

STAFF REPORT
May 10, 2007

No. 07RZ034 - Rezoning from No Use to Low Density Residential II

ITEM 30

GENERAL INFORMATION:

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| PETITIONER | City of Rapid City |
| REQUEST | No. 07RZ034 - Rezoning from No Use to Low Density Residential II |
| EXISTING LEGAL DESCRIPTION | The east 33 feet of the NE1/4 NE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.006 acres |
| LOCATION | At the northern terminus of Bunker Drive |
| EXISTING ZONING | No Use District |
| SURROUNDING ZONING | |
| North: | No Use District |
| South: | Low Density Residential District |
| East: | Low Density Residential District II |
| West: | General Agriculture District (Pennington County) |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 4/13/2007 |
| REVIEWED BY | Travis Tegethoff / Emily Fisher |

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to Low Density Residential District II be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: The property proposed to be rezoned is the west 33 feet of section line highway located just west of Tyler Knue Subdivision. The area to be rezoned includes approximately one acre, and is presently undeveloped. The subject property was annexed into the City of Rapid City effective January 19, 2004 (03AN012). Property located west of this property is located outside the corporate limits of the City and is zoned General Agriculture District. Property located east of the subject property is zoned Low Density Residential District II. Property located south of the subject property is zoned Low Density Residential District. Property located north is zoned No Use District. There is also a request pending to change the Comprehensive Plan Future Land Use Designation from Park Forest to Low Density Residential District II (07CA019).

This request will change the present zoning of the property from No Use District to Low Density Residential District II.

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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.*

The subject property was annexed into the City on January 19, 2004 (03AN012). Upon annexation, the property was designated as a No Use Zoning District. The property is located just west of Tyler Knue Subdivision. The annexation of this property and the development of adjacent land constitutes the changing conditions that necessitates a change of zoning from No Use District to Low Density Residential District II.

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

The Low Density Residential District II is intended to provide for a slightly higher population density, but with basic restrictions similar to the Low Density Residential District. The principal use of land is for single-family and 2-family dwellings and related recreational, religious and educational facilities normally required to provide a balanced and attractive residential area. The subject property is located in an area with active new residential development. The subject property is located adjacent to a Low Density Residential District II. As development occurs, this section line highway will become street access for the area and water and sewer facilities will be extended to the area.

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.*

Development issues, including drainage, traffic, landscape buffers, and any other issues, will be addressed at the time development occurs. Staff has not identified any significant adverse affects that would result by rezoning the subject property from No Use District to Low Density Residential District II.

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 Long Range Comprehensive Plan identifies this area as appropriate for park forest land uses; however an application to amend Long Range Comprehensive Plan is pending (07CA19). If the related Comprehensive Plan Amendment is approved, the requested rezoning will be appropriate.

The required sign was posted on the property on May 1, 2007 and the green card receipts from the certified mailing have been returned as of this writing. Staff has received two inquiries about this application, but no objections as of this writing.