

STAFF REPORT

September 25, 2003

**No. 03RZ032 - Rezoning from Low Density Residential II District to
Medium Density Residential District**

ITEM 45

GENERAL INFORMATION:

PETITIONER	Walgar Development
REQUEST	No. 03RZ032 - Rezoning from Low Density Residential II District to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	Lot 16, Block 28, Robbinsdale No. 10, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.21 acres
LOCATION	Northeast corner of Alta Vista Drive and Anamaria Drive
EXISTING ZONING	Low Density Residential II District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Medium Density Residential District w/Planned Residential Development
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 II District to Medium Density Residential District be continued to the October 23, 2003 Planning Commission meeting to allow the rezoning request to be considered in conjunction with an application for a Planned Development Designation.

GENERAL COMMENTS:

The applicant is proposing to rezone a .21 acre property from Low Density Residential II Zoning District to Medium Density Residential Zoning District. The South Robbinsdale Neighborhood Area Future Land Use Map as adopted March 18, 1999 designates this property as appropriate for low density residential land uses. The applicant has applied for a corresponding Comprehensive Plan Amendment (03CA020) to change the Future Land Use Designation from low density residential to medium density residential. The property is located on the northeast corner of Anna Maria Drive and Alta Vista Drive.

STAFF REPORT

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No. 03RZ032 - Rezoning from Low Density Residential II District to Medium Density Residential District **ITEM 45**

The property to the north is zoned Low Density Residential with the property to the east being zoned Medium Density Residential with a Planned Residential Development. The property to the south is zoned Low Density Residential, and the property to the west is zoned Low Density Residential.

The existing land use to the north is a vacant lot, and the existing land use to the east is a retirement development developed by West Hills Village. The existing land uses to the south are single family homes, and the existing land uses to the west are single family homes. However, the lot immediately to the west is vacant.

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 II. A Comprehensive Plan Amendment to change the future land use designation from Low Density Residential II to Medium Density Residential with a Planned Residential Development was approved for the area to the east earlier this year. This request was approved at December 2, 2002 Planning Commission meeting. That change was made to accommodate town homes for an elderly housing development. In addition, a Comprehensive Plan Amendment to change the future land use designation from Low Density Residential to Office Commercial for a parcel to the northeast was approved July 7, 2001. The land use designation changes are the changing conditions that justify consideration of this amendment.

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

Rezoning the property to medium density residential appears to be appropriate for this location; however, staff has concerns over the potential density and intensity of use and the potential impacts on the existing single family residential neighborhood adjacent site. In order to address these issues prior to the issuance of a building permit, staff is recommending the rezoning request be continued to allow the applicant time to submit an application for a Planned Development Designation at the site. This will allow the Planning Commission, to insure that the intensity of development is appropriate for this site. This designation will also allow public input to insure that possible impacts of the higher density of development are mitigated. The Planning Development process addresses concerns over intensity and density of use, as well as, soil stability, geotechnical information, drainage information, and traffic circulation at the site prior to approval of the use.

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 REPORT

September 25, 2003

No. 03RZ032 - Rezoning from Low Density Residential II District to Medium Density Residential District

ITEM 45

The proposed residential land use appears to be appropriate and consistent with the surrounding land uses; however, staff is recommending a Planned Development Designation be placed upon the site. If developed in a manner that is compatible with the surrounding land uses, there does not appear to be any significant adverse effects resulting from this rezoning. The Planned Development Designation will ensure the development is consistent with the surrounding land uses. The proposed rezoning would serve as a transition zone between the Office Commercial Zoning District on the east side of the property and the Low Density Residential Zoning District on the west side of Alta Vista Drive.

- 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 South Robbinsdale Neighborhood Area Future Land Use Map designates the property as appropriate for low density residential land uses. A comprehensive plan amendment is currently being reviewed. If the Comprehensive Plan amendment is approved, the proposed use will be consistent with the adopted plan.

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 approved.