

STAFF REPORT

May 9, 2002

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**No. 02RZ018 - Rezoning from Low Density Residential District to Medium Density Residential District**

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**ITEM 19**

GENERAL INFORMATION:

PETITIONER	Harold L. Bies for Kathleen Morris
REQUEST	<b>No. 02RZ018 - Rezoning from Low Density Residential District to Medium Density Residential District</b>
EXISTING LEGAL DESCRIPTION	Blocks 13 and 14, Mahoney Addition, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .95 acres
LOCATION	Southwest corner of Lindbergh Avenue and Wood Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	03/11/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from Low Density Residential District to Medium Density Residential District be approved in conjunction with an Amendment to the Comprehensive Plan to change the land use designation from Low Density Residential use to Medium Density Residential use.

GENERAL COMMENTS: **This item was continued at the April 25, 2002 Planning Commission Meeting as the green cards had not been returned. This Staff Report has been revised as of April 25, 2002. New or revised text is shown in bold print.**

The property is located southwest of the intersection of Lindbergh Street and Wood Avenue. The land is located in a Low Density Residential Zoning District. The land north and south of the subject property is located in a Low Density Residential Zoning District. Land east of the subject property is located in a Medium Density Residential Zoning District and land

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west of the subject property is located in a General Commercial Zoning District. The applicant has submitted a Comprehensive Plan Amendment in conjunction with this rezone request to change the land use for this property from Low Density Residential to Medium Density Residential. The Comprehensive Plan Amendment was approved by the Planning Commission on April 25, 2002.

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 subject property is undeveloped and located adjacent to General Commercial property on Haines Avenue. Medium Density Residential property is located east of the subject property. Low Density Residential property is located north and south of the subject property. Commercial development is increasing along Haines Avenue and a buffer between the commercial properties and single family residential homes is appropriate. Rezoning this property from Low Density Residential to Medium Density Residential will be an appropriate transition from the adjacent commercial land uses to the west and residential land uses to the east.

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

The subject property is adjacent to property on Haines Avenue which is located in the General Commercial District. Rezoning this property to Medium Density Residential is an appropriate zoning district adjacent to the General Commercial property and is consistent with the intent and purposes of this ordinance.

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.*

This property is in the Haines Avenue Drainage Basin and as such will have to comply with Rapid City Municipal Code Chapter 15.32 Flood Area Construction Regulations. The amendment should not have a significant affect 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 Northeast Neighborhood Future Land Use Plan for this area shows the subject property as appropriate for Low Density Residential land uses. An amendment to the Comprehensive Plan to change the designation from Low Density Residential land use to Medium Density Residential land use was submitted in conjunction with this rezoning

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request. The Future Land Use Committee met and recommended that the land use designation for the property be changed from Low Density Residential land use to Medium Density Residential land use.

The required rezoning sign has been posted on the property. The receipts from the certified mailing have been returned. **The green cards have been returned. Staff has received four calls regarding this request. There is some concern regarding the possibility of additional multi-family housing units being constructed in the area. The applicant has indicated that he would like to build two four-plex housing units on the site. The majority of the concerns were related to drainage and the ability to know how the drainage will affect the area once building permits are issued. The applicant will have to comply with all the Rapid City Municipal Code Chapter 15.32 Flood Area Construction Regulations as the property is located in the Haines Avenue Drainage Basin and in the 100 Year Federally Designated Floodplain.**