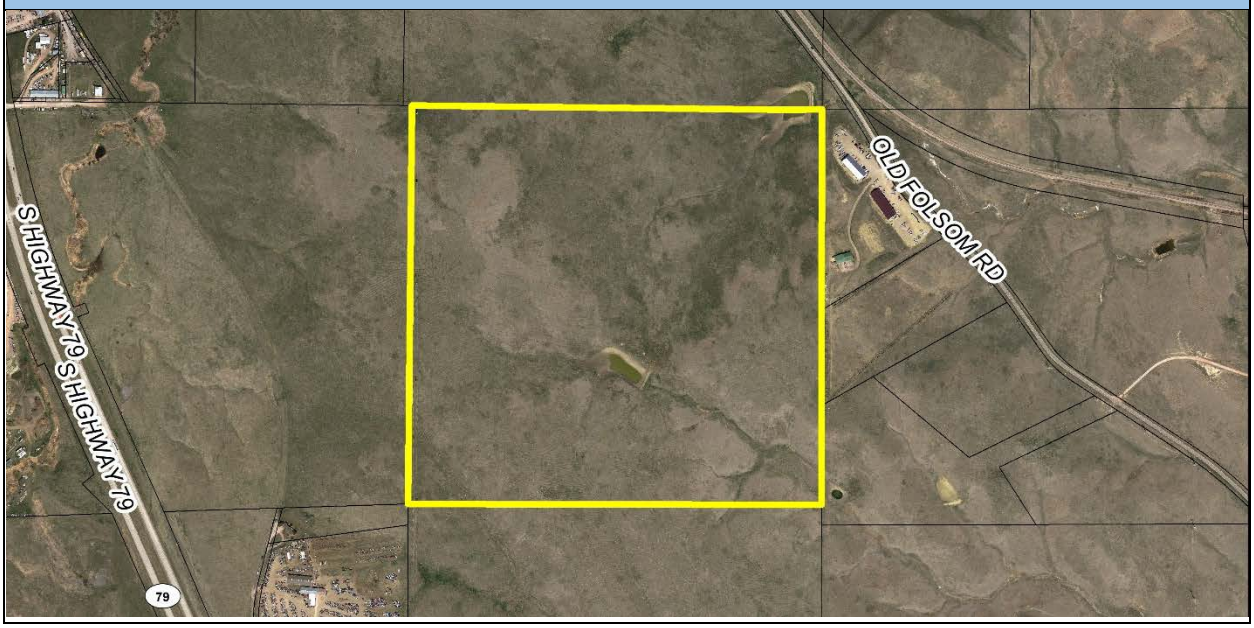
Subject Property Information	
Address/Location	Old Folsom Road and SD Highway 79
Neighborhood	Southeast Connector Neighborhood Area
Subdivision	N/A
Land Area	150.7 acres
Existing Buildings	None
Topography	Hilly terrain
Access	S.D. Highway 79 and Old Folsom Road
Water Provider	None
Sewer Provider	None
Electric/Gas Provider	Black Hills Power
Other	N/A

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	Agriculture - PC	LI/HI	Void of structural development
Adjacent North	Agriculture - PC	LI/HI	Industrial
Adjacent South	Heavy Industrial – PC/ General Commercial – PC, Agriculture - PC	LI/AG	Void of structural development
Adjacent East	Agriculture – PC/LI - PC	HI/LI	Commercial, Void of structural development
Adjacent West	Agriculture – PC	LI	Void of structural development

