

STAFF REPORT

October 23, 2003

No. 03RZ041 - Rezoning from No Use District to Low Density Residential District **ITEM 26**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 03RZ041 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	A previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Beginning at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26; this being the TRUE POINT OF BEGINNING; thence S02°00'56"W 1325.99 feet; thence N87°48'27"W 680.57 feet; thence N01°18'09"E 1307.89 feet; thence S89°18'29"E 697.03 feet to the Point of Beginning; said parcel containing 20.82 acres more or less
PARCEL ACREAGE	Approximately 20.82 acres
LOCATION	South of Catron Boulevard and east of U.S. Highway 16
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	Low Density Residential District w/Planned Residential Development
East:	Limited Agriculture District (County)
West:	No Use District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/12/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Low Density Residential District be approved in conjunction with a Planned Development Designation and the related Amendment to the Comprehensive Plan.

GENERAL COMMENTS: This property is located south of Catron Boulevard and east of U.S. Highway 16. The subject property is currently in a No Use Zoning District. Property located

STAFF REPORT

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south of the subject property is zoned Low Density Residential District with a Planned Development Designation. Property located east of the subject property is zoned Limited Agriculture District by Pennington County. The properties located north and west of the subject property are zoned No Use District. The South Robbinsdale Neighborhood Area Future Land Use Plan indicates the land use on the subject property is appropriate for Planned Residential Development with a Maximum Density of one dwelling unit per acre. The land use for the property located south and west of the subject property is Planned Residential Development with a Maximum Density of one dwelling unit per acre. The land use for the property located north of the subject property is Planned Residential Development with a Maximum Density of one dwelling unit per acre and Planned Unit Development.

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.*

Annexation of the subject property was completed in 1998. All annexed lands are temporarily placed in the No Use Zoning District. The 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 properties located to the north and west of the subject property are zoned No Use District. The property located to the south of the subject property is zoned Low Density Residential District with a Planned Development Designation. The property located to the east of the subject property is zoned Limited Agriculture by Pennington County. The applicant met with the Future Land Use Committee to discuss changing the land use from Planned Residential Development with a maximum of one dwelling unit per acre to Planned Residential Development with a maximum of 2.5 dwelling units per acre and the Rezoning of the subject property from No Use District to Low Density Residential District with a Planned Development Designation. The Future Land Use Committee noted that Low Density Residential District with a Planned Development Designation was appropriate for the subject property which was located adjacent to residential land use(s) to the north, east and south. The Future Land Use Committee recommended the requested changes in land use and rezoning of the subject property. An application for a Planned Development Designation (03PD049) has been submitted in conjunction with this Rezoning from No Use District to Low Density Residential 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.*

The amendment should not have a significant affect on any of the surrounding land

STAFF REPORT

October 23, 2003

No. 03RZ041 - Rezoning from No Use District to Low Density Residential District **ITEM 26**

uses or on public infrastructure. As noted above, the land use is compatible with the surrounding land uses to the north, east and south.

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 Land Use Plan for this area currently identifies the subject property as appropriate for Planned Residential Development with a maximum of one dwelling unit per acre land use(s). An Amendment to the Comprehensive Plan to change the land use designation from Planned Residential Development with a maximum of one dwelling unit per acre to Planned Residential Development with a maximum of 2.5 dwelling units per acre with a Planned Residential Development (03CA033) has been submitted in conjunction with this rezoning request. With the approval of the Amendment to the Comprehensive Plan, the rezoning the subject property from No Use District to Low Density Residential District in conjunction with a Planned Development Designation appears to be appropriate.

As of this writing, the sign has been posted on the property, and the receipts from the certified mailing have been returned. Staff has received three inquiries regarding this request.