

STAFF REPORT

May 23, 2002

**No. 02RZ027 - Rezoning from Low Density Residential II District to
Medium Density Residential District**

ITEM 44

GENERAL INFORMATION:

PETITIONER

Dream Design International, Inc.

REQUEST

**No. 02RZ027 - Rezoning from Low Density
Residential II District to Medium Density Residential
District**

EXISTING

LEGAL DESCRIPTION

A previously unplatted parcel of land in the NE ¼ of the NW ¼ Section 26, Township 1 North, Range 7 East, Black Hills Meridian, located in the City of Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Commencing at the stone monument for the ¼ corner common to Sections 23 and 26, T1N, R7E, B.H.M. thence along the line between Sections 23 and 26 South 89°59'50" West a distance of 329.50 to a rebar and cap marked Davis & Atkins Assoc. 3095 said rebar being identical to the northwest corner of Tract A as shown on the plat recorded in Book 22 of plats Page 182 and the Point of Beginning; thence South 00°08'12" West a distance of 1277.17 along the West line of said Tract A to a rebar with cap marked Davis & Atkins Assoc. 3095 said rebar being identical to the Southwest corner of said Tract A; thence a distance of 48.44 feet southwesterly along a curve that is the northwesterly R.O.W. of the Highway 16 Bypass, said curve is concave to the Southeast, having a radius of 2939.79 feet and a chord direction of South 23 05'24" West, to a rebar with cap marked Fisk Engr. 1771; thence South 89°54'41" West a distance of 644.75 feet along the 1/16th line to a rebar with cap marked Davis & Atkins Assoc. 3095 said rebar being identical to the Southeast corner of said Lot A as shown on the plat recorded in Book 23 of plats Page 157; thence North 0° 03'20" East a distance of 660.89 feet along the East line of said Lot A to a rebar with cap marked LS 6117 said rebar being identical to the Northeast corner of said Lot A; thence North 13°52'22" East a distance of 681.69 feet to the intersection of the commercial zoning line with the line between Sections 23 and 26; thence North 89°59'50" East a distance of 502.71 feet to the returning to the Point of Beginning. Containing 18.927 acres or 824,465.347 square feet more or less

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|---------------------|---|
| PARCEL ACREAGE | 18.927 acres |
| LOCATION | East of U.S. Highway 16 and 1/4 mile north of Catron Blvd |
| EXISTING ZONING | Low Density Residential II District w/ PDD |
| SURROUNDING ZONING | |
| North: | General Agriculture District |
| South: | Low Density Residential District w/ PDD |
| East: | Low Density Residential District w/ PDD |
| West: | Low Density Residential District w/ PDD / General Commercial District |
| PUBLIC UTILITIES | To be extended |
| DATE OF APPLICATION | 4/26/2002 |
| REPORT BY | Vicki L. Fisher |

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential II District to Medium Density Residential District be approved in conjunction with the Comprehensive Plan Amendment.

GENERAL COMMENTS:

The applicant has submitted a rezoning request to change the zoning from Low Density Residential District II to Medium Density Residential District on the above legally described property. In addition, the applicant has submitted a Comprehensive Plan Amendment request to change the future land use designation from Planned Residential Development with two dwelling units per acre to Medium Density Residential District with a Planned Residential Development on the above legally described property. (See companion item #02CA035.) On October 2, 2000, the City Council approved a Planned Development Designation for the subject property.

The property is located approximately 1,250 feet east of the Catron Boulevard/U.S. Highway 16 intersection on the north side of Catron Boulevard. The property is a part of a proposed 86 acre development to be known as "Tower Ridge". The applicant has also submitted several additional Comprehensive Plan Amendments, Rezoning requests and Planned Development Designation requests on the balance of the proposed 86 acre development.

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:

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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.*

Areas along Catron Boulevard have experienced additional growth and development over the past few years. A Planned Residential Development was approved in 1998 to allow 74 residential lots, an equestrian center and mini-storage units to be constructed southwest of the subject property, across Catron Boulevard. The extension of municipal services to the area and the completion of a significant east-west arterial connection have changed conditions within the area to support the extension of residential development. With the completion of Catron Boulevard, it is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future. In addition, the existing Planned Development Designation will serve as a tool to address the issues, traffic concerns and topographic and drainage concerns specific to 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 single family and multi-family residential development. The location of the property, adjacent to a major east-west arterial, provides the proposed residential development with viable access to all major employment centers within the community. The additional review provided by a Planned Residential Development process will insure unique and desirable residential home configurations that take into account the topographic concerns associated with the 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.*

Staff does not believe that rezoning this property will result in any significant adverse impacts due to the associated Planned Development Designation. The additional review provided by a Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. With the extension of City sewer and water to the area, the proposed rezoning request is consistent with the urbanized development within the area.

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.*

As previously indicated, the applicant has also submitted a Comprehensive Plan Amendment to change the South Robbinsdale Neighborhood Area Future Land Use Plan from a Planned Residential Development with two dwelling units per acre to Medium Density Residential with a Planned Residential Development on the subject property. The Future Land Use Committee reviewed the plan amendment and the proposed future use of the property with the applicant. The Committee concurred that the proposed use of the property

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may be compatible with proposed and existing adjacent developments in conjunction with the previously approved Planned Development Designation. Access, interior road networking, lighting, drainage and visual impact concerns must be addressed and mitigated as a part of the review for an Initial and Final Planned Residential Development.

As of this writing, the receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the May 23, 2002 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquiries regarding this proposal.