

STAFF REPORT
November 10, 2005

No. 05RZ056 - Rezoning from Low Density Residential to Medium Density Residential **ITEM 22**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 05RZ056 - Rezoning from Low Density Residential to Medium Density Residential
EXISTING LEGAL DESCRIPTION	A Tract of land located in the NE1/4 SW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: beginning at a point on the east/west 1/4 line of said Section 24 from which the center 1/4 corner of said Section 24 bears S89°48'44"E a distance of 506.81 feet; thence S00°10'09"W a distance of 399.73 feet; thence N89°49'51"W a distance of 230.30 feet; thence N00°10'09"E a distance of 399.80 feet; thence S89°48'44"E a distance of 230.30 feet to the point of beginning: said Tract containing 2.11 acres more or less
PARCEL ACREAGE	Approximately 2.11 acres
LOCATION	At the northeast corner of the intersection of Katheryn Avenue and Haines Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Mobile Home Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/14/2005
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION:

Staff recommends that the Rezoning of a Tract of land located in the NE1/4 SW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: beginning at a point on the east/west 1/4 line of said Section 24 from which the center 1/4 corner of said Section 24 bears S89°48'44"E a distance of 506.81 feet; thence S00°10'09"W a distance of 399.73 feet; thence N89°49'51"W a distance of 230.30 feet; thence N00°10'09"E a distance of 399.80 feet; thence S89°48'44"E a distance of 230.30 feet to the point of beginning

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from Low Density Residential to Medium Density Residential be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: This undeveloped property contains approximately 2.11 acres and is located at the northeast corner of Kathryn Avenue and Chief Drive and west of Haines Avenue. Land located north of the subject property is zoned Mobile Home Residential District. Land located east, west and south of the subject property is zoned Low Density Residential District. An application for an Amendment to the Comprehensive Plan to change the land use from Low Density Residential to Medium Density Residential land use (05CA040) has been submitted in conjunction with the Comprehensive Plan Amendment for the subject property. In addition, a Rezoning from Low Density Residential District to General Commercial District (05RZ055), a Planned Development Designation (05PD073), and an Amendment to the Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial land uses (05CA039) have been submitted for the adjacent property located east of the subject property.

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.*

This undeveloped property is zoned Low Density Residential District and is located at the northeast corner of Kathryn Avenue and Chief Drive. The subject property is located within an area that is developing as residential land uses. Surrounding properties are zoned Low Density Residential District or Mobile Home Residential District. The applicant has also submitted a request for a rezoning change from Low Density Residential District to General Commercial District for property located adjacent and to the east of the subject property. The extension of water and sewer into the subject area supports the continued development of the area.

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

The Medium Density Residential Zoning District is intended to provide for medium to high population density. The principal uses of land may range from single-family to multiple-family apartment uses. The subject property is located adjacent to Low Density Residential and Mobile Home Residential Zoning Districts and the proposed General Commercial District. The proposed Medium Density Residential Zoning District would be a buffer or transition between the Low Density Residential Zoning District located on the west and the proposed General Commercial Zoning District located on the east.

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 at the intersection of Kathryn Avenue and Chief Drive and

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adjacent to Haines Avenue, a principal arterial street. Haines Avenue will accommodate the anticipated increase in traffic from the Medium Density Residential District. Water and sewer will be extended into the subject property. Staff has not identified any significant adverse affects on any of the surrounding land uses or any other part of the City

- 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 Future Land Use Committee has identified this area as appropriate for Medium Density Residential land uses. An application for a Comprehensive Plan Amendment to change the land use from Low Density Residential land use to Medium Density Residential land use has been submitted with this application for rezoning. The availability of water, sewer and street connections to the subject property will support the residential development.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the November 10, 2005 Planning Commission meeting if this requirement has not been met. Staff has received one inquiry regarding the proposed Rezoning. An adjacent property owner has concerns with future drainage in the area, as well as the aesthetics of the area as the property is developed. These concerns will be reviewed in conjunction with a Planned Commercial Development – Initial and Final Plan at the time the property is developed.

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