

STAFF REPORT

June 5, 2003

No. 03RZ020 - Rezoning from No Use District to Low Density Residential District **ITEM 32**

GENERAL INFORMATION:

PETITIONER	Doeck LLC
REQUEST	No. 03RZ020 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	The SW1/4 NW1/4 and the NW1/4 SW1/4 of Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 80 acres
LOCATION	Northwest of Haines Avenue and Viking Drive
EXISTING ZONING	Limited Agriculture District/General Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	General Agriculture District (County)
East:	Medium Density Residential District
West:	General Agriculture District (County)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	05/08/2003
REPORT BY	Karen Bulman

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

GENERAL COMMENTS: This property is located northwest of Haines Avenue and Viking Drive. The approval of the related Petition of Annexation (03AN005) will place a No Use Zoning District designation on this property. The property owner plans to build residential structures on this property and has submitted a request to rezone the property from No Use District to Low Density Residential District.

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:

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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 is currently proposed to be annexed into the City. Upon annexation, the property will be placed in a No Use Zoning District. The property is currently undeveloped, but the property owner plans to build residential structures on the site. Therefore, the property owner is requesting to change the No Use Zoning District to Low Density Residential Zoning District.

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

The property located to the north, south and west of the subject property is zoned General Agriculture District by Pennington County. The property to the east is zoned Medium Density Residential District. The property is located northwest of several housing subdivisions, including Mall Ridge Subdivision. Haines Avenue is located on the east border of the property. The Comprehensive Plan identifies the subject property as appropriate for Low Density Residential land use(s). Rezoning this property as Low Density Residential District would appear to be consistent with the intent and purpose of this ordinance.

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 subject property is located adjacent to Medium Density Residential District to the east and General Agriculture District by Pennington County to the north, south and west. The proposed amendment would be appropriate as the subject property is located adjacent to the surrounding residential zoning districts. Haines Avenue is located adjacent to the property on the east and is identified as a Principal Arterial Road on the Major Street Plan for Rapid City addressing the increased traffic resulting from the additional housing. The amendment should not 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 Comprehensive Land Use Plan for this area identifies the subject property as appropriate for Low Density Residential land use(s) and the adjacent properties as appropriate for residential land use(s). The requested rezoning is consistent with the adopted Comprehensive Plan.

As of this writing, the sign has been posted on the property, but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 5, 2003 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request.

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No. 03RZ020 - Rezoning from No Use District to Low Density Residential District ITEM
