

STAFF REPORT

April 4, 2002

No. 02RZ017 - Rezoning from No Use District to Public District

ITEM 11

GENERAL INFORMATION:

PETITIONER City of Rapid City

REQUEST **No. 02RZ017 - Rezoning from No Use District to Public District**

EXISTING
LEGAL DESCRIPTION

A tract of land located in the E 1/2 of Section 5 and the W 1/2 of Section 4, all in T1N, R7E, Black Hills Meridian, Pennington County, South Dakota, more fully described as: Beginning at the North 1/16 Section corner of Section 4 and 5, T1N, R7E, said point being marked with a 2 inch diameter United States Department of Interior and Bureau of Land Management cadastral survey steel cap marker dated 1998, and also as shown on the plat of dedicated street right of way signed and approved by the Common Council of the City of Rapid City on the 19th day of May, 1969, said point being the True Point of Beginning; THENCE FIRST COURSE: A bearing of S 00° 01' W, on the Section line, and a distance of 1314.04 feet to the 1/4 Section corner; THENCE SECOND COURSE: A bearing of S 00°04' W, on the Section line, and a distance of 657.02 feet to the 1/32 Section corner; THENCE THIRD COURSE: A bearing of S 89° 51' 30" E on the 1/32 Section line to the 1/16 Section line; THENCE FOURTH COURSE: Southerly on the 1/16 Section line to the 1/32 Section corner; THENCE FIFTH COURSE: A bearing of S 89° 40' W on the 1/32 Section line to a point 50 feet westerly of a centerline curve to the left with a radius of 286.48 feet and an arc length of 251.96 feet; THENCE SIXTH COURSE: Along a line 50 feet left of a center line curve to the left with a radius of 286.48 feet and an arc length of 106.37 feet; THENCE SEVENTH COURSE: Along a line 50 feet left of a tangent line bearing N 13° 34' 30" W and a distance of 616.51 feet; THENCE EIGHTH COURSE: Along a line 50 feet left of a centerline curve to the left with a radius of 904.67 feet and an arc length 464.61 feet; THENCE NINTH COURSE: Along a line 50 feet left of a tangent line bearing N 43° 00' W and a distance of 7.96 feet; THENCE TENTH COURSE: Along a line 50 left of a centerline curve to the left with a radius of 477.46 feet and an arc length of 337.64 feet; THENCE ELEVENTH COURSE: Along a line 50 feet left of a tangent line bearing N 83° 31' W and a distance of 125.76 feet; THENCE TWELFTH COURSE: Along a line

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50 feet left of a centerline curve to the right with a radius of 238.73 feet and an arc length of 365.20 feet; THENCE THIRTEENTH COURSE: Along a line 50 feet left of a centerline tangent line bearing N 04° 08' E and a distance of 80.03 feet; THENCE FOURTEENTH COURSE: Along a line 50 feet left of a centerline curve to the left with a radius of 11,459.15 feet and an arc length of 823.33 feet; THENCE FIFTEENTH COURSE: Along a line 50 feet left of a tangent line bearing N 00° 01' E and a distance of 859.22 feet to the 1/16 Section line of Section 5; THENCE SIXTEENTH COURSE: Easterly on the 1/16 Section line of Section 5 and a distance of 50 feet to the previously described True Point of Beginning.

PARCEL ACREAGE	Approximately 21.28 Acres
LOCATION	East of Hillsview Drive immediately south of Stevens High School
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Public District (City)
South:	Medium Density Residential (City)
East:	Medium Density Residential (City)
West:	General Agriculture District (County)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	03/11/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Public District be approved in conjunction with an Amendment to the Comprehensive Plan to change the land use designation from Agriculture use to Public use.

GENERAL COMMENTS: The property is located east of Hillsview Drive immediately south of Stevens High School and is owned by the State of South Dakota. This property was annexed into the City effective April 5, 2001 and is currently designated as 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.

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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.**

The subject property was annexed into the City on April 5, 2001. 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.**

This property is located adjacent to Stevens High School and is zoned Public Zoning District. The properties south and east are located in a Medium Density Residential Zoning District and the property to the west is located in an Agriculture Zoning District by Pennington County. The Public District is established 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. This public zoning district classification meets the requirements for the most appropriate zoning district for this 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 should not have a significant affect on any of the surrounding land uses or on public infrastructure as the subject property is intended to remain undeveloped land for training purposes and for a land buffer between the property owned by the State of South Dakota and residentially developed property. A portion of the subject property is street right-of-way.

- 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 Rapid City Comprehensive Plan for this area shows the subject property with an Agricultural land use designation. An amendment to the Comprehensive Plan to change the land use designation from Agriculture land use to Public land use is submitted in conjunction with this rezoning request.

An updated Future Land Use Neighborhood Plan has not yet been developed for this area.

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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