

STAFF REPORT  
March 10, 2005

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**No. 05RZ009 - Rezoning from Low Density Residential District to Medium Density Residential District** **ITEM 25**

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GENERAL INFORMATION:

PETITIONER Sperlach Consulting for Doeck, LLC

REQUEST **No. 05RZ009 - Rezoning from Low Density Residential District to Medium Density Residential District**

EXISTING

LEGAL DESCRIPTION

A portion of the SW1/4 of the NW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: commencing at the northeasterly corner of Lot 1 of Block 4 of Auburn Hills Subdivision, common to a point on the westerly edge of the right-of-way of Haines Avenue, and the Point of Beginning; Thence, first course: S70°51'20"W, along the northerly boundary of said Lot 1 of Block 4, a distance of 108.45 feet, to the northwesterly corner of said Lot 1 of Block 4, common to the easterly edge of the right-of-way of Chalkstone Court; Thence, second course: northwesterly, along the easterly edge of the right-of-way of said Chalkstone Court, curving to the left on a curve with a radius of 324.50 feet, a delta angle of 07°44'19", an arc length of 43.83 feet, a chord bearing of N23°00'50"W, and a chord distance of 43.79 feet, to the northeasterly corner of the right-of-way of said Chalkstone Court; Thence third course: S63°07'01"W, along the northerly end of the right-of-way of said Chalkstone Court, a distance of 49.00 feet, to the northeasterly corner of Lot 2 of Block 4 of Auburn Hills Subdivision, common with the northwesterly corner of the right-of-way of said Chalkstone Court; Thence, fourth course: S63°07'01"W along the northerly boundary of said Lot 2 of Block 4, a distance of 124.45 feet to the northwesterly corner of said Lot 2 of Block 4, common to a point on the easterly boundary of Lot 3 of Block 4 of Auburn Hills Subdivision; Thence, fifth course: N18°05'54"W, along the easterly boundary of said Lot 3 of Block 4, a distance of 86.55 feet, to the northeasterly corner of said Lot 3 of Block 4; Thence, sixth course: S67°34'38W, along the northerly boundary of said Lot 3 of Block 4, a distance of 110.00 feet, to the northwesterly corner of said Lot 3 of Block 4, common with a point on the easterly edge of the right-of-way of Coal Bank Court; Thence, seventh course: northwesterly, along the easterly edge of the right-of-way of said Coal Bank

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Court, curving to the left on a curve with a radius of 324.50 feet, a delta angle of 06°10'47", an arc length of 35.00 feet, a chord bearing of N25°30'46"W, and a chord distance of 34.98 feet, to a point of tangent; Thence, eighth course: N28°36'09"W, along the easterly edge of the right-of-way of said Coal Bank Court, a distance of 28.62 feet, to a point of curve; Thence, ninth course: northwesterly, along the easterly edge of the right-of-way of said Coal Bank Court, curving to the left on a curve with a radius of 324.50 feet, a delta angle of 03°24'07", a arc length of 19.27 feet, a chord bearing of N49°39'37"W, and chord distance of 19.26 feet, to the northeasterly corner of the right-of-way of said Coal Bank Court; Thence, tenth course: S57°59'43"W, along the northerly edge of the right-of-way of said Coal Bank Court, a distance of 49.00 feet, to the northeasterly corner of Lot 4 of Block 4; Thence, eleventh course: S89°52'29"W, a distance of 173.34 feet to the northwesterly corner of Lot 5 of Block 4; Thence, twelfth course: S89°52'29"W, along the westerly edge of Lots 6 thru 11 and future Lot 12 of Block 4, a distance of 603.16 feet; Thence, thirteenth course: N00°00'00"E, a distance of 405.96 feet to a point on the 1/16 section line and the northerly boundary of said SW1/4 of the NW1/4 of Section 13, T2N, R7E, BHM; Thence, fourteenth course: N89°52'25"E, along the 1/16 section line and the northerly boundary of said SW1/4 of the NW1/4 of Section 13, a distance of 1079.49 feet to a point of intersection of the SW1/4 of the NW1/4 of Section 13, and the westerly edge of the right-of-way of said Haines Avenue; Thence, fifteenth course: S23°09'20"E, along the westerly edge of the right-of-way of said Haines Avenue, a distance of 457.48 feet to the northeasterly corner of Lot 1 of Block 4 of Auburn Hills Subdivision, common to a point on the westerly edge of the right-of-way of said Haines Avenue, and the Point of Beginning; said parcel contains 488,619 square feet of 11.217 acres more or less

