

STAFF REPORT
January 4, 2007

No. 06RZ064 - Rezoning from No Use District to Medium Density Residential District **ITEM 28**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06RZ064 - Rezoning from No Use District to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	All of the western most 33 feet of section line right-of-way extending south beginning 1,039.08 feet of the northwest corner of Section 15 extending 190.92 feet more or less south from that point, all located in the NW1/4 of the NW1/4 of Section 15, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Less than One Acre
LOCATION	Jolly Lane south of East S.D. Highway 44
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential II District
South:	Medium Density Residential District
East:	General Agriculture District (Pennington County)
West:	Medium Density Residential District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	10/27/2006
REVIEWED BY	Rodney Proffitt / Todd Peckosh

RECOMMENDATION:

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

GENERAL COMMENTS:

This property is the location of Jolly Lane, which is section line highway located south of East S.D. Highway 44. It contains less than one acre. The property was annexed into the City of Rapid City effective December 3, 2004 (04AN012) at the request of Pennington County. Land located north of the subject property is zoned Low Density Residential II District. Property located east of the subject property is not in the corporate limits of the City and is zoned General Agriculture District. Property to the west and south is zoned Medium Density Residential District. Applications to rezone other segments of this same roadway are pending in

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conjunction with this application (06RZ052, 06RZ063 and 06RZ048).

This request will change the present zoning from No Use District to Medium Density Residential District.

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 subject property was annexed into the City on December 3, 2004. Upon annexation, the property was designated as "No Use" District. The annexation of this property constitutes the changing condition that necessitates a change of zoning from No Use District to Medium Density Residential District.

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

The Medium Density Residential Zoning District is intended to provide for medium to high population density. The subject property is located in an area with active new residential development. The subject property is located adjacent to a Medium Density Zoning Residential District and a Low Density Residential II Zoning District and will serve these areas. Water and sewer are available and will be extended as development occurs.

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.*

Jolly Lane is an existing roadway recognized in the Long Range Transportation Plan as a collector street. The subject property is located adjacent to a Medium Density Zoning Residential District and a Low Density Residential II Zoning District. It is important for cities to classify areas of the city as appropriate for residential use. Staff has not identified any significant adverse effects that would result by rezoning the subject property from No Use District to Medium Density Residential District.

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 Comprehensive Long Range Land Use Plan identifies this area as appropriate for residential land uses. Jolly Lane is an existing roadway recognized in the Long Range Transportation Plan as a collector street and provides access to East S.D. Highway 44. Rezoning the subject property from No Use District to Medium Density Residential District appears to be appropriate.

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The required sign was posted on the property on December 13, 2006. The green card receipts from the certified mailing have not been returned as of this writing. Staff will notify the Planning Commission at its meeting on January 4, 2007 if the receipts have not been returned prior to the meeting.

Staff recommends this application to rezone the subject property from No Use District to Medium Density Residential District be approved.