

STAFF REPORT

May 8, 2008

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**No. 08RZ012 - Rezoning from General Agriculture District to Low Density Residential District**

**ITEM 21**

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GENERAL INFORMATION:

APPLICANT/AGENT                      Dream Design International, Inc.

PROPERTY OWNER                      DTH, LLC

REQUEST                                      **No. 08RZ012 - Rezoning from General Agriculture District to Low Density Residential District**

EXISTING  
LEGAL DESCRIPTION

A portion of Tract A of F&N Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northeasterly corner of Tract A of F & N Subdivision, and the point of beginning, Thence, first course: S00°07'40"W, a distance of 25.77 feet, to the northwesterly corner of Block 12 of Big Sky Subdivision; Thence, second course: S00°07'40"W, along the westerly boundary of said Block 12, a distance of 144.58 feet; Thence, third course: S71°37'02"W, along the westerly boundary of said Block 12, common to the easterly boundary of said Tract A, a distance of 14.49 feet; Thence, fourth course: S40°22'12"E, along the westerly boundary of said Block 12, a distance of 920.50 feet; Thence, fifth course: S18°55'40"E, along the westerly boundary of said Block 12, a distance of 55.05 feet; Thence, sixth course: S22°39'24"E, along the westerly boundary of said Block 12, a distance of 54.51 feet; Thence, seventh course: S05°44'23"E, along the westerly boundary of said Block 12, a distance of 47.63 feet; Thence, eighth course: N89°57'36"E, along the westerly boundary of said Block 12, a distance of 92.82 feet, to the northwesterly corner of Lot 1 of Block 10 of Big Sky Subdivision; Thence, ninth course: S00°00'05"W, along the westerly boundary of said Lot 1 of Block 10, a distance of 115.16 feet, to the southwesterly corner of said Lot 1 of Block 10; Thence, tenth course: S00°00'05"W, a distance of 52.00 feet, to the northwesterly corner Lot 1 of Block 9 of Big Sky Subdivision; Thence, eleventh course: S00°00'05"W, along the westerly boundary of said Lot 1 of Block 9, a distance of 134.71 feet, to a point on the southwesterly corner of said Lot 1 of Block 9; Thence, twelfth course: N89°47'43"W, along the northerly boundary of Lot 31 of Degeest Subdivision, a distance of 252.04 feet, to the northwesterly corner of said Lot 31 of Degeest

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Subdivision; Thence, thirteenth course: N89°47'43"W, a distance of 63.00 feet, to the northeasterly boundary of Block 1 of Mack Subdivision; Thence, fourteenth course: N89°47'43"W, along the northerly boundary of said Block 1 of Mack Subdivision, a distance of 399.97 feet, to the northwesterly corner of said Block 1 of Mack Subdivision; Thence, fifteenth course: N00°12'35"E, a distance of 631.94 feet, to the northeasterly corner Block 1 of Neff's Subdivision No. 2; Thence, sixteenth course: N89°52'44"W, along the northerly boundary of said Block 1 said Neff's Subdivision No. 4, a distance of 468.56 feet, to the northwesterly corner of said Block 1 of Neff's Subdivision No. 2; Thence, seventeenth course: S89°55'24"W, a distance of 30.00 feet; Thence, eighteenth course: N00°04'43"E, a distance of 8.38 feet; Thence, nineteenth course: curving to the left, on a curve with a radius of 288.00 feet, a delta angle of 20°19'59", a length of 102.21 feet, a chord bearing of N10°05'17"W, and chord distance of 101.67 feet; Thence, twentieth course: N20°15'16"W, a distance of 5.25 feet; Thence, twenty-first course: N69°44'43"E, a distance of 50.69 feet; Thence twenty-second course: curving to the right, on a curve with a radius of 400.00 feet, a delta angle of 20°23'26", a length of 142.35 feet, a chord bearing of N79°56'27"E, and chord distance of 141.60 feet; Thence, twenty-third course: S89°51'50"E, a distance of 98.10 feet, to a point on the section 1/16th line; Thence, twenty-fourth course: N00°06'38"E, along the section 1/16th line, a distance of 537.65 feet, to the section 1/16th corner, common to a point on the northerly boundary of said Tract A; Thence, twenty-fifth course: S89°48'43"E, along the northerly boundary of said Tract A, a distance of 226.22 feet, to the northeasterly corner of Tract A of F & N Subdivision, and the point of beginning

PARCEL ACREAGE

Approximately 15.657 acres

LOCATION

Southwest of the intersection of Big Sky Drive and Degeest Drive and east of Elk Vale Road

EXISTING ZONING

General Agriculture District

SURROUNDING ZONING

North:

Office Commercial District (Planned Development Designation) - Medium Density Residential District

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South: (Planned Residential Development)  
Suburban Residential District (Pennington County)  
East: Suburban Residential District (Pennington County)  
West: Suburban Residential District (Pennington County)

PUBLIC UTILITIES City and Rapid Valley Sanitary District Water/Sewer

DATE OF APPLICATION 3/28/2008

REVIEWED BY Jared Ball / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be continued to the **May 22, 2008** Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

**(Update: April 24, 2008. All revised and/or added text is shown in bold.) This item was continued to the May 8, 2008 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff recommends that this item be continued to the May 22, 2008 Planning Commission meeting.**

The applicant has submitted a request to rezone 15.657 acres from General Agricultural District to Low Density Residential District. This undeveloped property is located west Degeest Drive, east of Sweetbriar Street and south of Big Sky Drive. The properties to the north are currently zoned Office Commercial with a Planned Development Designation and Medium Density Residential District with a Planned Residential Development. The properties to the south, east and west are currently zoned Suburban Residential District in Pennington County.

An associated Comprehensive Plan Amendment (#08CA014) to change the Future Land Use designation from Office Commercial with a Planned Commercial Development to Low Density Residential District and a Preliminary Plat (#08PL030) have been filed in conjunction with this request.

STAFF REVIEW:

On April 1, 2008, staff met with the applicant to discuss the proposed design and service boundaries of the sanitary sewer system for the development since the southern portion of the property is located within the Rapid Valley Sanitary District service area and the northern portion of the property is located within the City of Rapid City's service area. Staff is recommending that the Preliminary Plat be continued to the May 8, 2008 Planning Commission meeting with the applicant's concurrence to allow the service area issue to be addressed. Staff is also recommending that this item be continued to the May 8, 2008 Planning Commission meeting to allow it to be heard in conjunction with the associated Preliminary Plat.

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Notification:

As of this writing, the required sign has been posted on the property, and the receipts from the certified mailing have been returned. Staff has received some inquiries, but no objections regarding the proposed request at the time of this writing.