

STAFF REPORT
March 10, 2005

No. 05RZ018 - Rezoning from No Use District to Low Density Residential District **ITEM 37**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 05RZ018 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lot X of Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximatley 8.37 acres
LOCATION	South of Homestead Street between Degeest Street and Aurora Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential District w/PRD
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	NA
DATE OF APPLICATION	2/11/2005
REVIEWED BY	Karen Bulman / David L. Johnson

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

GENERAL COMMENTS: The subject property is located south of Homestead Street between Degeest Drive and Aurora Drive. The subject property was annexed into the City of Rapid City effective July 26, 2004. The property was not rezoned at the time of annexation and is currently zoned No Use District. The properties located to the east, west and south of the subject property are located in Pennington County and are currently zoned Suburban Residential. The property located to the north is zoned Low Density Residential with a Planned Residential Development. The subject property is currently being used as an open drainage area. An existing drainage easement is located on the property.

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 was annexed into the City of Rapid City in July 2004. All annexed lands are temporarily placed in the No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property. The subject property is currently void of any structural development and is currently used as an open drainage area. The property is located in an established area surrounded by numerous residentially zoned properties.

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

Low Density Residential Zoning Districts are intended to be used for single-family residential development with low populations densities. This area of the City, east of Elk Vale Road along Homestead Street is an area of increasing residential development. The adjacent properties located to the north, south, east and west of the subject property are currently zoned for residential development. Due to the existing zoning of the adjacent properties, rezoning the subject property would appear to be consistent with the intent and purposes 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 a Low Density Residential Zoning District on the north and Suburban Residential Zoning Districts by Pennington County on the east, west, and south. An existing drainage easement is located on the property. Prior to any development of the subject property, the drainage would need to be addressed and the easement removed or modified.

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 as appropriate for a Low Density Residential Zoning District with a drainage overlay. As such, the proposed amendment will be consistent with the Comprehensive Plan of Rapid City.

Staff recommends that the rezoning from No Use District to Low Density Residential District be approved. As of this writing, the required rezoning sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the March 10, 2005 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

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