

STAFF REPORT

July 10, 2003

No. 03RZ024 - Rezoning from No Use District to Low Density Residential District **ITEM 26**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 03RZ024 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	The unplatted balance of the NW1/4 SE1/4 less Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.129 acres
LOCATION	North of South Pitch Drive and Elmer Street
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Medium Density Residential District w/Planned Development Designation
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	NA
DATE OF APPLICATION	06/13/2003
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 east of Elk Vale Road, west of Reservoir Road and north of South Pitch Drive. A voluntary annexation of the subject property (03AN008) is being proposed in conjunction with this rezoning request. The adjacent property located north of the subject property was annexed into the City on May 15, 2002. The undeveloped property is currently zoned No Use District and will be part of the continuation of the Big Sky Subdivision Phase VIII development.

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 applicant is requesting that this undeveloped property be rezoned from No Use District to Low Density Residential District following a voluntary annexation of the property into the City limits. Prior to annexation, the property was zoned Suburban Residential District by Pennington County. Currently the property is zoned No Use District. The property to the north is zoned Medium Density Residential District with a Planned Development Designation. The property to the south, east and west of the subject property is zoned Suburban Residential District by Pennington County.

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

As noted, the properties surrounding the subject property to the south, east and west are zoned Suburban Residential District by Pennington County. The property to the north is zoned Medium Density Residential District with a Planned Development Designation. The Elk Vale Neighborhood Area Future Land Use Plan identifies the subject property as appropriate for Low Density Residential land use(s). The applicant has identified the property for residential use and plans to extend the Big Sky Subdivision, Phase VIII development. Rezoning this property from No Use District to 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 Suburban Residential Zoning Districts in Pennington County on the south, east and west, and Medium Density Residential Zoning District with a Planned Development Designation on the north. The proposed amendment would be appropriate adjacent to the surrounding residential uses. 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 Elk Vale Neighborhood Area Future Land Use Plan identifies the subject property and the adjacent properties as appropriate for Low Density Residential land use(s). The location of this request is a continuation of existing and future residential land use(s) of the adjacent properties.

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 July 10, 2003 Planning Commission meeting if these requirements have not been met. Staff

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has received no inquiries or objections regarding this request.