

STAFF REPORT
February 24, 2005

No. 05RZ006 - Rezoning from Public District to Medium Density Residential District **ITEM 32**

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Bailey Associates, Inc.
REQUEST	No. 05RZ006 - Rezoning from Public District to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	The NW1/2 SW1/4 SW1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20 acres
LOCATION	South of Harmony Heights Lane
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	General Agriculture District-Medium Density Residential District (Planned Residential Development)
South:	Public District
East:	Public District
West:	Public District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	1/28/2005
REVIEWED BY	Linda Foster / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Rezoning from Public District to Medium Density Residential District be approved contingent upon the Comprehensive Plan amendment being approved.

GENERAL COMMENTS: The applicant is requesting to rezone approximately 20 acres located south of Harmony Heights Lane. The property is currently zoned Public District. The property located north of the subject property is currently zoned General Agriculture District and Medium Density Residential with a Planned Residential Development designation. The properties located south, east and west of the subject property are currently zoned Public District. An application to amend the Comprehensive Plan to change the future land use designation from Park Forest to Business Park (05CA007) has also 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

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summary of Staff findings is 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 is currently zoned Public District. Adjacent properties have been developed into Medium Density Residential uses. The subject property is currently void of any construction but is located adjacent to residential development. The proposal to rezone the subject property to Medium Density Residential District is consistent with the residential development in the area.

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

The Medium Density Residential Zoning District is established to provide areas in which the primary use of land is for medium to high population density. The principal uses of land may range from single-family to multiple-family apartment uses. The property located north of the subject property is currently zoned General Agriculture District and Medium Density Residential with a Planned Residential Development designation. The properties located south, east and west of the subject property are currently zoned Public District. The subject property is located adjacent to Medium Density Residential development so the request to change the zoning on the property from Public District to Medium Density Residential District appears to be consistent with uses in the surrounding area.

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 subject property is located adjacent to a Medium Density Residential Zoning District. Water and sewer are located in Harmony Heights Lane to the north of the subject property and will need to be extended. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from Public District to Medium Density Residential District.

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 Comprehensive Plan identifies the subject property as appropriate for Park Forest Land use(s). An amendment to the Comprehensive Plan to change the land use on the subject property from Park Forest to Medium Density Residential (05CA007) has been submitted in conjunction with this rezoning. If the Comprehensive Plan amendment is approved, the proposed use will be consistent with the adopted plan.

Staff recommends that the request to rezone this property from Public District to Medium Density Residential District be approved contingent upon the Comprehensive Plan amendment being approved.

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