

STAFF REPORT
September 6, 2007

No. 07RZ062 - Rezoning from No Use District to General Agriculture District ITEM 33

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Shawn P. Freeland
REQUEST	No. 07RZ062 - Rezoning from No Use District to General Agriculture District
EXISTING LEGAL DESCRIPTION	Lot 1 of Mailloux Subdivision, Section 18, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2 acres
LOCATION	1030 Country Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	No Use District
West:	Low Density Residential District
PUBLIC UTILITIES	None
DATE OF APPLICATION	8/10/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning from No Use District to General Agriculture District be approved.

GENERAL COMMENTS:

The City of Rapid City has submitted a request to rezone two acres from No Use District to General Agriculture District. The property is located at 1030 Country Road. More specifically the property is located east of the intersection of West Nike Road and Country Road. Land located to the north and west of the property is zoned Low Density Residential District. Land located east of the property is zoned No Use District. Land located south of the property is zoned General Agriculture District. The Comprehensive Plan identifies the subject property as appropriate for a Planned Residential Development with two dwelling units per acre. The subject property is currently zoned No Use District. Currently a mobile home is located on the property. The subject property was annexed by the City of Rapid City on August 1, 2005 (#05AN009).

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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 property was annexed into the City on August 1, 2005 (#05AN009). All annexed lands are temporarily placed in a No Use Zoning District. The annexation of the property constitutes the changing conditions within this area.

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

The General Agriculture District is to provide for land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. Currently property located north and west of the subject property is zoned Low Density Residential District. If the proposed rezoning is approved the subject property would serve as a holding zone until future development consistent with the Comprehensive Plan occurs. Rezoning the subject property from No Use District to General Agriculture as a holding zone appears to be appropriate.

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 property currently does not have access to City water and sewer service. Water and sewer service would be extended to the property as development occurs in the area. Staff has not identified any significant adverse affects that would result by rezoning the subject property from No Use District to General Agriculture District.

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 a Planned Residential Development with two dwelling units per acre. The proposed rezoning from No Use District to General Agriculture District will allow the property to become a holding zone until future urbanization occurs.

NOTIFICATION:

The proper sign has been posted on the property. The required mailings have been sent. Staff will notify the Rapid City Planning Commission at its meeting on September 6, 2007 if the receipts have not been returned prior to the meeting. Staff has received no inquiries or objections concerning this rezoning request.

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Staff recommends that the rezoning from No Use District to General Agricultural District be approved.