

STAFF REPORT
July 27, 2006

No. 06RZ024 - Rezoning from General Agriculture District to Low Density Residential District **ITEM 42**

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	No. 06RZ024 - Rezoning from General Agriculture District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lots 4 thru 6, Block 19, Red Rock Estates, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.09 acres
LOCATION	6901 Ainsdale Court
EXISTING ZONING	General Agriculture District - Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	Low Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/30/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be approved for Lots 5 & 6 and only that portion of Lot 4 as identified by the following metes and bounds: A parcel of land located in the Southeast One-Quarter of the Northeast One-Quarter (SE ¼ NE ¼) of Section Twenty Nine (29) in Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, (BHM), Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the East One-Quarter corner of said Section 29 in T1N, R7E, BHM, said point being coincident with the West One-Quarter corner of Section 28 in T1N, R7E, BHM, and said point being located within Dunsmore Road right-of-way; thence, North 77° 20' 19" West, a distance of 1286.27 feet, more or less, to the point of beginning, said point being located on the west line of Lot 4, Block 19, Red Rock Estates Subdivision; thence, continuing northerly along the west line of said Lot 4, North 7° 31' 39" West, a distance of 99.39 feet, more or less, to the northwest corner of said lot 4, and marked by a rebar with survey cap marked "RLS 3977"; thence, North 82° 28' 21" East, a distance of 119.38 feet, more or less, to the northeast corner of said lot 4 and lying on the east right of way line of

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Ainsdale Court, a point marked by a rebar with survey cap marked "RLS 3977"; thence, along the arc of a curve to the left whose radius points bears North 82° 28' 21" East, having a radius of 55.00 feet, a central angle of 17° 23' 02", and an arc length of 16.69 feet, more or less, to a point lying on the east right of way line of Ainsdale Court, said point being marked by a rebar with survey cap marked "RLS 3977"; thence, South 24° 54' 42" East, a distance of 13.25 feet, more or less to a point located on the east line of said Lot 4 and lying on the east right of way line of Ainsdale court, said point being marked by a rebar with survey cap marked "RLS 3977"; thence, South 53° 17' 01" West, a distance of 144.17 feet, more or less, to a point on the west lot line of said lot 4, to the point of beginning.

GENERAL COMMENTS: This undeveloped property contains approximately 1.09 acres and is located at the northwest end of Ainsdale Court, north of Portrush Road. The property is currently zoned General Agriculture District and Low Density Residential District. Land located north, south and west of the subject property is zoned General Agriculture District. Land located east of the subject property is zoned Low Density Residential District.

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 currently zoned General Agriculture District. This area is the location of a substantial increase in residential development. The extension of water and sewer will be located along Ainsworth Court to accommodate the three proposed residential lots. The property owner has indicated that he wishes to have these additional three lots developed with Low Density Residential land uses.

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 in an area ready for residential development. The subject property is located adjacent to Low Density Residential Zoning District and General Agriculture District as part of The Estates and Golf Course at Red Rocks. The Comprehensive Land Use Plan indicates that this property is appropriate for Residential land uses. Water and sewer facilities are present in the area and will be extended as development occurs.

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 Density Residential zoning district. Water and sewer are proposed to be extended into the subject property as development occurs. Muirfield Drive, a proposed collector road on the City's Major Street Plan, is located west of the subject property and will carry the additional traffic from the three lots. Staff is not aware

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of any significant adverse effects that would result from rezoning the subject property from General Agriculture District to Low 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 Land Use Plan identifies this area as appropriate for Residential land uses. Traffic from the residential area will have adequate access through Portrush Road and Muirfield Drive. Rezoning the subject property from General Agriculture District to Low Density Residential District appears to be appropriate.

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 July 27, 2006 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.