

STAFF REPORT

November 7, 2002

No. 02RZ058 - Rezoning from No Use District to Low Density Residential District ITEM 28

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02RZ058 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	The east 948 feet of SE1/4 NW1/4 less Lot 1, Block 14, Big Sky Subdivision and less the eastern 38 feet of Degeest Street right-of-way adjacent to Lot 1, Block 14, Big Sky Subdivision, and the south 480 feet of the SW1/4 NE1/4, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 43.72 acres
LOCATION	East of Elk Vale Road and north of Degeest Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	Suburban Residential District (County)
East:	Limited Agriculture District (County)
West:	No Use District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/12/2002
REPORT BY	Karen Bulman

RECOMMENDATION: **The Future Land Use Committee** recommends that the rezoning from No Use Zoning District to Low Density Residential Zoning District be **approved for the following legal description: The east 948 feet less the south 480 feet of SE1/4 NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the east 167.6 feet of the south 480 feet of the SW1/4 of the NE1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota .**

GENERAL COMMENTS: This item was continued at the October 10, 2002 and October 24, 2002 Planning Commission meetings. New or revised text is shown in bold print. The property owner had requested to meet with the Future Land Use Committee regarding the rezoning of the subject property. The Committee met on October 25, 2002 and recommended approval of the revised legal description as Low Density

STAFF REPORT

November 7, 2002

No. 02RZ058 - Rezoning from No Use District to Low Density Residential District ITEM 28

Residential land use(s). This property is located east of Elk Vale Road and north of Degeest Street. The property was annexed into the City of Rapid City effective May 15, 2002, and is currently in a No Use Zoning District. The No Use Zoning District is a temporary zoning designation utilized when property is annexed into the City of Rapid City, pursuant to the provisions of Section 17.26.020 of the Rapid City Municipal Code. The purpose of this application is to complete that process.

STAFF REVIEW: The property owner met with the Future Land Use Committee on October 25, 2002, regarding the rezoning of property indicated on the Elk Vale Neighborhood Future Land Use Map as appropriate for Low Density Residential land use(s). As a result of that meeting, the Future Land Use Committee recommended that a portion of the property was appropriate for Medium Density Residential land use(s) with a Planned Development Designation. A subsequent application for Medium Density land use(s) with a Planned Development Designation for the specified portion of property will be forthcoming. The remaining subject property was recommended as appropriate for Low Density Residential land use(s) by the Future Land Use Committee. The Low Density Residential land use area is the possible future location of a church and the location of single family residential structures.

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 May 15, 2002. All annexed lands are temporarily placed in the No Use Zoning District. The recent annexation of the property constitutes the changing condition requiring rezoning of the property.

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

The property located to the north and west of the subject property is zoned No Use District. The property to the south of the subject property is zoned Suburban Residential District by Pennington County. The property to the east of the subject property is zoned No Use District and Limited Agriculture District by Pennington County. The Elk Vale Neighborhood Future Land Use Plan identifies the subject property as appropriate for Low Density Residential land uses. Designating the property as Low Density Residential Zoning District appears to be consistent with the Elk Vale Neighborhood Land Use Plan and the appropriate zoning district for the property.

STAFF REPORT

November 7, 2002

No. 02RZ058 - Rezoning from No Use District to Low Density Residential District **ITEM 28**

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.

The amendment would not appear to have a significant affect on any of the surrounding land uses or on public infrastructure.

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 Elk Vale Neighborhood Future Land Use Plan for this area identifies the subject property as appropriate for Low Density Residential land use(s).

Staff has mailed certified letters to notify surrounding property owners of the proposed rezoning and has posted the required sign on this property. As of this date, staff has received **two inquiries** regarding this request, **but no objections**.