

STAFF REPORT
October 8, 2009

No. 09RZ041 - Rezoning from Low Density Residential District to Public District **ITEM 18**

GENERAL INFORMATION:

APPLICANT	South Dakota Game Fish and Parks
AGENT	Ferber Engineering Co., Inc.
PROPERTY OWNER	South Dakota Game Fish and Parks
REQUEST	No. 09RZ041 - Rezoning from Low Density Residential District to Public District
EXISTING LEGAL DESCRIPTION	<p>A parcel of land located in SW¼ NW¼, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described by metes and bounds commencing at the northwest corner of Lot 2 of GFP Subdivision, a found 5/8" rebar with cap marked "FMG Inc. LS SD 6119", the true point of beginning, with SD State Plane Coordinates, South Zone, NAD83, N-654,463.48, E-1,191,278.17; thence S87°51'26"E at a distance of 258.44 feet to the northeast corner of said Lot 2 of GFP Subdivision; thence S34°43'35"E at a distance of 50.02 feet to the center of the North 44th Street right-of-way; thence along an arc of curve to the right having a radius of 549.84 feet, a length of 354.69 feet and a chord direction of N73°44'46"E to the point of tangency; thence S87°41'57"E at a distance of 171.79 feet to the intersection of the centers of North 44th Street and Meadowwood Drive rights-of-way; thence S02°06'11"W at a distance of 224.69 feet along the center of the Meadowwood Drive right-of-way to a point of deflection; thence S02°07'57"W at a distance of 454.27 feet along the center of the Meadowwood Drive right-of-way to a point of deflection; thence S01°28'49"W at a distance of 329.04 feet along the center of the Meadowwood Drive right-of-way to a point of deflection; thence N87°43'42"W at a distance of 16.35 feet to a found bolt; thence N88°29'57"W at a distance of 9.62 feet to a found rebar and cap marked "FMG Inc. LS SD 6119"; thence N87°57'50"W at a distance of 402.44 feet to a point of deflection; thence N02°06'56"E at a distance of 129.73 feet to a found 3/8" rebar; thence N02°20'47"E at a distance of 260.27 feet to a found 1" pipe; thence N87°55'23"W at a distance of 368.75 feet to a found rebar and cap marked "FMG Inc. LS SD 6119", which is the W1/4 of Section 33; thence N02°16'28"E at a</p>

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	distance of 549.71 feet to the true point of beginning
PARCEL ACREAGE	Approximately 14.92 acres
LOCATION	603 and 620 North 44th Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Mining and Earth Resource Extraction District - Low Density Residential 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, #09CA021, #09CA022, #09CA023 and #09CA024) and rezoning applications (#09RZ038, #09RZ039 and #09RZ040) to change the comprehensive plan and zoning designations to Public.

The property is located at the northern terminus of North 44th Street extending east along Knutson Lane. 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 and is proposing to locate the South Dakota Game, Fish and Parks Outdoor Campus West on site. Rezoning the property from Low Density Residential District to Public District appears to

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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, #09RZ039, #09RZ040).

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

Land located north, west and south is zoned Low Density Residential District. Land east is zoned Low Density Residential District and Mining and Earth Resource Extraction 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 located along and 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 subject 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 (#09CA024). Upon approval of the Comprehensive Plan Amendment, rezoning the subject property from Low 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 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 Comprehensive Plan.