

STAFF REPORT
March 26, 2009

No. 09RZ015 - Rezoning from No Use District to Low Density Residential District **ITEM 21**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Ross and Fern Johnson
REQUEST	No. 09RZ015 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lot A of the NW1/4 SW1/4 and the 33 foot wide Valley Drive right-of-way lying west of Lot A of the NW1/4 SW1/4 all located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.388 acres
LOCATION	1550 Valley Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Commercial District
East:	General Agriculture District
West:	General Commercial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	2/27/2009
REVIEWED BY	Karen Bulman / Ted Johnson

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Low Density Residential District be approved in conjunction with a Planned Development Designation.

GENERAL COMMENTS: This developed property contains 0.388 acres and is located at 1550 Valley Drive. The property was annexed into the City limits (#08AN007) effective July 29, 2008 and subsequently zoned No Use District. Land located north and east of the property is zoned General Agriculture District. Land located south and west of the property is zoned General Commercial District. The property was zoned Limited Agriculture District by Pennington County prior to annexation. An application for a Planned Development Designation (#09PD006) for the property has been submitted.

The Elk Vale Neighborhood Area Future Land Use Plan identifies the future use of the

STAFF REPORT
March 26, 2009

No. 09RZ015 - Rezoning from No Use District to Low Density Residential District **ITEM 21**

property as appropriate for Public land use with an alternate land use of Planned Residential Development with a maximum of 1.5 dwelling units per acre. Currently, a residential structure 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:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

A City initiated annexation of the property (#08AN007) was effective July 29, 2008. All annexed lands are temporarily designated as a No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property.

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

The purpose of the Low Density Residential District as stated in the Zoning Ordinance is to be used for single-family residential development with low population densities. A single family residence is located on the property. The property is located near agricultural land uses and commercial land uses. Due to the adjacent land uses, the rezoning of this property, in conjunction with a Planned Development Designation, appears to be appropriate and 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 amendment.*

The property is located adjacent to General Agriculture Zoning Districts. Valley Drive, a collector street on the City's Major Street Plan, is located west of the property. The property is located within the Rapid Valley Sanitary District. Staff is not aware of any significant adverse effects that will result from rezoning the property from No Use District to Low Density Residential District. The additional review provided by a Planned Residential Development process will insure that any possible adverse impacts of development are adequately mitigated. Based on the provision of a Planned Development overlay, no significant adverse impacts that will result from the requested rezoning have been identified.

4. *The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The City's Major Street Plan identifies Valley Drive as a collector street. The Elk Vale Neighborhood Area Future Land Use Plan identifies the property as appropriate for an alternative land use of Planned Residential Development with a maximum of 1.5 dwelling units per acre. Rezoning the subject property from No Use District to Low Density Residential District is consistent with the adopted Comprehensive Plan.

STAFF REPORT
March 26, 2009

No. 09RZ015 - Rezoning from No Use District to Low Density Residential District **ITEM 21**

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the March 26, 2009 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

The property owner has been contacted and concurs with the Low Density Residential Zoning District designation of their property. Staff recommends that the rezoning from No Use District to Low Density Residential District in conjunction with a Planned Development Designation be approved.