

STAFF REPORT

December 7, 2000

**RZN #00RZ052 - Rezoning from No Use District to Low
Density Residential-II District**

ITEM 26

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	RZN #00RZ052 - Rezoning from No Use District to Low Density Residential-II District
LEGAL DESCRIPTION	A tract of land located in the North One-Half of the Southwest One-Quarter of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Described in more detail as follows: Commencing at the northwest corner of said Southwest One-Quarter of Section 16; Thence North 89°53'45" East along the north line of said Southwest One-Quarter a distance of 1404.49 feet; Thence South 25°29'36" West a distance of 1027.55 feet to the Point of Beginning; Thence South 25°29'36" West a distance of 45.30 feet to a point of curve; Thence along the arc of said curve to the right having a radius of 204.00 feet a distance of 63.02 feet; Thence South 43°11'32" West a distance of 414.73 feet to the south line of said North One-Half of the Southwest One-Quarter of Section 16; Thence North 89°56'08" East along said south line a distance of 2024.60 feet to the east line of said North One-Half of the Southwest One-Quarter of Section 16; Thence North 0°00'00" West along the east line of said North One-Half of the Southwest One-Quarter of Section 16 a distance of 113.40 feet; Thence North 90°00'00" West a distance of 269.72 feet; Thence North 0°00'00" East a distance of 154.40 feet; Thence North 90°00'00" West a distance of 330.00 feet; Thence North 0°00'00" East a distance of 125.00 feet; Thence North 90°00'00" west a distance of 1086.11 feet to the Point of Beginning, containing an area of 14.0 acres, more or less
PARCEL ACREAGE	Approximately 14 Acres
LOCATION	At the southern terminus of South Valley Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential-II District (PRD)
South:	General Agriculture District
East:	Low Density Residential-II District (PRD)

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West:	No Use District
PUBLIC UTILITIES	None
REPORT BY	Bill Lass

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

GENERAL COMMENTS: The petitioner has submitted this request to rezone a fourteen acre parcel of unplatted land from the No Use District to the Low Density Residential - II Zoning District. Most of the property was annexed by the City on March 6, 2000. The subject property is located within the proposed Plum Creek Subdivision. Several Layout Plats have been approved for Plum Creek Subdivision over the past year. The Layout Plat approved by the City Council on July 10, 2000 proposed low density residential land uses (including single-family and townhouse development) on the subject property. Staff at that time indicated that Low Density Residential Zoning could be supported provided that a Planned Development Designation was also approved for the property (see related Staff Report). The property directly to the north of the subject property is also part of the Plum Creek Subdivision. On July 10, 2000 a rezoning to Low Density Residential – II and a Planned Residential Development/Final Development Plan was approved for this adjacent property.

STAFF REVIEW: Staff has evaluated this rezoning request with respect to the four criteria established for review of zoning map amendments established in Section 17.54.040(D)(1). 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 districts affected or in the City in general.*

Staff believes the proposed rezoning is reflective of changing conditions. The southeastern portion of Rapid City and the City in general are seeing continued growth. The nearby Elks Country Estates Subdivision has seen substantial growth in the last several years. As noted, adjacent portions of the Plum Creek Subdivision have been previously annexed and rezoned by the City. Growth in this area will increase with construction of the Southeast Connector. Funding for the construction of the Southeast Connector through the subject property has been secured. Once this roadway is constructed, significant additional development can be expected in this area.

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

According to the Zoning Ordinance, the purpose of the Low Density Residential – II Zoning District is to "...provide for a slightly higher population density, but with basic restrictions similar to LDR-1 district. The principal use of land is for single-family and two-family

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dwellings.” Further, the Zoning Ordinance states that “Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings...” in the Low Density Residential – II Zoning district. Staff believes this intent is being met through this request. The subject property is located in an area that is adjacent to other Low Density Residential – II zoned land. General Commercial and Office Commercial zoning is proposed directly to the west of the subject property (see related Staff Reports) but the inclusion of Planned Development Designations with the rezoning requests will help ensure that the appropriate light, air and open space requirements are met.

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.

Staff does not expect any substantial negative impacts resulting from this request. The current rezoning request is being accompanied by a request for a Planned Development Designation (see related Staff Report). As discussed in the related Staff Report, the Planned Development Designation is being pursued for a number of reasons including: (a) mitigation of negative impacts resulting from adjacency to commercial zoning, (b) making the zoning of the subject property consistent with the residentially-zoned property to the north, and (c) addressing site specific factors suggested by the property owner including townhouse development and common open space areas. Staff believes that the Planned Development Designation and subsequent Planned Residential Development will give the developer and the City the ability address these issues.

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 Future Land Use Plan for the Southeast Neighborhood has not yet been developed. Staff, however, has noted that the proposed rezoning is consistent with the Major Street Plan, the Rapid City Area 2000 Comprehensive Land Use Plan, and the master plan approved with the earlier Layout Plat for Plum Creek Subdivision.

The required rezoning sign has been posted on the property. The required notification of surrounding property owners has been completed. Staff has not received any objections or inquiries regarding this request.

Based upon conformance with the criteria for review of zoning map amendments, Staff is recommending approval of the rezoning request.