

STAFF REPORT
May 10, 2007

No. 07RZ035 - Rezoning from No Use District to Medium Density Residential District **ITEM 31**

GENERAL INFORMATION:

| | |
|----------------------------|---|
| PETITIONER | City of Rapid City |
| REQUEST | No. 07RZ035 - Rezoning from No Use District to Medium Density Residential District |
| EXISTING LEGAL DESCRIPTION | That portion of the east 33 feet of the S1/2 SE1/4 SE1/4, Section 14, T2N, R7E; the south 33 feet of the S1/2 SW1/4 SW1/4 of Section 13, T2N, R7E; and the west 33 feet of the S1/2 SW1/4 SW1/4, Section 13, T2N, R7E; and the east 918.40 feet of the north 33 feet of the NW1/4 NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 2.698 acres |
| LOCATION | At the western terminus of Country Road West |
| EXISTING ZONING | No Use District |
| SURROUNDING ZONING | |
| North: | Medium Density Residential District |
| South: | Low Density Residential District II |
| East: | Medium Density Residential District |
| West: | General Agriculture district (Pennington County) |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 4/13/2007 |
| REVIEWED BY | Travis Tegethoff / Mary Bosworth |

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to Medium Density Residential District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: The subject property is section line highway located just north of Tyler Knue Subdivision. The area includes 2.698 acres, and is presently undeveloped. The subject property was annexed into the City of Rapid City effective January 19, 2004 (03AN012). Property located west of this property is located outside the corporate limits of the City and is zoned General Agriculture District by Pennington County. Property located north and east of the subject property is zoned Medium Density Residential District. Property located south of the subject property is zoned Low Density Residential District II. There is also a request pending to change the Long Range Comprehensive Plan future land use designation from Park Forest to

STAFF REPORT
May 10, 2007

No. 07RZ035 - Rezoning from No Use District to Medium Density Residential District **ITEM 31**

Medium Density Residential District (07CA020).

This request will change the present zoning of the property 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 January 19, 2004 (03AN012). Upon annexation, the property was designated as a No Use Zoning District. The property is located just north of Tyler Knue Subdivision. The annexation of this property and the development of adjacent land constitutes the changing conditions 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 District is a residential district for medium to high population density. The principal uses of land may range from single-family to multiple-family apartment uses. The subject property is located in an area with active new residential development. The subject property is located adjacent to a Medium Density Residential District. As development occurs, this section line highway will become street access for the area and water and sewer facilities will be extended to this area. The proposed zoning appears to be consistent with the intent and purposes of the Zoning 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.*

Development issues, including drainage, traffic, landscape buffers, and any other issues, will be addressed at the time development occurs. Staff has not identified any significant adverse affects 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 Long Range Comprehensive Plan identifies this area as appropriate for park forest land uses, but an application to amend the Long Range Comprehensive Plan is pending (07CA020), which will make this area appropriate for residential land uses. Rezoning the subject property from No Use District to Medium Density Residential District appears to be appropriate.

STAFF REPORT
May 10, 2007

No. 07RZ035 - Rezoning from No Use District to Medium Density Residential District **ITEM 31**

The required sign was posted on the property on May 1, 2007 and the green card receipts from the certified mailing have been returned as of this writing. Staff has received no inquiries about this application as of this writing.