

STAFF REPORT

December 7, 2000

**RZN #00RZ049 - Rezoning from General Agriculture
District to Medium Density Residential District**

ITEM 18

GENERAL INFORMATION:

PETITIONER	Franklin Simpson
REQUEST	RZN #00RZ049 - Rezoning from General Agriculture District to Medium Density Residential District
LEGAL DESCRIPTION	Property described by metes and bounds beginning at a point, N 0°07'40" E a distance of 441.02 feet, from the southeast corner of the SE1/4 of the NW1/4 of the SW1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence First Course: S 77°00'00" W a distance of 295.00 feet, Thence Second Course: along an arc to the right, which radius is 125.00 feet an arc distance of 206.86 feet, Thence Third Course: N 17°49'00" W a distance of 113.81 feet, Thence Fourth Course: N 72°11'00" E a distance of 468.32 feet, Thence Fifth Course: along an arc to the left, which radius is 280.00 feet an arc distance of 11.75 feet, Thence Sixth Course: S 0°06'46" W a distance of 52.78 feet, Thence Seventh Course: S 0°07'40" W a distance of 224.06 feet, to the point of beginning, said parcel of land containing 2.500 acres, more or less
PARCEL ACREAGE	Approximately 2.5 acres
LOCATION	At the intersection of Harmony Heights Lane and Sunny Springs
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District - Medium Density Residential District
East:	General Agriculture District
West:	Medium Density Residential District (PDD)
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Blaise Emerson

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RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to Medium Density Residential be approved in conjunction with the associated Planned Development Designation request.

GENERAL COMMENTS: The proposed tract involved in this rezoning request is a 2.5 acre tract adjacent to a 17 acre tract that was rezoned to Medium Density Residential earlier this year. The property is located to the east of the terminus of Harmony Heights Lane located in the Fountain Springs Development. The applicant is proposing to add this tract to the earlier approved parcel to help facilitate construction of a multi-building apartment complex. To allow a multi-building apartment complex, a Planned Residential Development needs to be approved. The applicant has applied for an associated Planned Development Designation for the subject property. The site layout for the apartment complex had to be change due to the right-of-way requirements for Anamosa Street. The inclusion of the additional area is being requested is to allow for the change in the overall site plan.

STAFF REVIEW: City Staff evaluated the proposed rezoning as it relates to the four criteria for review of 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 districts affected, or the City in general.*

The initial light industrial development in this area has, with the development of the Speigel Customer Service Facility, adopted a more office oriented tone. Staff sees the Medium Density Residential development as a transition between the Light Industrial properties to the west and residential development on the ridge to the east. The subject rezoning is an appropriate response to the changing conditions in this area.

2. *The proposed amendments shall be consistent with the intent and purposes of this ordinance.*

The intent of the Medium Density Residential Zoning District is to provide areas in which the principal land use is for single family and medium density residential uses. Other medium density residential land uses exist to the northwest of the subject property.

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 proposed rezoning is an addition to the 17 acre tract that was rezoned earlier this year. Additional residential development is proposed in the vicinity of the subject development. Recent street and drainage improvements within this area would negate any adverse impacts from the development of the subject lot.

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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 1976 Rapid City Comprehensive Plan Five Year update identifies this area as industrial. However as stated earlier, the area has developed into a mixture of industrial, office commercial, and residential uses. The location of this request borders the residential development of the area. Staff finds that the proposed rezoning is in general compliance with the other above stated plans.

A sign noting that a rezoning hearing is pending has been posted on the lot. Staff has not yet received the verification that the notices of hearing to the neighboring property owners have been mailed. Staff has not received any inquiries regarding this proposed rezoning.