

STAFF REPORT  
June 22, 2006

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**No. 06RZ012 - Rezoning from General Agriculture District to Low Density Residential District**      **ITEM 19**

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GENERAL INFORMATION:

PETITIONER	Sean Doyle
REQUEST	<b>No. 06RZ012 - Rezoning from General Agriculture District to Low Density Residential District</b>
EXISTING LEGAL DESCRIPTION	The NE1/4 NE1/4 SW1/4, less Tract 8R, Harmony Heights, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.19 acres
LOCATION	At the southern terminus of Vista Ridge Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	Low Density Residential District - General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	Private well and on-site wastewater
DATE OF APPLICATION	5/12/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with the associated Amendment to the Comprehensive Plan.

GENERAL COMMENTS:

**(Update June 12, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 8, 2006 Planning Commission meeting at the applicant's request to allow the application to be heard in conjunction with the associated Amendment to the Comprehensive Plan. Please note that no other part of this Staff Report has been revised.**

This undeveloped property contains approximately 7.19 acres and is located at the southern terminus of Vista Ridge Road. Land located north of the subject property is zoned Low Density Residential District. Land located east of the property is zoned General Agriculture District and Low Density Residential District. Land located south and west of the subject

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property is zoned General Agriculture District. In addition to this rezoning application, the applicant has submitted a Comprehensive Plan Amendment to change the North Rapid Neighborhood Future Land Use Plan from Planned Residential Development with one dwelling unit per three acres to Low Density Residential (06CA012).

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.*

This undeveloped property is zoned General Agriculture District. The property owners have indicated they wish to develop the property with one residential dwelling. Currently single family residences are located north and east of the subject property. Due to the terrain and lack of City water and sewer, this area shows slow infill growth. It appears that the subject property will allow one single family residence without infrastructure improvements. Any further subdividing of the property would require road and infrastructure improvements.

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

The Low Density Residential Zoning District is intended to be used for single family residential development with low population densities. The subject property is located adjacent to Low Density Residential and General Agriculture Districts. The North Rapid Future Land Use Plan indicates that this property is appropriate for a Planned Residential Development with a maximum density of one dwelling unit per three acres. The applicant has submitted a Comprehensive Plan Amendment to change that designation to Low Density Residential land use in conjunction with this rezoning application. Upon approval of the Comprehensive Plan Amendment, the land use will then be consistent with adjacent property to the north and east.

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 affects on any of the surrounding land uses or any other part of the City. A private well and on-site wastewater system will be utilized. Any future subdividing of the subject property will require road and infrastructure improvements.

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 North Rapid Neighborhood Future Land Use Plan identifies this area as appropriate for Planned Residential Development with a maximum density of one dwelling units per three acres land use. An application for a Comprehensive Plan Amendment to change the land

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use on the subject property to Low Density Residential has been submitted in conjunction with the Rezoning of the subject property.

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 June 22, 2006 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.