PARCEL ACREAGE	Approximately 7.2 acres
LOCATION	Auburn Hills Subdivision
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	

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North:	<b>General Agriculture District/Limited Agriculture District (Pennington County)</b>
South:	<b>Low Density Residential District</b>
East:	<b>General Agriculture District (Pennington County)</b>
West:	<b>General Agriculture District (Pennington County)</b>
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	1/28/2005
REVIEWED BY	Linda Foster / David L. Johnson

**RECOMMENDATION:**

Staff recommends that the Rezoning from Low Density Residential District to Medium Density Residential District be **approved contingent upon the Comprehensive Plan Amendment and Planned Development Designation being approved.**

**GENERAL COMMENTS:** The applicant is requesting to rezone approximately 7.2 acres located north of Cobalt Drive and west of Haines Avenue, in Auburn Hills Subdivision. The property is currently zoned Low Density Residential District. The property located north of the subject property is currently zoned General Agriculture District and Limited Agriculture District in Pennington County. The property to the south is zoned Medium Density Residential District with a Planned Residential Development Designation, the property to the east is zoned Medium Density Residential District with a Planned Residential Development Designation and General Agriculture District in Pennington County. The property to the west of the subject property is zoned General Agriculture District in Pennington County. An application to amend the Comprehensive Plan to change the future land use designation from Agriculture to Medium Density Residential (05CA008) has also been submitted in conjunction with this rezoning request.

**STAFF REVIEW:** The Future Land Use Committee reviewed this request with the applicant on February 11, 2005 and requested that the applicant bring additional information to the Future Land Use Committee for review on February 18, 2005. The applicant has agreed to supply this information and continue the application to the March 10, 2005 Planning Commission meeting. **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). 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 in the City in general.***

**The subject property is currently zoned Low Density Residential District. Because the subject property is adjacent to residential land uses, designating this property as Medium Density Residential District would be a continuation of the neighboring land uses. The subject property is currently void of any construction but is located adjacent to residential development. The proposal to rezone the subject property to**

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Medium Density Residential District is consistent with the residential development in the area.

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

The Medium Density Residential Zoning District is established to provide areas in which the primary use of land is for medium to high population density. The principal uses of land may range from single-family to multiple-family apartment uses. The property located north of the subject property is currently zoned General Agriculture District and Limited Agriculture District in Pennington County. The properties located east and west of the subject property are zoned General Agriculture District in Pennington County. The property south of the subject property is zoned Low Density Residential District. The subject property is located in an area containing residential development so the request to change the zoning on the property from Low Density Residential District to Medium Density Residential District appears to be consistent with uses in the surrounding area.

**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 a Low Density Residential Zoning District. Water and sewer are located in Chalkstone Drive adjacent to the property and will need to be extended. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from Low Density Residential District to Medium Density Residential District.

**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 Comprehensive Plan identifies the subject property as appropriate for Agriculture Land use(s). An amendment to the Comprehensive Plan to change the land use on the subject property from Agriculture to Medium Density Residential (05CA008) has been submitted in conjunction with this rezoning. If the Comprehensive Plan Amendment is approved, the proposed use will be consistent with the adopted plan.

Staff recommends that the request to rezone this property from Low Density Residential District to Medium Density Residential District be approved contingent upon the Comprehensive Plan Amendment and Planned Development Designation being approved (Revised March 2, 2005).

STAFF REPORT  
February 24, 2005

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