

STAFF REPORT

January 8, 2004

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**No. 03RZ055 - Rezoning from General Agriculture District to Low Density Residential District**

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**ITEM 12**

GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for 3 T's Land Development LLC
REQUEST	<b>No. 03RZ055 - Rezoning from General Agriculture District to Low Density Residential District</b>
EXISTING LEGAL DESCRIPTION	NW1/4 SW1/4 less Tract R in the NW1/4 SW1/4 and less NE1/4 NE1/4 NE1/4 NW1/4 SW1/4; N1/2 N1/2 N1/2 N1/2 SW1/4 SW1/4, all in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40.96 acres
LOCATION	Along Minnesota Street west of 5th Street
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District
East:	Low Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/12/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with a Planned Development Designation.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the subject property from General Agriculture District to Low Density Residential District. In addition, the applicant has submitted a Planned Development Designation request. The applicant has also submitted a Comprehensive Plan Amendment to the South Robbinsdale Neighborhood Future Land Use Plan to change the future land used designation of the subject property from a Planned Residential Development with a maximum of one dwelling unit per lot to a Planned Residential Development with a maximum of 1.2 dwelling units per lot. The applicant has also submitted a Layout Plat to subdivide approximately 41 acres into 47 residential lots. The development is proposed as Phase 4 of the Minnesota Ridge

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Subdivision. (See companion items 03PD061, 03CA043 and 03PL123.)

The subject property is located at the western terminus of Minnesota Street and Middle Valley Drive and is currently void of any structural 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:

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 General Agriculture District has served as a holding zone until such time as it is developed. City sewer and water have recently been extended to the property as a part of the development of previous phases of the Minnesota Ridge Subdivision. With the extension of municipal services, 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 proposed 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 Low Density Residential District as stated in the Zoning Ordinance is to provide for single family residential development. With the extension of City sewer and water to the area, the proposed rezoning request is consistent with urbanized development within the area. 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 has not identified any significant adverse impacts in conjunction with 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.

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 Rapid City Comprehensive Plan identifies the subject property as appropriate for a Planned Residential Development with a maximum density of one dwelling unit per acre. As previously indicated, the applicant has submitted a Comprehensive Plan Amendment to

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change the Comprehensive Plan to a Planned Residential Development with a maximum density of 1.2 dwelling units per acre approval in order to allow the proposed density as identified on the associated Layout Plat. Upon approval of the Comprehensive Plan Amendment, the property will be developed in compliance with the Future Land Use Plan.

As of this writing, the sign has been posted on the property; however, the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the January 8, 2004 Planning Commission meeting if this requirement has not been met.