

STAFF REPORT
April 22, 2010

No. 10RZ029 - Rezoning from No Use District to Low Density Residential District **ITEM 34**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Douglas and Deadra Kinniburgh
REQUEST	No. 10RZ029 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lot 5 of Melody Acres, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.78 acres
LOCATION	3010 South Valley Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	Mobile Home District (Planned Development Designation)
East:	Suburban Residential District (Pennington County)
West:	Low Density Residential District - Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	3/26/2010
REVIEWED BY	Jim Flaaen / Karley Halsted

RECOMMENDATION:

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

GENERAL COMMENTS: The property occupies 0.78 acres and is located south of S.D. Highway 44 and east of South Valley Drive at 3010 South Valley Drive. The property was annexed into the City limits (#08AN011) effective June 4, 2009 and subsequently zoned No Use District. Land located to the north is zoned No Use District. Land located to the south is zoned Mobile Home Residential District with a Planned Development Designation. Land located to the east is zoned Suburban Residential District by Pennington County. Land located to the west is zoned Low Density Residential District and Suburban Residential District by Pennington County. A single family residence is currently located on the property.

STAFF REPORT
April 22, 2010

No. 10RZ029 - Rezoning from No Use District to Low Density Residential District **ITEM 34**

STAFF REVIEW: Staff has reviewed this proposed rezoning for conformance with the four criteria for review of zoning map amendments established in Section 17.54.010(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 (#08AN011) was effective June 4, 2009. Per Section 17.26.020, all annexed lands are temporarily designated No Use District. The annexation of the property represents a changing condition that requires the rezoning of the property.

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

The Low Density Residential Zoning District is intended to be used for single-family residential development with low population densities. Additional permitted uses, by review of the Common Council, include related noncommercial, recreational, religious and educational facilities normally required to provide the basis elements of a balanced and attractive residential area. A single family residence is currently located on the lot. The Southeast Connector Neighborhood Area Future Land Use Plan identifies the property as appropriate for Mobile Home Residential with a Planned Residential Development land use; however, a Comprehensive Plan Amendment (File #10CA003) to change the land use from Mobile Home Residential District to Low Density Residential District was approved by the City Council on April 5, 2010. When the Comprehensive Plan Amendment becomes effective, the proposed rezoning of the property from No Use District to Low Density Residential District will be consistent with the adopted Comprehensive Plan.

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 South Valley Drive, a collector street on the Major Street Plan. Water and sewer services are provided by Rapid Valley Sanitary District. A single family residence is currently located on the property. Adjacent properties to the north, south east and west are a combination of single family residences and mobile homes residences. Staff has not identified any significant adverse impacts that would result from the requested rezoning.

4. *The proposed amendment 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 Future Land Use Plan identifies the future use of the property as appropriate for Mobile Home Residential land use; however, the Rapid City Council has approved a Comprehensive Plan Amendment to change the future land use

STAFF REPORT

April 22, 2010

No. 10RZ029 - Rezoning from No Use District to Low Density Residential District ITEM 34

designation to Low Density Residential. The proposed rezoning of the property from No Use District to Low Density Residential District will be consistent with the adopted Comprehensive Plan when the recently approved amendment becomes effective.

Notification Requirement: The required sign has been posted on the property but, as of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the April 22, 2010 Planning Commission meeting if this requirement has not been met. Staff has not received any inquiries or objections to the proposed request at the time of this writing.

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