

STAFF REPORT  
February 22, 2007

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**No. 07RZ009 - Rezoning from No Use District to Medium Density Residential District**      **ITEM 31**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 07RZ009 - Rezoning from No Use District to Medium Density Residential District</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in Government Lot 3, of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the north 1/4 corner of said Section 4, said corner being marked with a GLO Brass Cap; thence, southerly along the 1/4 section line, S00°05'16"E, a distance of 512.09 feet, more or less; thence, S89°54'44"W, a distance of 193.07 feet, more or less; thence, curving southwest to the left on a curve with a radius of 326.00 feet, a delta of 15°03'07", an arc length of 85.64 feet, and a chord bearing of S07°28'00"W and a chord distance of 85.40 feet; thence, S00°03'34"E, a distance of 108.52 feet, more or less; thence, S89°50'20"W, a distance of 968.82 feet, more or less; thence, N00°00'48"W, a distance of 181.83 feet, more or less; thence, curving northwest to the left on a curve with a radius of 226.00 feet, a delta of 00°42'26", an arc length of 2.79 feet, and a chord bearing of N00°22'01"W and a chord distance of 2.79 feet; thence, S89°53'30"W, a distance of 151.98 feet, more or less, to a point located on the west 1/16th line of said Section 4; thence, northerly along said 1/16th line, N00°00'49"W, a distance of 520.21 feet, more or less to the north section line of said Section 4, said point being a 1/16th section corner and marked by a rebar with survey cap "6251"; thence, easterly along the north line of said Section 4, N89°50'15"E, a distance of 1324.26 feet, more or less, to the point of beginning
PARCEL ACREAGE	Approximately 19.9 acres
LOCATION	East of Valley Drive and west of Concourse Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	No Use District
East:	Light Industrial District

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---

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---

West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/26/2007
REVIEWED BY	Karen Bulman / Todd Peckosh

**RECOMMENDATION:** Staff recommends that the request to Rezone from No Use District to Medium Density Residential District be approved in conjunction with the associated Planned Development Designation.

**GENERAL COMMENTS:** This undeveloped property contains approximately 19.9 acres and is located east of Valley Drive and west of Concourse Drive. An annexation request for the property is currently being processed (07AN001) and the property will be zoned No Use District upon annexation into the City limits. The applicant is requesting that the property be rezoned from No Use District to Medium Density Residential District. Land located north of the subject property is zoned General Agriculture District by Pennington County. Land located west of the subject property is zoned Limited Agriculture District by Pennington County. Land located south of the subject property is zoned No Use District. Land located east of the subject property is zoned Light Industrial District.

In addition to the annexation petition, the applicant has submitted a request to rezone a portion of the property from No Use District to Low Density Residential District (07RZ008), an Initial and Final Planned Residential Development (07PD004), a Planned Development Designation (07PD005), a Preliminary Plat (07PL015), a Variance to the Subdivision Regulations to waive the requirement to install street light conduit and sewer along Homestead Street (07SV004), a Variance to the Subdivision Regulations to waive the requirement to provide easements across lots or centered on rear or side lot lines for utilities and drainage (07SV005), and a SDCL 11-6-19 Review to create an H Lot and to construct Homestead Street (07SR011).

**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 (07AN001) has been submitted in conjunction with this rezoning request. 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. The proposal to rezone the subject property to Medium Density Residential Zoning District in conjunction with a Planned Development Designation is reflective of a continuation of residential development proposed for the area.

STAFF REPORT  
February 22, 2007

---

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---

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 Low Density Residential Zoning District and Suburban Residential Districts in Pennington County. The Elk Vale Neighborhood Future Land Use Plan identifies the subject property as appropriate for Medium Density Residential land use with a Planned Residential Development. The applicant has submitted a Planned Development Designation (07PD005) in conjunction with this rezoning application. The subject property is located along a proposed principal arterial street. The street will be able to handle the additional traffic from the residential development in the Medium Density Zoning District. Rezoning the subject property from No Use District to Medium Density Residential District in conjunction with a Planned Development Designation appears to be appropriate.

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 and Limited Agriculture Districts by Pennington County. City water and sewer are proposed to be extended into the subject property as development occurs. Anamosa Street, a proposed principal arterial street on the City's Major Street Plan adjacent to the subject property, will allow access to the proposed lots to be created within the subject property. In addition, a proposed future road connection from Copperfield Drive will allow additional access for the subject property with connections to Homestead Street and Copperfield Subdivision. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from No Use District to Medium Density Residential District in conjunction with a Planned Development Designation.

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 Elk Vale Neighborhood Future Land Use Plan identifies this area as appropriate for Medium Density Residential land use with a Planned Residential Development. A Planned Development Designation (07PD005) has been submitted for the subject property. An Initial and Final Planned Residential Development will need to be submitted prior to any development and will serve as a tool to address any issues specific to the subject property and help mitigate any potential negative impacts that may occur on existing and future land uses within the area. Rezoning the subject property from No Use District to Medium Density Residential District in conjunction with a Planned Development Designation is consistent with the Comprehensive Plan.

As of this writing, the required 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 February 22, 2007 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at

STAFF REPORT  
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the time of this writing.

Staff recommends that the Rezoning from No Use District to Medium Density Residential District be approved in conjunction with the associated Planned Development Designation.