

STAFF REPORT

June 9, 2005

No. 05RZ039 - Rezoning from No Use District to Low Density Residential District **ITEM 35**

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	No. 05RZ039 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Beginning at a found point on the quarter corner of Section 28 and Section 29 T1N, R7E, BHM; thence S89°59'26"E 1064.51 feet; thence S63°16'56"W 75.68 feet; thence S58°41'53"W 119.08 feet; thence S67°34'57"W 52.00 feet; thence S76°02'59"W 119.17 feet; thence S88°05'02"W 104.00 feet; thence S89°59'30"W 626.72 feet; thence N00°18'06"W 148.20 feet; to the Point of Beginning; containing 3.12 acres more or less, located at the SW1/4, Section 28, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.12 acres
LOCATION	South of the intersection of Muirfield Drive and Coghill Lane
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Planned Unit Development (Pennington County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	5/12/2005
REVIEWED BY	Karen Bulman / David L. Johnson

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Low Density Residential District be approved.

GENERAL COMMENTS: This undeveloped property contains approximately 3.12 acres and is located north of Sheridan Lake Road and south of Redrock Meadow Subdivision at the intersection of Muirfield Drive and Coghill Lane. The property is currently in the process of annexation and is zoned No Use District upon annexation into the City limits. Land located north of the subject property is zoned Low Density Residential District. Land located south

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and east of the subject property is zoned Suburban Residential District by Pennington County. Land located west of the subject property is zoned Planned Unit Development by Pennington County. The property owner has submitted a Petition of Annexation (05AN005) in conjunction with this rezoning request and an application to plat the property (05PL187).

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). A summary of Staff findings are 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.*

A voluntary annexation of the subject property (05AN005) has been submitted in conjunction with this rezoning request. All annexed lands are temporarily placed in the No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property. The extension of sewer and water into the subject property upon annexation will allow continued development of the area and constitutes a further change in conditions of the area requiring rezoning of the property. The proposed area to be developed is located south of Red Rock Meadows Subdivision and north of Sheridan Lake Road. The proposal to rezone the subject property to a Low Density Residential Zoning District is reflective of a continuation of residential development in the area.

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

The Low Density Residential Zoning District is intended to be used for single-family residential development with low population densities. The subject property is located adjacent to Low Density Residential Districts and Suburban Residential Districts in Pennington County. Red Rock Estates and Red Rock Meadow Subdivisions are located adjacent to the subject property. The Comprehensive Plan identifies the subject property as appropriate for residential land uses. The proposed zoning is consistent with the surrounding zoning designations and the intent of this ordinance.

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 applicant has indicated that water and sewer will be extended to the subject property. Access to the property will be from Muirfield Drive with further access to Sheridan Lake Drive, a Principal Arterial Road on the Major Street Plan. The street network will accommodate the slight increase in traffic resulting from the additional dwelling units. 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.*

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The 1980 Comprehensive Plan identifies this area as appropriate for residential land use. Rezoning the subject property from No Use District to Low Density Residential District is consistent with the Comprehensive Plan.

As of this writing, the required rezoning sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 9, 2005 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.

Staff recommends that the Rezoning from No Use District to Low Density Residential District be approved.