

STAFF REPORT
September 9, 2004

No. 04RZ046 - Rezoning from Low Density Residential District to Low Density Residential - II District **ITEM 24**

GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for Jean T. Severson
REQUEST	No. 04RZ046 - Rezoning from Low Density Residential District to Low Density Residential - II District
EXISTING LEGAL DESCRIPTION	Lot 2 of Severson Subdivision, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot A and Lot B of Lot 2 of Severson Subdivision, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.64 acres
LOCATION	On the east side of Park Drive northeast of Southwest Middle School
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District/Planned Residential Development
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District/Planned Residential Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/13/2004
REVIEWED BY	Renee Catron-Blair / Curt Huus

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District to Low Density Residential - II District be approved.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the subject property from Low Density Residential District to Low Density Residential II District. In addition, the applicant has submitted a Layout Plat to subdivide one lot into two lots. (See companion item #04PL113.)

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The subject property is located in west Rapid City along the east side of Park Drive. Currently, there are no structures on the subject property.

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. 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.*

The property is currently void of any structural development but is located in a developing area. The recent development of property located to the north and west of the subject property, along Park Drive, has brought the extension of water and sewer to the area. The proximity of water and sewer constitutes a substantial change in the condition of the area and increases the potential development of the subject property as well as the surrounding area.

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

Low Density Residential II zoning is intended to allow a slightly higher population density but with basic restrictions similar to Low Density Residential District. In addition, the Low Density Residential District II will serve in conjunction with the Low Density Residential District/Planned Residential Development (townhomes) to the north and west of the subject property and the Low Density Residential District II will serve as a transitional area between the single family use located up the hill to the east of the subject property. The proposed zoning appears 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.*

Staff has not identified any significant adverse impacts that will result from the proposed rezoning. The additional review provided by the platting process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. As such, the proposed 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 applicant has submitted a Rezoning application. The City's Long Range Comprehensive Plan – 2000 shows residential use for this area which is an appropriate land use designation for Low Density Residential II.

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Legal Notification: The receipts from the certified mailings have been returned. Staff has received one objection regarding the proposed request at the time of this writing.

Staff is recommending that the rezoning request be approved in conjunction with the associated Comprehensive Plan Amendment request.