

STAFF REPORT

December 6, 2001

No. 01RZ063 – Rezoning from No Use District to Park Forest District **ITEM 24**

GENERAL INFORMATION:

PETITIONER	Alvin Aisenbrey
REQUEST	No. 01RZ063 - Rezoning from No Use District to Park Forest District
LEGAL DESCRIPTION	Lot 13 of Block 2 of Cleghorn Canyon Subdivision No. 2, located in Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.69 acres
LOCATION	5100 Cleghorn Canyon Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Flood Hazard District
East:	Park Forest District/Flood Hazard District (City)
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	Rapid Canyon Sewer District and Rapid City Water
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Park Forest District be approved.

GENERAL COMMENTS: **This staff report has been revised as of November 21, 2001. New or revised text is shown in bold print.** This property was annexed into the City in 1998 and is currently designated as a No Use Zoning District. The applicant is requesting this property be rezoned to Park Forest District to allow for consolidation with adjoining lands, which are designated Park Forest District. **This requested rezoning was continued to the December 6, 2001 Planning Commission meeting at the applicant's request.**

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.**

This property is located at the entrance of Cleghorn Canyon. The property was annexed

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into the City in 1998, and designated as a No Use Zoning District. The Cleghorn Canyon neighborhood was developed in the 1930's and approximately 65 dwelling units are located in the area. The majority of the existing lots are smaller than three acres in size. A major drainage way is located on the west side of the subject property and is federally designated floodplain. At this time there is only one public access into the canyon.

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

The applicant plans to consolidate this property with adjoining property to the east, which is already designated Park Forest Zoning District. Pennington County zoning designations surrounding this property on the north, south, and west, are Limited Agricultural Zoning Districts.

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 negatively affect any of the surrounding land uses or public infrastructures.

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 Comprehensive Plan for this area shows the property and surrounding area as suitable for Agriculture and Forest land uses. The Park Forest Zoning District is consistent with the adopted Comprehensive Plan.

The required sign has been posted and the certified mailings have been sent. As of this date, staff has received no comments or objections regarding this request.