

STAFF REPORT  
February 24, 2005

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**No. 05RZ007 - Rezoning from Public District to Low Density Residential District**      **ITEM 33**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Bailey Associates, Inc.
REQUEST	<b>No. 05RZ007 - Rezoning from Public District to Low Density Residential District</b>
EXISTING LEGAL DESCRIPTION	The SE1/2 SW1/4 SW1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20 acres
LOCATION	East of the eastern terminus of Commerce Road
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Public District
South:	Public District
East:	General Agriculture 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 Low 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 east of the eastern terminus of Commerce Road. The property is currently zoned Public District. The property located north, south and west of the subject property is currently zoned Public District. The property located east of the subject property is currently zoned General Agriculture. An application to amend the Comprehensive Plan to change the future land use designation from Park Forest to Planned Residential Development with a maximum density of three dwelling units per acre (05CA006), and an application for a Planned Development Designation (05PD007) have 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. Properties to the north have been developed into Medium Density residential uses. Due to the extreme change in topography on the northwestern edge of the property, it is appropriate to transition with a lower density residential zoning designation. The proposal to rezone the subject property to Low Density Residential District is generally consistent with the residential development in the area.

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

The Low Density Residential Zoning District is established for single-family residential development with low population densities. The properties located north, south and west are currently zoned Public District. The subject property is located in an area that has started to develop residentially so the request to change the zoning on the property from Public District to Low 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.*

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 Low 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 (05CA006) 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 Low Density Residential District be approved contingent upon the Comprehensive Plan amendment being approved.

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