

STAFF REPORT
September 4, 2008

No. 08RZ030 - Rezoning from General Agriculture District to Low Density Residential District **ITEM 10**

GENERAL INFORMATION:

APPLICANT	Joe Muth for Doeck, L.L.C.
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Doeck, LLC
REQUEST	No. 08RZ030 - Rezoning from General Agriculture District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	A portion of the NE1/4 of the NE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 of Block 13 of Auburn Hills Subdivision, located in the NE1/4 NE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.33 acres
LOCATION	Northwest of the intersection of Bunker Drive and Alma Street
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential II District
West:	General Agriculture District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	8/8/2008
REVIEWED BY	Jared Ball / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with associated Comprehensive Plan Amendment.

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GENERAL COMMENTS: The property is located northwest of the intersection of Bunker Drive and Alma Street. The property is currently zoned General Agricultural District. The applicant is proposing to amend the zoning designation of the property from General Agricultural District to Low Density Residential District. The property to the north is currently zoned General Agricultural District. The property to south is currently zoned Low Density Residential District with a Planned Residential Development. The property to the east is currently zoned Low Density Residential II District, and the property to the west is currently zoned General Agricultural District. The property is currently undeveloped.

An associated Comprehensive Plan Amendment (#08CA28) to change the Future Land Use designation from Park Forest to Low Density Residential has been submitted in conjunction with this request.

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments established in Section 17.54.040 (D) (1). 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 applicant is requesting to change the zoning designation and Comprehensive Plan designation for the property. The continued growth and development in the area constitutes the changing condition that necessitates the proposed rezoning. Residential development is located adjacent south and east of the property. The proposal to rezone the property to Low Density Residential District is reflective of the adjacent residential development.

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

The Low Density Residential Zoning District is intended to be used for single family residential development with low population densities. The property is located adjacent to Low Density Residential District and Low Density Residential II District. The proposed zoning is consistent with the adjacent zoning designations and the intent of this ordinance. Rezoning the property from General Agricultural District to Low Density Residential District appears to be appropriate.

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 an existing Low Density Residential Zoning District and Low Density Residential II Zoning District. The proposed rezoning would provide an extension of the existing zoning. The development of Bunker Drive and the surrounding development has resulted in the extension of City water and sewer to this area. As such, the proposed amendment does not appear to have any significant adverse effect on the surrounding properties if adequate infrastructure is extended in conjunction with the development of the property. Staff is not aware of any significant adverse effects that would

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result from rezoning the property from General Agricultural District to Low Density Residential District.

- 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 Bunker Drive as a collector street. Allowing residential use(s) along a collector street is in compliance with the Major Street Plan. Upon approval of the associated Comprehensive Plan Amendment request, the rezoning of the property will be in compliance with the Long Range Future Land Use Plan.

The applicant should be aware, that section 17.50.250 of the Rapid City Municipal Code states that no dwelling shall be erected on a lot which does not abut on at least one street for at least 25 feet and Section 17.34.040 of the Rapid City Municipal Code states that the lot shall abut on a street for a distance of not less than 25 feet. As such, upon submittal of a Preliminary Plat application construction be submitted for review and approval providing frontage on a public street of not less than 25 feet.

Notification:

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries regarding the proposed request at the time of this writing.

Staff recommends that the Rezoning from General Agricultural District to Low Density Residential District be approved in conjunction with the associated Comprehensive Plan Amendment.