

STAFF REPORT
November 4, 2010

No. 10RZ046 - Rezoning from No Use District to Low Density Residential District **ITEM 6**

GENERAL INFORMATION:

APPLICANT	City of Rapid City
PROPERTY OWNER	Kurt Garlick
REQUEST	No. 10RZ046 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lot 3M of Melody Acres, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.44 acres
LOCATION	2990 South Valley Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	Low Density Residential District
East:	No Use District
West:	Low Density Residential District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	10/8/2010
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION:

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

GENERAL COMMENTS: This developed property contains approximately 0.44 acres and is located west of South Valley Drive and south of S.D. Highway 44. The property was annexed into the City limits (#10AN002) effective June 25, 2010 and subsequently zoned No Use District. Land located north and east of the property is zoned No Use District. Land located south and west of the property is zoned Low Density Residential District. The property was zoned Suburban Residential District by Pennington County prior to annexation.

The Southeast Connector Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for Low Density Residential land uses.

STAFF REVIEW: Staff has reviewed this proposed rezoning for conformance with the four

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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.*

The annexation of the property (#10AN002) was effective June 25, 2010. 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 mobile home and garage are currently located on the property. The Southeast Connector Neighborhood Future Land Use Plan indicates that this property is appropriate for Low Density Residential land uses. Residential uses are currently located north, east and south of the property. The property is adjacent to property zoned Suburban Residential District by Pennington County to the west. The rezoning of this property 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.*

Access to the residential property is from South Valley Drive, a principal arterial street on the City's Major Street Plan. Water and sewer are provided by Rapid Valley Sanitary District. The property is located adjacent to residential land uses. Currently, a mobile home is located on the property and is allowed as a legal nonconforming use. As mobile homes are not allowed in the Low Density Residential Zoning District, any changes to the property or removal of the mobile home in the future will require that the property be in compliance with the Low Density Residential Zoning District. No significant adverse impacts resulting 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 Southeast Connector Neighborhood Area Future Land Use Plan identifies the future use of the property as appropriate for Low Density Residential land use. Rezoning the subject property from No Use District to Low Density Residential District is consistent with the adopted Comprehensive Plan.

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 November 4, 2010 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

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this writing.

Staff recommends that the rezoning from No Use District to Low Density Residential District be approved.