STAFF REPORT

September 26, 2002

No. 02RZ051 - Rezoning from No Use District to Low Density   ITEM 51 Residential District

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	**No. 02RZ051 - Rezoning from No Use District to Low Density Residential District**
EXISTING LEGAL DESCRIPTION	The north 870 feet of the SW1/4 SE1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota.
PARCEL ACREAGE	Approximately 26.4 acres
LOCATION	East of Elk Vale Road and north of Degeest Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	No Use District
East:	Limited Agriculture District (County)
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/02/2002
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the rezoning from No Use Zoning District to Low Density Residential Zoning District be approved in conjunction with a Planned Development Designation.

GENERAL COMMENTS: This property is located east of Elk Vale Road and north of Degeest Street. The property was annexed into the City of Rapid City effective May 15, 2002, and is currently in a No Use Zoning District. The No Use Zoning District is a temporary zoning designation utilized when property is annexed into the City of Rapid City, pursuant to the provisions of Section 17.26.020 of the Rapid City Municipal Code. The purpose of this application is to complete that process.

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:

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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 was annexed into the City on May 15, 2002. All annexed lands are temporarily placed in the No Use Zoning District. The recent annexation of the property constitutes the changing condition requiring rezoning of the property.

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

   The property located to the north, east, and west of the subject property is zoned Limited Agriculture District by Pennington County. The property to the south of the subject property is zoned No Use District. The Elk Vale Neighborhood Future Land Use Plan identifies the subject property as appropriate for Low Density Residential land uses with a maximum density of 1.5 dwelling units per acre and with a Planned Development Designation. Designating the property as Low Density Residential Zoning District appears to be consistent with the Elk Vale Neighborhood Land Use Plan and the appropriate zoning district for the property. The designation of this area as a Planned Development Designation will insure that the density aspects of the Future Land Use Plan are addressed.

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 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 Elk Vale Neighborhood Future Land Use Plan for this area identifies the subject property as appropriate for Low Density Residential land use(s) with a maximum density of 1.5 dwelling units per acres and with a Planned Development Designation.

   Staff has mailed certified letters to notify surrounding property owners of the proposed rezoning and has posted the required sign on this property. As of this date, staff has received no comments or objections regarding this request.