

STAFF REPORT
October 24, 2013

No. 13RZ024 - Rezoning from High Density Residential District to Public District **ITEM 3**

GENERAL INFORMATION:

APPLICANT	Rapid City Area School District
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Joshua D. Holdinghausen
REQUEST	No. 13RZ024 - Rezoning from High Density Residential District to Public District
EXISTING LEGAL DESCRIPTION	The north 28 feet of Lots 25 and 26 and the north 28 feet of the west 10 feet of Lot 27 of Block 125 of the Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.039 acres
LOCATION	516 South Street
EXISTING ZONING	High Density Residential District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Public District
South:	Medium Density Residential District (Planned Development)
East:	High Density Residential District
West:	Public District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	September 13, 2013
REVIEWED BY	Robert Laroco / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Rezoning from High Density Residential District to Public District be **approved in conjunction with the associated Comprehensive Plan Amendment.**

GENERAL COMMENTS: (Update October 24, 2013. This item was continued from the October 10, 2013 Planning Commission meeting to allow the item to be heard in conjunction with the associated Comprehensive Plan Amendment. All updated/revised text is shown in bold.) The applicant has submitted a request to rezone

STAFF REPORT
October 24, 2013

No. 13RZ024 - Rezoning from High Density Residential District to Public District **ITEM 3**

approximately 0.039 acres of property from High Density Residential District to Public District. In addition, the applicant has submitted an associated request for a Comprehensive Plan Amendment (File #12CA013) to change the Future Land Use Designation on the property from Commercial to Residential. Due to an error in the publication of the Comprehensive Plan Amendment, the request to amend the Future Land Use Designation was continued to the October 10, 2013 Planning Commission meeting. In order for this rezoning request to be heard concurrently with the associated Comprehensive Plan Amendment, the applicant requested that the application be continued as well. **The applicant has submitted an associated Vacation of Right-of-Way application (File #13VR002) to vacate portions of the alleyway located adjacent to the subject property. The request to vacate the right-of-way is scheduled to be heard at the October 24, 2013 Planning Commission meeting. In addition, the applicant has submitted an associated Lot Line Adjustment/Consolidation Plat application (File #13PL107) for the existing Rapid City High School. The proposed Lot Line Adjustment/Consolidation Plat application proposes to move the northern lot line to the south, and consolidate all the lots and vacated right-of-ways of the Rapid City High School property into one lot. The Lot Line Adjustment/Consolidation is currently under review by City staff.**

The property is located on the north side of South Street, adjacent to the west of the existing Rapid City High School property. The property is currently developed with a single-family residence and an accessory shed.

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.

The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.

The property is located adjacent to the alley between South Street and Columbus Street, west of Fifth Street. The adjacent Rapid City High School continues to redevelop with a variety of public uses, including a performing arts center, an alternative high school, a day care center, and administrative offices for the Rapid City School District. The on-going redevelopment of the adjacent property includes redevelopment of area parking and circulation. The applicant has indicated that the requested rezoning, in conjunction with the Vacation of right-of-way and the pending Lot Line Adjustment/Consolidation Plat application, will allow improvements to the access and maneuverability for Rapid City High School through the alleyway. Continuing redevelopment of the Rapid City High School property adjacent to the subject property is a changing condition in the area.

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

The Public District is intended to provide facilities which serve the general public that are operated by the United States of America, the state of South Dakota, or any subdivision which qualifies for exemption from property taxes, or nonprofit organizations. The applicant has indicated that the requested rezone will allow the

No. 13RZ024 - Rezoning from High Density Residential District to Public District **ITEM 3**

Rapid City School District to improve the access and circulation to the facilities on-site. The proposed zoning is consistent with the intent and purpose of the ordinance.

The proposed amendment will not adversely affect any other part of the City, nor shall any direct or indirect adverse effects result from such amendment.

The additional review provided by a building permit for the property will ensure that any potential negative impacts of development are adequately mitigated. In particular, the design and construction of improvements, including drainage and utility improvements, must meet the requirements of the Infrastructure Design Criteria Manual. It does not appear that the proposed amendment will have a significant effect on any of the other surrounding uses or on the public infrastructure.

The proposed amendment 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 property is currently designated for Commercial uses on the City's Future Land Use Plan. The property is currently part of a residential property developed with a single-family residence. The applicant has indicated that the portion of the property to be rezoned will be developed as improved circulation and access for the Rapid City High School property. An associated Comprehensive Plan Amendment has been submitted to change the Future Land Use designation from Commercial to Public on those portions of property to be rezoned. The requested rezone is consistent with the development plan for Rapid City if approved in conjunction with the associated Comprehensive Plan Amendment.

Public Works staff has noted that water and sanitary sewer are available to this property in South Street.

The Rapid City Fire Department has not noted any concerns with the requested Rezone.

The request meets all the criteria for an amendment to the Zoning Ordinance. In addition, the area is continuing to redevelop with a mix of public uses. The future platting of the property will ensure that the design standards required for development are met. The request is in compliance with the Future Land Use Plan if approved in conjunction with the associated Comprehensive Plan Amendment. For these reasons, staff recommends that the request to rezone the property from High Density Residential District to Public District be approved in conjunction with the associated Comprehensive Plan Amendment.

NOTIFICATION REQUIREMENTS: The notification letters have been returned to Community Planning and Development Services for mailing. The sign has been posted on the property. As of this writing, there have been no inquiries regarding this item.