

STAFF REPORT

April 22, 2004

No. 04RZ022 - Rezoning from Low Density Residential District to Low Density Residential II District **ITEM 33**

GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for Web Real Estate Holdings Company, LLC
REQUEST	No. 04RZ022 - Rezoning from Low Density Residential District to Low Density Residential II District
EXISTING LEGAL DESCRIPTION	Property described by metes and bounds as commencing at the SW corner of the NW ¼ of the SE 1/4 of Section 11, T1N, R7E, BHM, point also the Point of Beginning; travel 918.99 feet at a bearing N00°21'00" East to a point; thence travel 225.24 feet at a bearing S41°05'15" East to a point; thence travel 110.01 feet at a bearing N35°36'28" East to a point; thence travel 100.98 feet at a bearing N69°46'53" East to a point; thence travel 122.49 feet at a bearing N87°48'19" East to a point; thence travel 74.12 feet at a bearing S52°32'01" East to a point; thence travel 126.16 feet at a bearing S73°30'07" East to a point; thence travel 237.48 feet at a bearing S61°30'24" East to a point; thence travel 174.01 feet at a bearing N90°00'00" East to a point; thence travel 129.48 feet at a bearing S30°35'10" East to a point; thence travel 117.84 feet at a bearing S07°03'57" East to a point; thence travel 120.73 feet at a bearing S24°43'12" West to a point; thence travel 216.00 feet at a bearing S67°49'27" West to a point; thence travel 387.50 feet at a bearing S45°54'33" West to a point; thence travel 548.94 feet at a bearing N89°27'22" West to the point of beginning; said parcel contains approximately 16.55 acres more or less
PARCEL ACREAGE	Approximately 16.55
LOCATION	West of the western terminus of Fairmont Boulevard and north of Tower Road
EXISTING ZONING	Low Density Residential District/Medium Density Residential District w/Planned Development
SURROUNDING ZONING	
North:	Office Commercial District/Low Density Residential District w/Planned Development
South:	General Agriculture District
East:	General Commercial District w/Planned Development

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West:	Park Forest District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	03/26/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District to Low Density Residential II District be approved.

GENERAL COMMENTS:

The subject property is located at the eastern terminus of Pevans Parkway and is part of the Skyline Pines East Development. The Initial Planned Residential Development approved in 2001 identified 21 single family residences to be located on the subject property. However, the property owner now plans to build a mixture of single family residences and townhome duplexes on the property and has submitted a request to rezone the property from Low Density Residential District to Low Density Residential II District. A Major Amendment to the Initial Planned Residential Development to allow a townhome development in lieu of a single family residential development was approved by Planning Commission on March 25, 2004.

STAFF REVIEW: Staff has reviewed this proposed rezoning for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040(D)(1).

- 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.*

The property is currently void of any structural development but is located in a developing area. The recent development of property located west of the subject property, along Pevans Parkway, has brought the extension of water and sewer to the area. The close proximity of water and sewer makes substantial changes in the condition of the area and increases the potential development of the subject property as well as the surrounding area

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

Low Density Residential II zoning is intended to allow a slightly higher population density, but still meet all the requirements of the Low Density Residential Zoning District. Property located west of the subject property is developed with single family residences. The properties located to the east are currently zoned Medium Density Residential and Office Commercial. Low Density Residential II zoning is an appropriate transition from the Low Density Residential development to the Medium Density Residential and Office Commercial development. The proposed zoning appears to be consistent with the intent and purpose of this ordinance.

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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.*

The subject property is located adjacent to Low and Medium Density Residential Districts and an Office Commercial District. Access to the property will be made from an extension of Sandstone Lane and Pevans Parkway. The increase in density from Low Density Residential to Low Density Residential II will increase traffic by 226 additional daily trips based on the proposed number of dwelling units. The applicant has indicated that Sandstone Lane will be improved to a Sub-collector to accommodate the increase traffic generated by the development. The proposed amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

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 Rapid City Comprehensive Plan for this area identifies the subject property and adjacent properties as appropriate for residential land use(s). Rezoning the subject property from Low Density Residential District to Low Density Residential II District appears to be consistent with the adopted Comprehensive Plan.

Staff is recommending that the rezoning request be approved. As of this writing, the sign has not been posted on the property, and the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the April 22, 2004 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request.