

STAFF REPORT

August 9, 2001

No. 01RZ037 - Rezoning from General Agriculture District to Public District **ITEM 18**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 01RZ037 - Rezoning from General Agriculture District to Public District
LEGAL DESCRIPTION	A parcel of land located in Tract "A" of Tract 1 of the W1/2SW1/4 of Section 23, T.1N., R.7E., B.H.M., Pennington County, South Dakota; (as set out in Plat Book 11, Page 207 of the Pennington County Register of Deeds); More particularly describes as: Commencing at the Northwest Corner of Tract "A", which bears N0°01'49"W a distance of 1516.46 feet from the Southwest Corner of Section 23, T.1N., R.7E., B.H.M., being the POINT OF BEGINNING; Thence S89°59'13"E along the north boundary of said Tract "A" a distance of 527.28 feet; Thence S07°18'58"W a distance of 460.40 feet to the proposed centerline of Tish Drive, Thence N82°32'54"W along said centerline a distance of 9.91 feet to the beginning of a curve concave to the Southwest having a radius of 150.00 feet and a central angle of 54°38'42"; Thence along said centerline and along said curve an arc distance of 143.06 feet; Thence along said centerline S42°48'28"W a distance of 483.98 feet to a point on the west section line of Section 23 and the west boundary of said Tract "A"; thence N0°01'49"W along said section line and along the west boundary of Tract "A" a distance of 857.37 feet to the point of beginning. Containing 6.90 Acres more or less
PARCEL ACREAGE	Approximately 6.9 Acres
LOCATION	North of Golden Eagle Drive and adjacent to old Marine Life
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Business Park District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	To be extended

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REPORT BY

Lisa Seaman

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to Public District be approved.

GENERAL COMMENTS: This rezoning request was recommended for approval by the Planning Commission on July 5, 2001. After the Planning Commission and City Council took action on this request, Staff identified an error in the required certified mailing. Due to this error, it is now necessary to advertise the request and once again take action on the rezoning request. The applicant has submitted this request to rezone approximately 6.9 acres of a 20 acre parcel from General Agriculture Zoning District to Public Zoning District. The property is located along U.S. Highway 16, north of Golden Eagle Drive and adjacent to the old Marine Life property. The property is currently undeveloped, however the applicant has indicated that this parcel is the proposed location of a fire station. In addition to this rezoning request, the applicant has submitted a Comprehensive Plan Amendment request to change the future land use designation on the 6.90 acre parcel from Office Commercial with a Planned Commercial Development to Public.

STAFF REVIEW: Staff has reviewed the rezoning request with respect to the criteria established for zoning map amendments in Section 17.54.040(D)(1). A summary of staff findings are outlined below:

1. *The proposed amendment shall be necessary because of substantially changed or changing conditions of the area and districts affected or in the City in general.*

This rezoning is necessary because of changing conditions. As Rapid City has continued to grow, the South U.S. Highway 16 area has seen increasing growth and commercialization. The completion of Catron Boulevard has served to increase the growth of this area. As a result of this growth, the City has recognized the need for the extension of public services, including fire protection, to the area and has identified the subject property as the site for a new fire station. The proposed rezoning request is consistent with the changing conditions of the area.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

According to Chapter 17.46.010 of the Rapid City Zoning Ordinance, the purpose of the Public Zoning District is "...to provide for facilities which serve the general public that are operated by the United States of America, the state of South Dakota or any political subdivision which qualifies for exemption from property taxes, or nonprofit organizations. areas". The City intends to locate a fire station to serve the general public on the subject property, therefore staff believes the purposes and intent of the Public Zoning District are being met through this request.

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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 does not believe that rezoning the property will result in any significant adverse impact. As mentioned previously, the fire station will serve the surrounding properties providing quicker response to emergency situations.

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 subject property is included in the Southwest Connector Neighborhood Future Land Use Plan and has been identified as Office Commercial with a Planned Commercial Development in this plan. The Future Land Use Committee recognized the need for a fire station in this area and designated the property directly to the south of this parcel as Public in the Southwest Connector Neighborhood Future Land Use Plan. After further study, the applicant has determined that the parcel originally designated for the fire station is more desirable for commercial development and the subject property would be a better location for the fire station.

Based on conformance with the criteria for review of zoning map amendments, Staff is recommending approval of the rezoning request.

The required rezoning sign has been posted on the property and the receipts from the certified mailing have been returned as of the writing of this staff report.