

STAFF REPORT

August 22, 2002

No. 02RZ042 - Rezoning from No Use District to Low Density Residential District **ITEM 32**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 02RZ042 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	A parcel of land located in the previously unplatted portion of the NW1/4 of the SW1/4 of Section 3. T1N, R8E, BHM, Pennington County, South Dakota; described by metes and bounds as commencing at the 1/4 corner common to Sections 3 and 4, T1N, R8E, BHM; thence South 29°16'15" East a distance of 1027.78 feet to the True Point of Beginning; continuing at the Point of Beginning; thence South 00°05'41" West a distance of 423.45 feet; thence South 89°42'42" East a distance of 362.69 feet; thence North 00°12'42" East a distance of 502.37 feet; thence South 84°02'11" West a distance of 299.00 feet; thence South 55°17'40" West a distance of 80.84 feet; to the Point of Beginning
PARCEL ACREAGE	Approximately 3.99 acres
LOCATION	The cul-de-sacs at the west end Sweetbriar Street and Avenue A
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Low Density Residential District w/Planned Residential Development (City)
PUBLIC UTILITIES	Rapid Valley Sanitary Sewer and Water
DATE OF APPLICATION	07/26/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to Low Density Residential District

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be approved in conjunction with the associated annexation request.

GENERAL COMMENTS: This rezoning request has been submitted to rezone a 3.99 acre tract from No Use District to Low Density Residential Zoning District. This request is the companion item to an associated Preliminary and Final Plat (file #02PL083), an Annexation request (file #02AN007) and a Subdivision Regulations Variance request (file #02SV036). The applicant is proposing to subdivide the subject property into 13 single family residential lots and one outlot. The property is located at the western terminus of Sweetbriar Street and Avenue A within Rapid Valley. The proposed lots range in size from 0.18 acres to 0.29 acres.

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 believes that this rezoning request is reflective of changing conditions. The entire City, and the Rapid Valley area have experienced significant growth in recent years. This growth has generated the need for additional residentially-zoned areas. The property is surrounded on the west, south and east by property that has been subdivided and zoned for single family residential development.

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

The purpose of the Low Density Residential Zoning District is "... to provide for single-family residential development with low population densities." As mentioned previously, the applicant has submitted a Preliminary and Final Plat request for the development of 13 single family residential lots on the subject property. Staff believes that the proposed zoning is consistent with the intent and purposes of the Low Density Residential Zoning District.

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 is not aware of any adverse affects that will result from the proposed rezoning. The adjacent property surrounding the subject property is already zoned for single family residential development. Due to the predominance of existing residential land uses and zoning already in this area, Staff does not believe there will be any significant adverse impacts upon the neighborhood or City in general as a result of this Zoning.

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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.

Staff believes the proposed rezoning request is consistent with these adopted plans. The Elk Vale Neighborhood Area Future Land Use Plan identifies this area as being appropriate for Public use with an alternative land use of Low Density Residential identified.

The associated annexation request proposes to annex a larger area than the applicant has identified in this rezoning request. The remaining property not identified in this rezoning request will remain in the No Use Zoning District until such time as the property owner requests that the property be rezoned or the City Council investigates and takes action to rezone the property. Section 17.26.020 of the Rapid City Municipal Code requires that action rezoning the property shall be taken within 120 days of the effective date of the annexation of a property and that in no event shall newly annexed property be retained in the "No Use" status for more than one year from the effective date of the annexation.

A sign noting that a rezoning hearing is pending has been posted on the lot. Staff has not received any inquiries regarding this proposed rezoning.