

STAFF REPORT

October 10, 2002

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**No. 02RZ059 - Rezoning from No Use District to Public District**

**ITEM 22**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02RZ059 - Rezoning from No Use District to Public District</b>
EXISTING LEGAL DESCRIPTION	The north 840 feet of the SW1/4 NE1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 25.5 acres
LOCATION	East of Elk Vale Road and north of Degeest Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	No Use District
East:	Limited Agriculture District (County)
West:	No Use District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/12/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the rezoning from No Use Zoning District to Public Zoning District be approved in conjunction with the related Amendment to the Comprehensive Plan.

GENERAL COMMENTS: This property is located east of Elk Vale Road and north of Degeest Street. The property was annexed into the City of Rapid City effective May 15, 2002, and is currently in 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 purpose of this application is to complete that process.

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:

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- 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 May 15, 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.**

The property located to the north, west and south of the subject property is zoned No Use District. The property to the east of the subject property is zoned Limited Agriculture by Pennington County. The Elk Vale Neighborhood Area Future Land Use Plan identifies the subject property as appropriate for Low Density Residential land use. The Rapid City Public School system has purchased this property and along with additional property to the north, they propose to build an elementary school at this location. Designating the property as Public Zoning District in conjunction with the Amendment to the Comprehensive Plan appears to be the appropriate zoning district for the property.

- 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 would not appear to have a significant affect on any of the surrounding land uses or on public infrastructure.

- 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 Major Street plan identifies Homestead Street as a proposed collector street which would be located adjacent to the proposed elementary school. With the approval of the associated Amendment to the Comprehensive Plan to change the land use on 25.5 acres from Low Density Residential to Public, the Elk Vale Neighborhood Area Future Land Use Plan for this property would identify the property as appropriate for Public land use.

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.

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