

STAFF REPORT

August 9, 2001

No. 01RZ044 - Rezoning from No Use District to Low Density Residential District **ITEM 35**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 01RZ044 - Rezoning from No Use District to Low Density Residential District
LEGAL DESCRIPTION	Lot A of Lot 6 of Tract B of Braeburn Addition, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.24 acres
LOCATION	West of Chapel Valley, South of the Fish Hatchery and East of SD Highway 44
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	Low Density Residential District
West:	Flood Hazard District
PUBLIC UTILITIES	City sewer and water
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Low Density Residential District be approved.

GENERAL COMMENTS: This property was recently annexed into the City effective July 12, 2001. The subject property is located in Braeburn Addition, west of Chapel Valley, south of the Fish Hatchery, and east of SD Highway 44. The topography of this property is a very steep slope that drops down to Rapid Creek.

STAFF REVIEW: 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.**

Lot A of Lot 6 of Tract B of Braeburn Addition, Section 8, T1N, R7E, BHM, Pennington County, South Dakota was annexed into the City on July 12, 2001. All lands annexed

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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.

This property is located between Rapid Creek and residential property to the east. The zoning district located east of this property is Low Density Residential. The balance of this property is surrounded by land owned by Rapid City and is zoned Flood Hazard Zoning District. It would be consistent to rezone this property Low Density Residential District.

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 should not negatively affect any of the surrounding land uses or public infrastructures.

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 Comprehensive Plan for this area identifies this property as being appropriate for residential land uses.

Staff has posted the required sign on the property. As of this date, staff has received two calls and one written comment from the property owners to the east regarding this request.