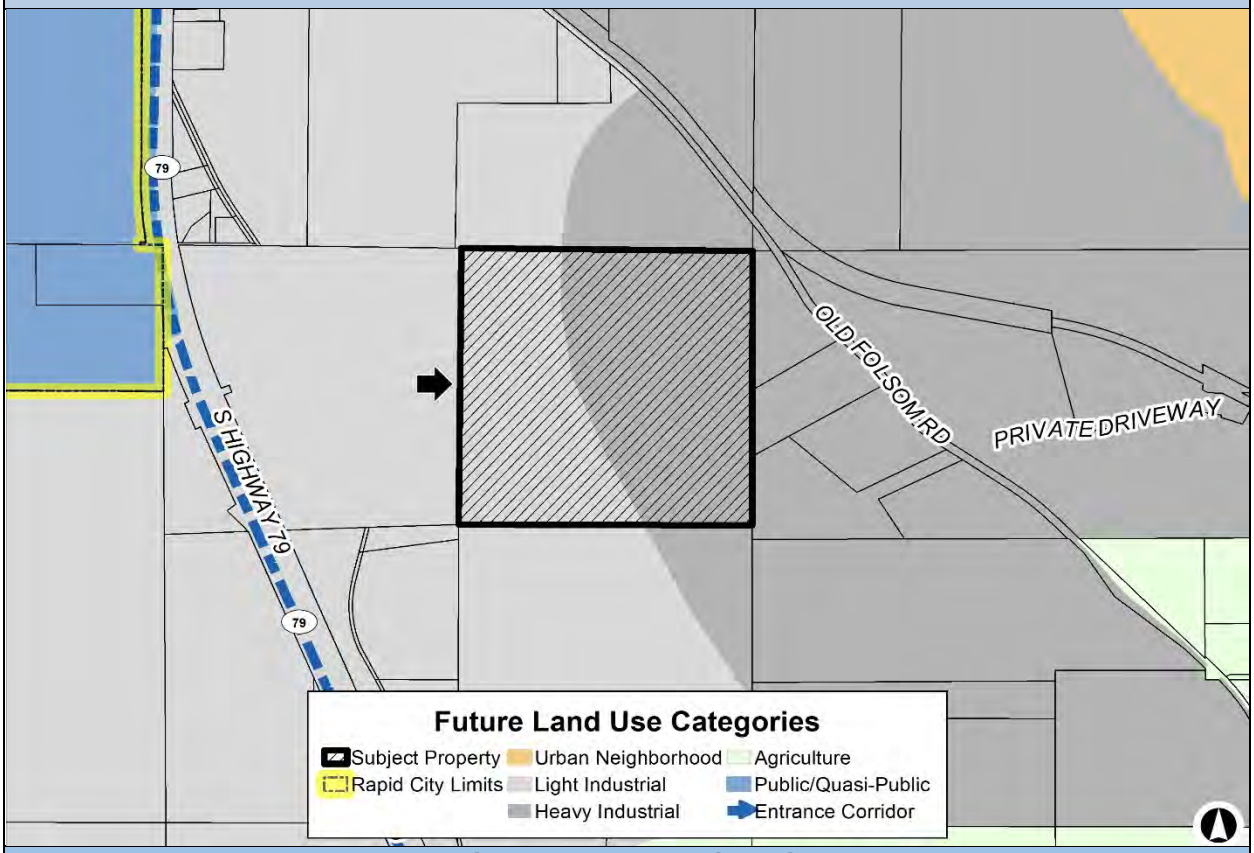
Zoning Map



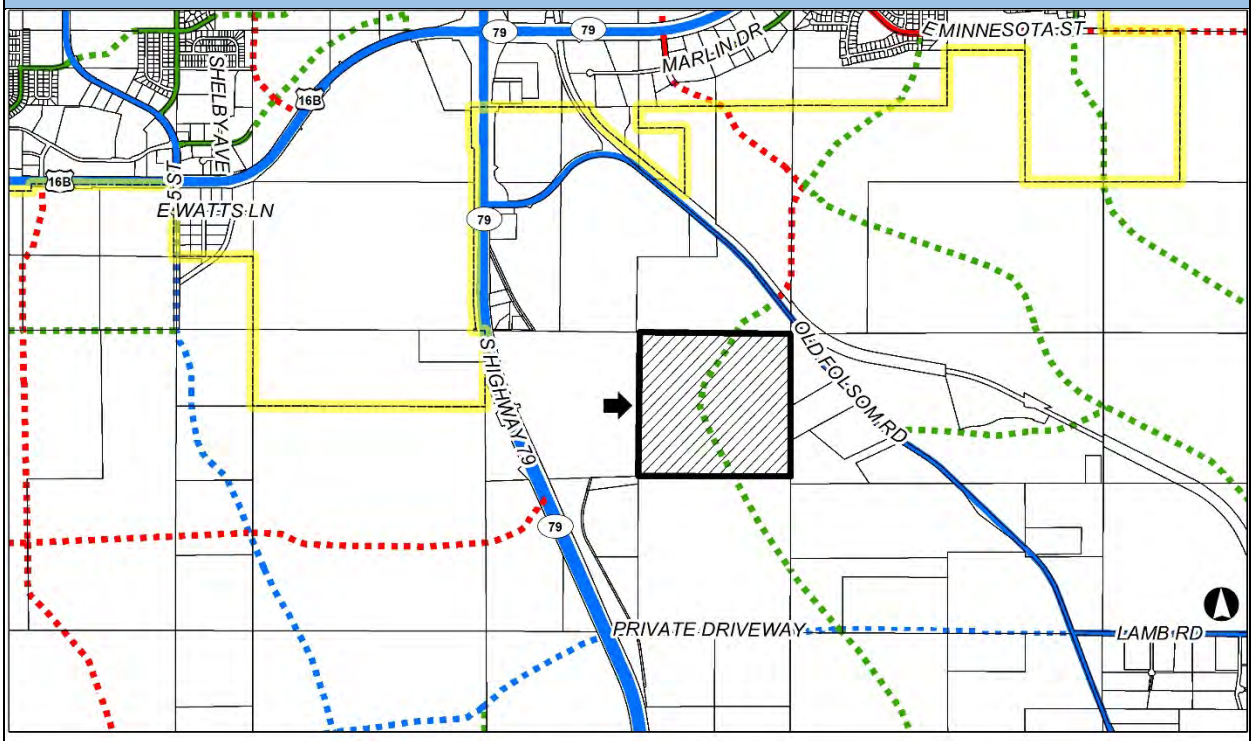
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan

