

STAFF REPORT

September 25, 2003

**No. 03RZ036 - Rezoning from Medium Density Residential District
to Public District**

ITEM 16

GENERAL INFORMATION:

PETITIONER	William Schleining
REQUEST	No. 03RZ036 - Rezoning from Medium Density Residential District to Public District
EXISTING LEGAL DESCRIPTION	A portion of Lot 3 of Moon Ridge Subdivision located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at the northwesterly corner of said Lot 3 of Moon Ridge Subdivision and the Point of Beginning; thence, first course: N89°53'10"E along the northerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 818.71 feet; thence, second course: S07°53'52"W, a distance of 178.06 feet; thence, third course: S26°53'52"W, a distance of 990.49 feet, to the easterly boundary of Lot 1 of Moon Ridge Subdivision; thence, fourth course: N00°12'56"E, a distance of 169.48 feet, to the northeasterly corner of said Lot 1 of Moon Ridge Subdivision; thence, fifth course: N89°16'12"W, along the northerly boundary of said Lot 1 of Moon Ridge Subdivision, a distance of 350.00 feet, to the northwesterly corner of said Lot 1 of Moon Ridge Subdivision, common with the southwesterly corner of said Lot 3 of Moon Ridge Subdivision; thence, sixth course: N00°12'56"E, along the westerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 446.88 feet; thence, seventh course: N00°11'53"E along the westerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 436.16 feet, to the northwesterly corner of said Lot 3 of Moon Ridge Subdivision, and the Point of Beginning; said parcel contains 13.469 acres more or less
PARCEL ACREAGE	Approximately 13.469 acres
LOCATION	At the intersection of Highway 16 and Moon Meadows Road
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING North:	No Use District

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South:	General Commercial District/Medium Density Residential District
East:	General Commercial District
West:	Suburban Residential District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	08/25/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from Medium Density Residential District to Public District be approved subject to approval of the related Amendment to the Comprehensive Plan.

GENERAL COMMENTS: The applicant is requesting the rezoning of approximately 13.469 acres located at the intersection of U.S. Highway 16 and Moon Meadows Road. The property was annexed into the city limits in July 2000 and was zoned Medium Density Residential District. The United States Forest Service recently purchased this land and is requesting the rezoning of the property from Medium Density Residential District to Public District. The Comprehensive Plan currently shows the subject property as appropriate for Agriculture, Limited Agriculture and Park Forest land use(s). An application for an Amendment to the Comprehensive Plan (03CA022) has been submitted in conjunction with this rezoning 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.*

The subject property was annexed into the City in July 2000 and subsequently rezoned Medium Density Residential District. The United States Forest Service has recently purchased the property and intends to consolidate a number of facilities at this location. Rezoning the property from Medium Density Residential District to Public District appears to be appropriate based on the recent acquisition of the property by the Federal Government. An application to rezone the adjacent property located to the east from General Commercial District to Public District (03RZ035) is a companion item.

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

Property located to the north of the subject property is zoned No Use District. The property located to the south of the subject property is zoned General Commercial District and Medium Density Residential District. The property located to the east of the

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subject property is zoned General Commercial District. The property located to the west of the subject property is zoned Suburban Residential District by Pennington County. Land located along the corridor of U.S. Highway 16 is zoned General Commercial District. Based on the recent acquisition of the property and the use of the property by the United States Forest Service, rezoning the property from Medium Density Residential District to Public District in conjunction with the companion rezoning request (03RZ035) would be consistent with the intent and purposes 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. As noted above, the property has been purchased by the United States Forest Service and is adjacent to U.S. Highway 16. The property has access from Moon Meadows Road.

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 currently identifies the subject property as appropriate for limited agriculture, agricultural and park forest land use(s) on the property. A Comprehensive Plan Amendment to change the land use from Agriculture, Limited Agriculture and Park Forest land use(s) to Public land use(s) has been submitted in conjunction with this rezoning request. Upon approval of the Comprehensive Plan Amendment, rezoning the subject property from Medium Density Residential District to Public District appears to be appropriate.

As of this writing, the sign has been posted on the property, but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 25, 2003 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request.