

STAFF REPORT
August 10, 2006

No. 06RZ026 - Rezoning from No Use District to Low Density Residential District **ITEM 27**

GENERAL INFORMATION:

PETITIONER	Frank Lawton for Executive Homes, Inc.
REQUEST	No. 06RZ026 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	A parcel of land located in the N1/2 NE1/4 SE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 60 acres
LOCATION	At the northern terminus of Bunker Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development) - Park Forest District
South:	General Agriculture District (Pennington County)
East:	Public District
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/14/2006
REVIEWED BY	Karen Bulman / Emily Fisher

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

GENERAL COMMENTS: This undeveloped property contains approximately 60 acres and is located at the terminus of Bunker Drive, and south of the Rainbow Ridge Subdivision and west of Bunker Drive. The property is currently zoned No Use District. Land located north of the subject property is zoned Low Density Residential District with a Planned Residential Development and Park Forest. Land located west and south of the subject property is zoned General Agriculture District by Pennington County. Land located east of the subject property is zoned Public District. Bunker Drive, a section line highway, is located along the east lot line of the subject property. A Preliminary Plat (06PL036) to subdivide the subject property into 29 residential lots with an unplatted balance was approved by the City Council on May 1, 2006 for the subject property.

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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 (05AN013) was approved by the City Council and effective on January 15, 2006. All annexed lands are temporarily placed in a No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property. This undeveloped property is located west of Bunker Road and south of Rainbow Ridge Subdivision and in an area that has recently been developing.

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, Park Forest District and General Agriculture District in Pennington County. The Comprehensive Land Use Plan indicates that this property is appropriate for Residential land uses. Bunker Drive will be extended from the north, adjacent and east of the subject property. 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.*

Bunker Drive, a section line highway, is located along the east lot line of the subject property. Bunker Drive is classified as a collector street on the City's Major Street Plan. Bunker Drive will carry future traffic between Haines Avenue and Mall Drive as the area continues to develop. Water and sewer is proposed to be extended into the subject property as development occurs. To meet adequate fire flows, the water plans shall incorporate the recommendations from the "North Rapid High Level and North Deadwood Avenue Water System Expansion Study" dated May 18, 2005. City Utility Maintenance completed a hydrant flow test for the hydrant near the current termination of Bunker Road, indicating that the measurements, 68 psi static pressure, 42 psi residual and 1382 gpm at 20 psi residual, meet City criteria for normal working pressure along Bunker Street. Development farther west of Bunker Street will require at least 1500 gpm at 20 psi as the terrain is steeper in that area. As development occurs, fire flow requirements must be verified and approved by the Fire Department. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from No Use District to Low Density Residential District when adequate infrastructure is extended as part of the development of this area.

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 Comprehensive Land Use Plan identifies this area as appropriate for Residential land uses. Traffic from the residential area will have adequate access through Bunker Drive and Mall Drive. Rezoning the subject property from No Use 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 August 10, 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.