

STAFF REPORT
October 8, 2009

No. 09RZ039 - Rezoning from Low Density Residential District to Public District **ITEM 13**

GENERAL INFORMATION:

APPLICANT	South Dakota Game Fish and Parks
AGENT	Ferber Engineering Co., Inc.
PROPERTY OWNER	South Dakota Game Fish and Parks
REQUEST	No. 09RZ039 - Rezoning from Low Density Residential District to Public District
EXISTING LEGAL DESCRIPTION	Lots 1-2 of Block 1 of Tract G, Lots 3-4 Block 1 of Tract G, Lots 5-6 & 9 of Block 1 of Tract G, the North 30 feet of West 100 feet of Lot 7 and East 124 feet of Lot 7-8, all of Meadowwood, the east half of the adjacent North 40th Street right-of-way and the south half of the adjacent Dean Lane right-of-way located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.79 acres
LOCATION	At the northeastern terminus of North 40th Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Mining and Earth Resources Extraction District
South:	Low Density Residential District
East:	General Commercial District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/11/2009
REVIEWED BY	Patsy Horton / Karley Halsted

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

GENERAL COMMENTS: The applicant has submitted a Rezoning application to change the zoning designation from Low Density Residential District to Public District. In addition, the applicant has submitted associated comprehensive plan applications (#09CA020,

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#09CA021, #09CA022, #09CA023 and #09CA024) and rezoning applications (#09RZ038, #09RZ040 and #09RZ041) to change the comprehensive plan and zoning designations to Public.

The property is located south of Dean Lane and east of North 40th Street approximately 660 feet west of Sturgis Road. The property will be a part of the proposed South Dakota Game, Fish and Parks Outdoor Campus West.

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 State of South Dakota has recently purchased the property. Rezoning the property from Low Density Residential District to Public District appears to be appropriate based on the recent acquisition of the property by the State of South Dakota. The applicant has submitted companion zoning applications to rezone the entire 33 acre site purchased by the State of South Dakota (#09RZ038, #09RZ040, #09RZ041).

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

Land located north is zoned Mining and Earth Resources Extraction District. Land located west and south is zoned Low Density Residential District. Land east is zoned General Commercial District. The proposed amendment to change the zoning from Low Density Residential District to Public District will allow the public uses of the larger site to provide a transition between the residential uses adjacent to the property along the north, south and west and the mining and commercial uses east of Sturgis Road.

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.*

Staff has not identified any significant effects this amendment may have on any of the surrounding land uses or on public infrastructure.

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 property as appropriate for general commercial land use(s) on the property. A Comprehensive Plan Amendment to change the land use from Low Density Residential land use(s) to Public land use(s) has been submitted in conjunction with this rezoning request (#09CA021). Upon approval of the Comprehensive Plan Amendment, rezoning the subject property from Low Density Residential District to Public District appears to be appropriate.

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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 October 8, 2009, Planning Commission meeting if these requirements have not been met. Staff has received one inquiry regarding this request.

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