

STAFF REPORT

September 25, 2003

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**No. 03RZ031 - Rezoning from Low Density Residential District to Low Density Residential II District**      **ITEM 43**

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GENERAL INFORMATION:

PETITIONER	Walgar Development
REQUEST	<b>No. 03RZ031 - Rezoning from Low Density Residential District to Low Density Residential II District</b>
EXISTING LEGAL DESCRIPTION	Lot 19, Block 2, Robbinsdale No. 9; Lot 26, Block 13, Robbinsdale No. 8; Lot 42, Block 11, Robbinsdale No. 8; all located in Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .823 acres
LOCATION	Along Sitka Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Public District
East:	Medium Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	08/27/2003
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District to Low Density Residential II be denied.

GENERAL COMMENTS: The applicant is proposing to rezone three parcels near the corner of Hemlock Street and Sitka Street from Low Density Residential District to Low Density Residential II District. These three parcels range in size from .26 acres to .29 acres.

The property to the north and the east is zoned Medium Density Residential. The property to the south and west is zoned Low Density Residential.

Currently, to the north and west, are single family homes at the site. To the south of the two northernmost properties are single family homes, and the land south of the southern most

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lot is undeveloped. The land to the east of the properties is currently being used as a mobile home park.

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 current zoning is Low Density Residential. There have been no substantial changes or changing conditions which would support the rezoning of this property.

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

The intent of the zoning ordinance is to reduce potential negative impacts between land uses and stabilize property values within neighborhoods. The proposed rezoning to Low Density Residential II will increase the traffic impacts, noise impacts, and all other impacts associated with higher densities. This rezoning does not appear to be consistent with the purposes of the ordinance considering for the most part these lots are surrounded by single family dwelling units.

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 double the residential densities increasing the vehicular traffic experienced in that area. Due to the location of the area proposed for rezoning all of the traffic must travel through developed single family residential neighborhoods. With the increase of additional vehicles, additional noise and congestion will negatively impacting the existing neighborhood.

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 Map South Robbinsdale Neighborhood Plan adopted in 1999 has these parcels of land designated as Low Density Residential. The Future Land Use Map is a subsection of the Comprehensive Plan which coordinates all aspects of the city, as well as the City's growth patterns. The zoning ordinance is the tool that allows the objectives of the Comprehensive Plan to be completed. The approval of this rezoning request does not appear to be in compliance with intent and purposes of the Comprehensive Plan's South Robbinsdale Neighborhood Plan. The additional densities allowed by the Low Density Residential II zoning district would potentially allow higher densities creating additional stress on the infrastructure in the area, the drainage system, and the traffic systems in the

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area. The applicant has submitted a corresponding Comprehensive Plan Amendment to change the Future Land Use designation to Low Density Residential II, as well. (03CA019)

The required rezoning sign has not been posted on the property at the time of this writing. As of this writing, the receipts from the certified mailing have not yet been returned. Staff will notify the Planning Commission on September 25, 2003 if the receipts are not received by then. Staff has not received any written comments or verbal questions concerning the proposed rezoning at the time of this writing.

Based on conformance with the criteria for the review of zoning map amendments, Staff recommends that the request to rezone this property from the Office Commercial Zoning District to the Medium Density Residential Zoning District be denied.