

STAFF REPORT
August 21, 2008

No. 08RZ029 - Rezoning from General Agriculture District to Low Density Residential District

ITEM 24

GENERAL INFORMATION:

APPLICANT	OTS Land Co., Inc.
AGENT	Boschee Engineering
PROPERTY OWNER	Paula Lewis
REQUEST	No. 08RZ029 - Rezoning from General Agriculture District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lot 9 of Block 2 of Catron Crossing Subdivision, located in the SW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.73 acres
LOCATION	5930 Bendt Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/25/2008
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with the associated Major Amendment to a Planned Residential Development.

GENERAL COMMENTS: The applicant has submitted a Rezoning request to change the zoning designation of the property from General Agriculture District to Low Density Residential District. In addition, the applicant has submitted a Major Amendment to a Planned Residential Development to expand the boundaries (#08PD034) so this property will be included in the adjacent Planned Residential Development.

The property is located at 5930 Bendt Drive, southeast of Catron Boulevard and Sheridan

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Lake Road. Currently, the property is void of any structural development.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is outlined below:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

The property is currently zoned General Agriculture District. The General Agriculture District has served as a holding zone until such time as the property is developed. The adjacent property is located within a Planned Residential Development. The applicant has submitted a Major Amendment to a Planned Residential Development (#08PD034) to expand the boundaries to include this property.

A Final Plat (#07PL137) for 51 lots located within the Planned Residential Development has been approved. In addition, a Minor Plat (#08PL158) for the additional lot that is proposed to be included in the Planned Residential Development has been approved.

The platting of the property into lots, the extension of public streets as well as the extension of municipal water and sanitary sewer services to the property has changed the existing conditions within the area. In addition, Catron Boulevard, a significant east-west arterial connection, is located approximately 1,000 feet north of the property and Bendt Drive, a collector street, is located adjacent to the property. This is an area of the community that will experience continued growth and development in the immediate and foreseeable future.

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

The purpose of the Low Density Residential District as stated in the Zoning Ordinance is to be used for single-family residential development with low population densities. The property is located south of an arterial street and adjacent to a residential area. Due to the existing zoning of the adjacent properties and the extension of City water and sewer services to the area proposed for rezoning, the rezoning 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 amendment.*

The property is located adjacent to a Low Density Residential Zoning District on the west. Water and sewer are located within Bendt Drive to serve this property. The applicant has submitted a Major Amendment to a Planned Residential Development to extend the boundaries to include this property. The additional review provided by an Initial and Final Planned Residential Development process will insure that any possible adverse impacts of development are adequately mitigated. Based on the provision of a Planned Development overlay, no significant adverse impacts that will result from the requested rezoning have been identified.

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4. *The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The Major Street Plan identifies Bendt Drive as a collector street. Allowing residential use(s) along a collector street is in compliance with the Major Street Plan. The U.S. Highway 16 Future Land Use Plan identifies the property as appropriate for a Planned Residential Development with a maximum of 4.8 dwelling units per acre. The proposed Low Density Residential Zoning District is consistent with the densities approved in the land use plan. If the Planning Commission approves the application to include this property in the adjacent Planned Residential Development, the amendment to rezone this property from General Agriculture District to Low Density Residential District will be in compliance with the approved U.S. Highway 16 Future Land Use Plan.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the August 21, 2008 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.