

STAFF REPORT
February 8, 2007

No. 07RZ005 - Rezoning from General Agriculture District to Low Density Residential District

ITEM 23

GENERAL INFORMATION:

PETITIONER	Boschee Engineering for OTS, Inc.
REQUEST	No. 07RZ005 - Rezoning from General Agriculture District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	A parcel of land located in the SW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: Beginning at the found corner No. 3977 of the southwest corner of Section 22; thence N89°51'52"E along south section line of Section 22, 493.84 feet to the true point of beginning; thence N89°51'52"E 818.42 feet; thence N00°00'36"E 564.46 feet; thence N89°59'24"W 709.07 feet; thence N76°18'05"W 108.67 feet; thence N00°00'00"W 63.32 feet; along a curve to the left having a radius of 274.00 feet through a central angle of 23°19'30" along said curve having a chord direction of N11°39'45"E; thence N23°19'30"E 113.52 feet; along a curve to the right having a radius of 476.00 feet through a central angle of 27°58'03" along said curve having a chord direction of N09°20'29"E; thence N04°38'33"W 36.30 feet; thence S85°21'27"W 69.30 feet; thence S06°18'31"W 135.46 feet; thence S53°48'13"W 26.53 feet; thence S00°02'33"W 317.97 feet; thence S00°02'33"W 199.35 feet; thence S00°01'07"E 458.25 feet; to the point of beginning; containing 11.31 acres more or less
PARCEL ACREAGE	Approximately 11.31 acres
LOCATION	At the southern terminus of Bendt Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer

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Density Residential District**

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DATE OF APPLICATION 1/12/2007

REVIEWED BY Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be continued to the February 22, 2007 Planning Commission meeting to be heard in conjunction with the associated Rezoning and Comprehensive Plan Amendment(s).

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the subject property from General Agriculture District to Low Density Residential District. In addition, on January 26, 2007 the applicant submitted a Comprehensive Plan Amendment to the US Highway 16 Area Future Land Use Plan to change the land use designation from General Commercial with a Planned Commercial Development to a Planned Residential Development with a maximum density of 4.8 dwelling units per acre on a portion of land located adjacent to the west side of the subject property. That application will be considered at the February 22, 2007 Planning Commission meeting. The applicant has also submitted a Preliminary Plat to subdivide the subject property into 41 residential lots. In addition, the applicant has submitted a Comprehensive Plan Amendment to the Major Street Plan to relocate a portion of the collector street Nugget Gulch Drive. (See companion items #06PL178, 07CA005, 07CA007, and 07RZ004.)

The property is located southeast of Catron Boulevard and Sheridan Lake Road. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is outlined below:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.*

The subject property is currently zoned General Agriculture District. The General Agriculture District has served as a holding zone until such time as the property is developed. As previously stated the applicant has submitted a Preliminary Plat for the subject property that will create 41 residential lots and dedicate additional right-of-way for public streets. The proposed extension of public streets as well as the extension of municipal water and sanitary sewer services to the property will change conditions within the area to support the extension of residential development. In addition, Catron Boulevard, a significant east-west arterial connection, is located approximately 1,000 feet to the north of the subject property and Nugget Gulch Drive, a collector street, will be extended through the subject property. It is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future.

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

The purpose of the Low Density Residential District as stated in the Zoning Ordinance is to "...be used for single-family residential development with low population densities. Additional permitted uses, by review of the Common Council, include related noncommercial, recreational, religious and educational facilities normally required to provide the basis elements of a balanced and attractive residential area". The subject property is located south of an arterial street and adjacent to a residential area. Due to the existing zoning of the adjacent properties, the ability to extend City water and sewer services, and the topography of the area, the proposed rezoning would appear to be consistent with the intent and purposes 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 amendment.*

The subject property is located adjacent to a Low Density Residential Zoning District on the north. As a part of the platting of the subject property, infrastructure will be constructed to serve the proposed residential development. Water pressure appears to be adequate to serve the elevations as shown and detailed water and sewer information is required as part of the Preliminary Plat application. Staff recommends that prior to approval by the City Council, a Planned Development Designation application shall be submitted and approved for the subject property. The additional review provided by an Initial and Final Planned Unit Development process will insure that any possible adverse impacts of development and/or redevelopment are adequately mitigated. Based on the provision of a Planned Development, staff has not identified any significant adverse impacts that will result from the requested rezoning.

4. *The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

The Major Street Plan identifies Nugget Gulch Drive as a proposed collector street. Allowing residential use(s) along a collector street is in compliance with the Major Street Plan. The Comprehensive Plan identifies the subject property as appropriate for a Planned Residential Development with a maximum of 4.8 dwelling units per acre. The proposed Low Density Residential Zoning District is consistent with the densities approved in the U.S. Highway 16 Future Land Use Plan. As such, staff recommends that prior to approval by the City Council, a Planned Development Designation application shall be submitted and approved for the subject property.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned and the sign has not been posted on the property. Staff will notify the Planning Commission at the February 8, 2007 Planning Commission meeting if this requirement has not been met.