

STAFF REPORT

May 10, 2001

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**No. 01RZ017 - Rezoning from No Use District to Medium Density Residential District**

**ITEM 17**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 01RZ017 - Rezoning from No Use District to Medium Density Residential District</b>
LEGAL DESCRIPTION	The NE1/4 SE1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 Acres
LOCATION	North of Mall Drive between North Haines Avenue and North Maple Avenue
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District (City)
South:	General Commercial District (City)
East:	General Agriculture District- Limited Agriculture District- General Commercial District (County)
West:	General Agriculture District (City)
PUBLIC UTILITIES	City sewer and water to be extended
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use Zoning District to Medium Density Residential Zoning District be approved in conjunction with a Planned Development Designation be approved.

GENERAL COMMENTS: At the owners request, on September 7, 1999, the City Council adopted a Resolution of Annexation to annex 150-acres into the City limits of Rapid City. This annexation is located north of Mall Drive between North Haines Avenue and North Maple Avenue. The area, including the subject property, was designated as a No Use Zoning District. This parcel and two companion parcels are proposed to be rezoned as Medium Density Residential and Low Density Residential Zoning Districts with accompanying Planned Development Designations. The proposed zoning for all the parcels is in compliance with the Northeast Area Neighborhood Land Use Plan, adopted by the City Council September 5, 2000.

The Staff is proposing to zone the subject property Medium Density Residential District with a Planned Development Designation. The property is located in an area currently used for agricultural purposes; however, the property is located adjacent to commercial land uses.

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The land south of this property is designated General Commercial Zoning District, the land west designated General Agricultural Zoning District, the land north is currently designated as a No Use Zoning District, and the land east is zoned General Agricultural by Pennington County.

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 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, was annexed in 1999. All lands annexed by the City are placed in the No Use Zoning District. The No Use Zoning District is a temporary designation for the purpose of permitting investigation and study of the land uses in the area.

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

The area surrounding this property is being used for a mixture of commercial and residential land uses. As such, requiring a Planned Development Designation is appropriate. The additional review provided by the Planned Residential Development process will insure that any possible adverse impacts of future development of the site will be adequately mitigated.

**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.**

Currently there is no water or sewer service in the area, although services exist within a reasonable distance. The water and sewer services on North Haines Street are located approximately 1,000 feet from the subject property and the services on Maple Avenue are approximately 500 feet from the subject property. This amendment should not negatively affect any of the surrounding land uses or public infrastructures. The Planned Development Designation will assure additional review to mitigate any significant impacts on adjacent property.

**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 Northeast Area Neighborhood Land Use Plan, adopted September 5, 2000, identifies this property as being appropriate for Medium Density Residential land uses with a Planned Development Designation. The proposal for the subject property complies with the Northeast Area Neighborhood Land Use Plan.

Staff has mailed certified letters to notify property owners within 150 feet of the proposed

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rezoning and the required sign has been posted on the property. As of this writing, staff has not received any objections or inquiries regarding this request.