Subject Property
Rapid City Limits
Collector
Minor arterial
Principal arterial
Proposed collector
Proposed minor arterial
Proposed principal arterial

Relevant Case History			
Case/File#	**Date**	**Request**	**Action**
N/A	N/A	N/A	N/A

Relevant Zoning District Regulations		
Heavy Industrial District	**Required**	**Proposed**
Lot Area	1 acre	150.7 acres
Lot Frontage / Lot Width	N/A	N/A
Maximum Building Heights	4 stories or 45 feet	N/A
Maximum Lot Coverage	80%	N/A
Minimum Building Setback:		
• Front • Side • Rear	• 35 feet • 25 – 75 feet • 25-50 feet	N/A
Minimum Landscape Requirements:		N/A
• # of landscape points	Per 17.24.070	
Minimum Parking Requirements:	17.50.270	N/A
• # of parking spaces		
• # of ADA spaces		
Signage	Per 17.50.080 to 17.50.100	N/A

Pursuant to Section 17.54.040.D of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to Rezone:

Criteria	Findings
1. The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and districts affected, or in the City generally.	The subject property is proposed to be annexed into the City limits. All annexed lands are automatically assigned as No-Use District and must be rezoned within 120 days of being annexed. The proposed annexation constitutes the changing conditions of the area.
2. The proposed amendments shall be consistent with the intent and purposes of this title.	The City's Comprehensive Plan identifies that the Future Land Use for this property is Light Industrial and Heavy Industrial. As such, the Rezoning request is consistent with the intent of the City's Comprehensive Plan.
3. The proposed amendment shall not adversely affect any other part of the City, nor shall any direct or indirect adverse effects result from the amendment.	The Urban Services Boundary was created with the adoption of the 2014 Comprehensive Plan and is used to establish where the City can reasonably expect growth to occur and where such growth would be serviceable by the City. The subject property is located within the City's Urban Services Boundary; however, the City is not currently able to provide water or sewer utilities to the subject property. The applicant has submitted a conceptual utility master plan with the associated preliminary subdivision plan, showing the extension of utilities to the area. The applicant should be aware that approval of the Rezoning request is not a guarantee that the City can provide urban services to the subject property in the future. Throughout the City's Comprehensive Plan, goals and values are identified to ensure that proposed development does not create urban sprawl. However, the Comprehensive Plan also promotes the expansion of employment areas in the Old Folsom Road Industrial Area. As such, so long as the applicant can

	extend utilities to the subject property then the proposed Rezoning request will be consistent with the Comprehensive Plan. A proposal for Tax Increment Financing is being developed at the time of this writing.
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.	The proposed Rezoning request is consistent with the guidance in the City's adopted Future Land Use Plan; however, as previously noted the subject property is not currently able to be served by City water and sewer.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial	
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:	
Comprehensive Plan Conformance – Core Values Chapters	
	**A Balanced Pattern of Growth**
BPG-3.1B	Future Land Use Flexibility: Provide flexibility in applying the Future Land Use categories by encouraging a range of densities and a mix of land uses and allowing administrative interpretation when the map does not perfectly align with parcels of land.
	**A Vibrant, Livable Community**
N/A	
	**A Safe, Healthy, Inclusive, and Skilled Community**
N/A	
	**Efficient Transportation and Infrastructure Systems**
N/A	
	**Outstanding Recreational and Cultural Opportunities**
N/A	
	**Responsive, Accessible, and Effective Governance**
GOV-2.1A	Public Input Opportunities: The proposed Rezoning request requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Rezoning is before the Planning Commission and will go before the City Council for review and approval. The public has an opportunity to provide input at these meetings.

Findings
Staff has reviewed the Rezoning request criteria pursuant to Chapter 17.50.040(D) of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The Rezoning request to Heavy Industrial District complies with the City's Future Land Use designation of Light Industrial and Heavy Industrial.

Planning Commission Recommendation and Stipulations of Approval
Staff recommends that the Rezoning request be approved contingent upon approval of the annexation petition.