

STAFF REPORT
September 7, 2006

No. 06RZ028 - Rezoning from General Agriculture District to Medium Density Residential District **ITEM 25**

GENERAL INFORMATION:

PETITIONER	CETEC Engineering for Franklin O. Simpson
REQUEST	No. 06RZ028 - Rezoning from General Agriculture District to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	A parcel of land beginning at the southwest corner of the NW1/4 SW1/4, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Thence N89°55'39"E 240.24 feet to a point; Thence N29°57'38"W 245.17 feet to a point; Thence N05°57'38"W 321.39 feet to a point on the Right-of-Way of Harmony Heights Lane; Thence S72°10'55"W 205.74 feet along said Right-of-Way to a point; Thence along a curve to the right having a radius of 229.63 feet, a distance of 3.70 feet to a point on said Right-of-Way; Thence S00°02'56"E 469.04 feet to a point on the South line of the NE1/4 SE1/4, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Thence along said South line N89°41'23"E 114.61 feet to the point of beginning
PARCEL ACREAGE	Approximately 2.87 acres
LOCATION	Southwest of the intersection of Harmony Heights Lane and Sunny Springs Drive
EXISTING ZONING	Medium Density Residential District - General Agriculture District
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation) - Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	8/11/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Rezoning from General Agriculture District to

STAFF REPORT
September 7, 2006

No. 06RZ028 - Rezoning from General Agriculture District to Medium Density Residential District **ITEM 25**

Medium Density Residential District be approved in conjunction with the associated Comprehensive Plan Amendment and the Planned Development Designation.

GENERAL COMMENTS: This undeveloped property contains approximately 5.39 acres and is located southwest of the intersection of Harmony Heights Lane and Sunny Springs Drive. The property is currently zoned Medium Density Residential District and General Agriculture District. Land located north of the subject property is zoned Office Commercial District with a Planned Commercial Development and Medium Density Residential District. Land located east and south of the subject property is zoned Medium Density Residential District. Land located west of the subject property is zoned General Agriculture District. In addition to this Rezoning application, the applicant has submitted a Comprehensive Plan Amendment to the North Rapid Neighborhood Area Land Use Plan to change the land use designation from Park Forest to Medium Density Residential with a Planned Residential Development, a Planned Development Designation, a Variance to the Subdivision Regulations to reduce the pavement width along Sunny Springs Drive from 27 feet to 24 feet, an Initial and Final Planned Residential Development to allow 22 townhomes to be constructed on the subject property, and a Layout Plat to subdivide the subject property into 22 townhome lots leaving a non-transferable unplatted balance. (See companion items 06CA024, 06PD062, 06SV050, 06PD061, and 06PL132.)

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.*

The undeveloped property is located in a General Agriculture Zoning District as a holding zone until adequate infrastructure will be installed to allow development. Streets and infrastructure are now in place to allow an expansion of the current residential growth. This change now makes the proposed amendment necessary.

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

The Medium Density Residential Zoning District is to provide for medium to high population density. The subject property is located adjacent to Medium Density Residential and Office Commercial Zoning Districts. The street network and the water and sewer infrastructure will adequately serve the subject property for medium density residential land uses. The proposed rezoning appears to be consistent with the intent of the Zoning District.

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 Medium Density Residential zoning districts. The street network appears adequate to support the proposed density of development. The existing water and sewer is a private system and will be required to be converted to a public

STAFF REPORT
September 7, 2006

No. 06RZ028 - Rezoning from General Agriculture District to Medium Density Residential District **ITEM 25**

system and will be extended to serve the proposed density of development. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from General Agriculture 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 Land Use Plan identifies this area as appropriate for General Agriculture and Medium Density Residential land uses with a Planned Residential Development. An application for a Comprehensive Plan Amendment to change a portion of the land use on the subject property from Park Forest to Medium Density Residential with a Planned Residential Development has been submitted in conjunction with the Rezoning of the subject property. If the Comprehensive Plan Amendment is approved, the proposed rezoning would be consistent with the adopted plans.

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 September 7, 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.