

STAFF REPORT

November 22, 2000

RZN #00RZ045 - Rezoning from No Use District to Park Forest District

ITEM 6

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	RZN #00RZ045 - Rezoning from No Use District to Park Forest District
LEGAL DESCRIPTION	Lot 2R of Block 3 of Nielsen Subdivision, Section 18, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.73 Acres
LOCATION	6301 Tittle Springs Place
EXISTING ZONING	No Use District (City)
SURROUNDING ZONING	
North:	General Commercial District (County)
South:	Flood Hazard District/Park Forest District (City)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Dark Canyon Sanitary Sewer District
REPORT BY	Lisa Seaman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Park Forest District be approved.

GENERAL COMMENTS: This property is located at the entrance to Dark Canyon on the north side of Rapid Creek. A single family residence is located on the property which is served by a private well and the Dark Canyon Sanitary Sewer District. The north limit of the 100-year floodplain through this area is the south edge of Dark Canyon Road. This entire property is located north of Dark Canyon Road and outside the limits of the 100-year floodplain.

STAFF REVIEW: Staff has reviewed this request 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.*

STAFF REPORT

November 22, 2000

RZN #00RZ045 - Rezoning from No Use District to Park Forest District

ITEM 6

Lot 2R of Block 3 of Nielsen Subdivision, Section 18, T1N, R7E, BHM, Rapid City, SD was annexed in 1999. All lands annexed by the City shall, upon annexation, be placed in the No Use Zoning District. The No Use Zoning District is a temporary designation for the purpose of permitting investigation and study of the land uses in the area.

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

The intent of the Park Forest Zoning District is to provide for large lot residential development and public and private open space. The subject property is located in Dark Canyon. Since the 1972 flood, the City has been very reluctant to allow additional development in the Dark Canyon area. The minimum lot size in the Park Forest Zoning District is three acres and the subject property is 1.73 acres. By zoning the property Park Forest, further subdivision of the property would not be allowed. The current property owner concurs with the proposal to zone the property Park Forest to limit future subdivision of the property.

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 proposed amendment would not allow any additional residential development in the Dark Canyon area. The subject property is currently served by the Dark Canyon Sanitary Sewer District. The zoning of the property as Park Forest would create a legal nonconforming lot relative to the minimum required lot size. However, the Rapid City Municipal Code in Sections 17.50.250c4 and 17.52.065 allows for residential uses on small lots under certain conditions. This zoning map amendment should not preclude any future additions or residential use of the property. The proposed zoning map amendment will not adversely impact the immediate area or the City as a whole.

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 Future Land Use Committee has not completed a neighborhood plan for this area at this time. However, the Future Land Use Committee discussed this property on October 27, 2000 and concurred with a future land use density designation of 1 dwelling unit per 3 acres, similar to the density requirements of Park Forest Zoning District. The Rapid City Area 2000 Plan identifies this area for limited agriculture, general agriculture, and forest uses. The plan states that "These areas, for the reason of terrain, suitability for agriculture, or distance from logical and necessary public services are proposed to remain in an undeveloped state or in a state of low density development." A copy of the May 11, 1990 Dark Canyon Study is also included with this Staff Report. It reviews the numerous concerns related to additional residential development in the Dark Canyon Area. Staff finds the Park Forest Zoning District is consistent with the Rapid City Comprehensive Plan. The

STAFF REPORT

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ITEM 6

property owner as well as the City agree that further subdivision of this area should be discouraged therefore, the City is recommending that the property be rezoned to Park Forest District

Staff has mailed certified letters to notify property owners within 150 feet of the proposed rezoning. As of this writing, staff has not received any objections or inquiries regarding this request.

Staff has reviewed this request with respect to the criteria established for Zoning Map Amendments and is recommending approval based upon compliance with the stated criteria.