

STAFF REPORT
May 5, 2011

No. 11RZ003 - Rezoning from Low Density Residential District to Medium Density Residential District **ITEM 3**

GENERAL INFORMATION:

APPLICANT	Jim Bickett
PROPERTY OWNER	Jim Bickett
REQUEST	No. 11RZ003 - Rezoning from Low Density Residential District to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	Lot A of Lot 2-3 of the SW1/4 NW1/4, the south 175 feet of Lot B of Lot 2 of the SW1/4 NW1/4, and Lot 1 of the SW1/4 NW1/4 all located in Section 9, T1N, R8E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.71 acres
LOCATION	2825, 2909 and 2917 Garden Lane
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Medium Density Residential District
East:	General Agriculture District - Low Density Residential District
West:	Medium Density Residential District - Low Density Residential District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	3/8/2011
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District to Medium Density Residential District be **approved**.

GENERAL COMMENTS: (Update, April 19, 2011. All revised and/or added text is shown in bold print.) This item was continued to the May 5, 2011 Planning Commission meeting with the applicant's concurrence. This developed property contains approximately 10.71 acres and is located at 2825, 2909 and 2917 Garden Lane, east of South Valley Drive. Land located south and west of the property is zoned Medium Density Residential District and Medium Density Residential District with a Planned Residential

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Development. Land located north of the property is zoned Low Density Residential District. Land located east of the property is zoned General Agriculture District. The property was zoned Suburban Residential District by Pennington County prior to annexation. Residential structures are located on all three lots.

The Southeast Connector Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for Low Density Residential land uses. An application for a Comprehensive Plan Amendment to change the land use designation for this property from Low Density Residential to Medium Density Residential (#11CA003) has been submitted in conjunction with this Rezoning.

STAFF REVIEW: Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is 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 property is currently zoned Low Density Residential District. No substantially changed conditions have been identified that make it necessary to rezone the subject property.

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

The purpose of the Medium Density Residential District as stated in the Zoning Ordinance is to provide for medium to high population densities. The principal uses of land may range from single-family to multiple-family apartment uses. The Southeast Connector Neighborhood Future Land Use Plan indicates that this property is appropriate for Low Density Residential land uses. A Comprehensive Plan Amendment to change the land use from Low Density Residential to Medium Density Residential (#11CA003) has been submitted in conjunction with this rezoning application. The property is located adjacent to Low Density Residential Zoning and residential land uses to the north and Medium Density Residential Zoning and mobile home land uses to the south and west of the property. Due to the existing zoning of the adjacent properties, the rezoning would appear to be 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 property is from Garden Lane. Water and sewer are provided by the Rapid Valley Sanitary District. The property is located adjacent to residential land uses. Based on the location of the adjacent Medium Density Residential Zoning Districts to the south and west of this property, no significant adverse impacts that will result from the requested rezoning have been identified.

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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 Land Use Plan identifies this area as appropriate for Low Density Residential land uses. An application for a Comprehensive Plan Amendment (#11CA003) to change the land use on the subject property to Medium Density Residential has been submitted in conjunction with the Rezoning request for the property.

The Future Land Use Committee reviewed the existing land use for this property and recommended approval of the associated Comprehensive Plan Amendment to change the land use from Low Density Residential to Medium Density Residential, with the rezoning to occur when a secondary access would be available for the South Valley Drive area. The Capital Improvement Committee has authorized a road connection from South Valley Drive to Minnesota Street to be constructed within the year. It appears that the stipulation for a secondary access will be met. As such, if the Comprehensive Plan Amendment is approved for the property, rezoning the property would be consistent with the Comprehensive Plan.

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing. (Revised 4-19-11)

Staff recommends that the rezoning from Low Density Residential District to Medium Density Residential District be continued to the May 5, 2011 Planning Commission meeting with the applicant's concurrence. **Staff recommends that the rezoning from Low Density Residential District to Medium Density Residential District be approved.** (Revised 4-19-11)