

STAFF REPORT

December 5, 2002

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**No. 02RZ073 - Rezoning from Public District to Medium Density Residential District**      **ITEM 22**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 02RZ073 - Rezoning from Public District to Medium Density Residential District</b>
EXISTING LEGAL DESCRIPTION	The west 610 feet of the NE1/4 NE1/4, Section 3, T1N,R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 18.48 acres
LOCATION	East of Elk Vale Road and north of Degeest Street
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Limited Agriculture District (County)
East:	Office Commercial w/Planned Development Designation
West:	Public District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	11/08/2002
REPORT BY	Karen Bulman

RECOMMENDATION: The Future Land Use Committee recommends that the rezoning from Public Zoning District to Medium Density Residential Zoning District be approved in conjunction with a Planned Development Designation.

GENERAL COMMENTS: This property is located east of Elk Vale Road, west of Reservoir Road and north of Degeest Street. The property was annexed into the City of Rapid City effective May 15, 2002, and was rezoned from No Use District to Public District. The property owner had requested to meet with the Future Land Use Committee regarding the rezoning of this property. The Future Land Use Committee met on October 25, 2002 and recommended approval of rezoning the subject property from Public Zoning District to Medium Density Residential Zoning District with a Planned Development Designation. An application for a Planned Development Designation (02PD069) has been submitted in conjunction with the rezoning request.

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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 May 15, 2002. On October 7, 2002, the City Council approved the rezoning of the subject property from No Use District to Public District. There are no proposed public uses planned for this property, therefore the applicant is requesting the subject property be rezoned from Public District to Medium Density Residential District with a Planned Development Designation.

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

The property located to the north and south of the subject property is zoned Limited Agriculture District by Pennington County. The property to the east of the subject property is zoned Office Commercial District with a Planned Development Designation. The property located to the west of the subject property is zoned Public District. The Elk Vale Neighborhood Area Future Land Use Plan identifies the subject property as appropriate for Public land use(s) with an alternative land use of Medium Density Residential with a Planned Development Designation. Medium Density Residential Zoning District appears to be an adequate buffer between Public Zoning District and Office Commercial Zoning District. Medium Density Residential Zoning District is also located north of the adjacent Public Zoning District. Therefore, the request to rezone the subject property from Public District to Medium Density Residential Zoning District with a Planned Development Designation appears to be consistent with the intent of this ordinance.

**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. The County Heights Drainage Basin Plan shows this property as a park site. With this proposed zoning amendment, the anticipated increase in water flows will need to be addressed. The Engineering Division has recommended that a preliminary concept to handle this increase should be submitted for review.

**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 Elk Vale Neighborhood Area Future Land Use Plan for this area identifies the subject property as appropriate for Public land use(s) and an alternative land use of

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Medium Density Residential with a Planned Development Designation. The property owner met with the Future Land Use Committee regarding the rezoning of the subject property. There are no proposed public uses planned for the subject property. As such, the Future Land Use Committee felt the alternative land use designation of Medium Density Residential with a Planned Development Designation was consistent with the Elk Vale Neighborhood Area Land Use Plan and recommended approval of the rezoning of the subject property from Public District to Medium Density Residential District with a Planned Development Designation.

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 inquires or objections regarding this request.