

STAFF REPORT  
January 27, 2005

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**No. 04RZ065 - Rezoning from No Use District to Low Density Residential District**      **ITEM 42**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 04RZ065 - Rezoning from No Use District to Low Density Residential District</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in the NE1/4 SW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: beginning at a point on the center quarter corner of Section 3, T1N, R8E, BHM, being the Point of beginning S00°16'47"E 34.02 feet; thence S00°09'17"E 87.56 feet; thence S00°08'51"E 180.13 feet; thence N68°17'52"W 743.68 feet; thence S89°56'03"W 111.76 feet; thence N00°09'17"W 26.01 feet; thence N89°56'03"E 802.06 feet; to the Point of Beginning; containing 2.67 acres more or less
PARCEL ACREAGE	Approximately 2.67 acres
LOCATION	South of Homestead Street between Degeest Street and Aurora Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Suburban Residential District (Pennington County)
East:	Low Density Residential District (Planned Residential Development)
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/30/2004
REVIEWED BY	Todd Tucker / David L. Johnson

RECOMMENDATION:

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

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GENERAL COMMENTS: The subject property is located south of Homestead Street between Degeest Drive and Aurora Drive. The subject property was annexed into the City of Rapid City in 2004. The property was not rezoned at the time of annexation and is currently zoned No Use District. The property located to the west of the subject property is located in Pennington County and is currently zoned Suburban Residential. The property located to the north is zoned Medium Density Residential with a Planned Residential Development. The adjacent property to the east is zoned Low Density Residential. The property to the south of the subject property is currently zoned No Use District. The applicant is requesting that the subject property be rezoned from No Use District to Low Density Residential District. The applicant has also requested a Planned Residential Development – Initial and Final Development Plan (04PD083) be placed on the subject property.

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.*

As previously indicated the subject property was annexed into the City of Rapid City in 2004. The subject property is currently void of any structural development. The property is located in an established area with numerous residentially zoned properties. As it now is located within the corporate limits of the City of Rapid City, it can be served by City water and sewer service. Annexation of the property and provision of water and sewer service constitute the changing condition necessitating the rezoning of the property.

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

Low Density Residential Zoning Districts are intended to be used for single-family residential development with low population densities. This area of the City, east of Elk Vale Road along Homestead Street is an area of increasing residential development. The adjacent properties located to the north, east and west of the subject property are currently zoned for residential development. Due to the existing zoning of the adjacent properties, rezoning the subject property would appear to be consistent with the intent and purposes of this ordinance.

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 subject property is located adjacent to a Low Density Residential Zoning District on the east and a Medium Density Residential Zoning District on the north. Staff is unaware of any significant adverse effects that would result from this amendment.

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.*

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The Comprehensive Plan identifies the subject property as appropriate for a Low Density Residential Zoning District. As such, the proposed amendment will be consistent with the Development Plan of Rapid City including the Elk Vale Neighborhood Area Future Land Use Plan.

Staff recommends that the Rezoning request be approved.