

STAFF REPORT

April 26, 2001

No. 01RZ007 - Rezoning from Flood Hazard District to Low Density Residential District **ITEM 8**

GENERAL INFORMATION:

PETITIONER	City of Rapid City Fire Department
REQUEST	No. 01RZ007 - Rezoning from Flood Hazard District to Low Density Residential District
LEGAL DESCRIPTION	Lots A and B of Tract 3 of Rapid City Greenway Tracts, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.310 Acres
LOCATION	2902 Park Drive
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Flood Hazard District - Low Density Residential District
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Rezoning from Flood Hazard District to Low Density Residential District be approved.

GENERAL COMMENTS: The applicant is proposing to rezone the above legally described property from Flood Hazard District to Low Density Residential District. Currently, Rapid City Fire Station No. 5 is located on the property.

The applicant is proposing to construct two 10 foot X 12 foot storage sheds along the east side of the existing building. Future development may include the construction a 20 foot X 50 foot bay onto the east side of the fire station in order to locate an additional fire truck on the property. The applicant has indicated that the sheds will be removed from the property at the time the bay is constructed.

The fire station is not a permitted use in the Flood Hazard District and is currently an illegal structure and use on the property. A fire station is allowed as a Use on Review in the Low Density Residential District. In addition to the rezoning request, the applicant has submitted a Use On Review request. (See companion item # 01UR013.)

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STAFF REVIEW: Staff has reviewed this 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 is 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.*

This request is reflective of changing conditions. The subject property as well as the surrounding area was zoned Flood Hazard District in order to preclude development along Rapid Creek. The City's adopted floodplain development policy states that the Flood Hazard District shall match the boundaries of the 100 year hydraulic floodway. The 100 year floodway boundary is located significantly north of the subject property, closer to Rapid Creek. Properties to the south, east and west are currently zoned Low Density Residential District and have been developed with residential uses. The overall development of the surrounding properties results in a substantial change in the area supporting the request to rezone the subject property as identified.

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

The intent of the Low Density Residential Zoning District as stated in the Zoning Ordinance is to provide areas for single family residential development with low population densities. The proposed zoning is consistent with the surrounding zoning and development within the area.

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.*

Rezoning the property to Low Density Residential District should not impose any adverse affects upon the surrounding properties or any other part of the City. As previously indicated, a fire station is currently located on the property. The Low Density Residential District allows a fire station as a Use on Review. The additional review provided by a Use on Review will insure that any possible adverse impacts are adequately mitigated as a part of the development and/or redevelopment of the site. Typically fire stations are located in or near residential areas in order to minimize response time and to improve emergency service within the community.

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 1976 Rapid City Five Year Comprehensive Plan identified this area as residential. The location of this request is a continuation of the residential uses located within the area. Staff's review indicates that the proposed rezoning request is in general compliance with the criteria established for review.

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As of this writing, the required sign has not been posted on the property nor has the applicant returned the receipts from the certified mailing. Staff will notify the Planning Commission in the event these requirements are not met. Staff has received several calls of inquiry regarding this rezoning request. None of the callers objected to the proposed rezoning request.