

STAFF REPORT

April 9, 2015

No. 15RZ006 - Rezoning from General Agricultural District to Park Forest District

ITEM 3

GENERAL INFORMATION:

APPLICANT	Larry and Mary Stevens
PROPERTY OWNER	Larry and Mary Stevens
REQUEST	No. 15RZ006 - Rezoning from General Agricultural District to Park Forest District
EXISTING LEGAL DESCRIPTION	The W1/2 of the SW1/4 of the NE1/4 of the NE1/4 less Lot H1 lying south of Lot H1 of Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.59 acres
LOCATION	4784 Enchanted Pines Drive
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	General Agricultural District
South:	General Agricultural District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid City water and private septic
DATE OF APPLICATION	March 4, 2015
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Rezoning from General Agricultural District to Park Forest District be approved.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the above legally described property from General Agricultural District to Park Forest District for a parcel of land approximately 3.66 acres in size.

The property is located on the south side on Enchanted Pines Drive approximately 1,130 feet west of the intersection of Enchanted Pines Drive and Stumer Road. Currently, a single-family dwelling is located on the property.

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STAFF REVIEW:

Staff has reviewed this proposed rezoning request 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 generally.*

The applicant has indicated that a Lot Line Adjustment Plat will be submitted in the future to transfer ownership of property on the north side of Enchanted Pines Drive. There is a minimum lot size of 20 acres for property zoned General Agricultural District with a dwelling unit. The property is approximately 3.66 acres in size and a single-family residence is located on the property. The proposed rezoning request is to allow the platting process to move forward without needing to obtain a Variance to lot size.

2. *The proposed amendments shall be consistent with the intent and purposes of this title.*

The Rapid City Municipal Code states that the Park Forest District is established to preserve areas for their natural beauty and open character. The principal land use is single-family dwellings on lots no less than three acres in size. The City's Future Land Use Plan identifies the property as a Low Density Neighborhood. The Park Forest District will ensure that a three acre lot size is maintained.

3. *The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from the amendment.*

The property is currently zoned General Agricultural District. The property is identified as suitable for Low Density Neighborhood on the City's Future Land Use Map. The applicant has indicated that the requested rezoning is to facilitate a Lot Line Adjustment Plat to transfer property located north of Enchanted Pines Road. The minimum lot size required in the General Agricultural District is 20 acres when a dwelling unit is located on the property whereas in the Park Forest District, the minimum required lot size is three acres. The proposed area to be rezoned is approximately 3.66 acres in size.

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 proposed Rezoning is not in conflict with the Major Street Plan. In 2014 the City acquired an H-lot for Enchanted Pines Drive adjacent to the subject property to allow for the construction of a public sewer main. Enchanted Pines Drive, as it abuts this property, is not constructed to City design standards. Public Works staff has indicated that the applicant is intending to connect to public sewer.

Summary: The applicant has indicated that the intent of the Rezoning request is to allow for a Lot Line Adjustment Plat to transfer property located on the north side of Enchanted

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Pines Drive. The property is approximately 3.66 acres in size which does not meet the minimum lot size requirement of 20 acres for property zoned General Agricultural District with a dwelling unit. In addition, the property is located in an area of the City with larger lot sizes and open views to the east due to higher elevations. The Park Forest District is intended for the above reasons. As such, staff recommends that the rezoning request be approved.

Notification: The mailings have been returned to Community Planning and Development Services for posting. As of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the April 9, 2015 Planning Commission meeting if this requirement has not been met.