

STAFF REPORT

June 5, 2008

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**No. 08RZ018 - Rezoning from No Use District to General Agriculture District** **ITEM 40**

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GENERAL INFORMATION:

APPLICANT/AGENT City of Rapid City  
PROPERTY OWNER Doeck, LLC  
REQUEST **No. 08RZ018 - Rezoning from No Use District to General Agriculture District**

EXISTING LEGAL DESCRIPTION

The SE1/4 of the NE1/4, and the NE1/4 of the SE1/4, and the SE1/4 of the SE1/4, all Section 14; and the NE1/4 of the NE1/4 of Section 23; all less the East 33 feet previously annexed and less A portion of the SE¼ of the NE¼, and a portion of the NE¼ of the SE¼, Section 14, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the easterly ¼ section corner of Section 14, T2N, R7E, BHM, common with the westerly ¼ section corner of Section 13, T2N, R7E, BHM, and the Point of Beginning; Thence, first course: S00°02'25"W, along the Section Line common to said Sections 13 and 14, a distance of 338.77 feet; Thence, second course: N46°19'06"W, a distance of 364.65 feet; Thence, third course: N00°21'21"W, a distance of 576.95 feet; Thence, fourth course: N14°28'41"W, a distance of 182.07 feet; Thence, fifth course: N00°21'21"W, a distance of 85.00 feet; Thence, sixth course: N00°07'31"W, a distance of 52.00 feet; Thence, seventh course: N89°52'29"E, a distance of 0.75 feet; Thence, eighth course: N00°07'31"W, a distance of 111.82 feet; Thence, ninth course: N89°52'29"E, a distance of 130.75 feet; Thence, tenth course: S00°07'31"E, a distance of 11.82 feet; Thence, eleventh course: N89°52'29"E, a distance of 185.16 feet, to a point on the Section Line common to said Sections 13 and 14; Thence, twelfth course: S00°10'27"W, along the Section Line common to said Sections 13 and 14, a distance of 904.01 feet, to the easterly ¼ section corner of Section 14, T2N, R7E, BHM, common with the westerly ¼ section corner of Section 13, T2N, R7E, BHM, and the Point of Beginning, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE Approximately 160.0 acres

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---

LOCATION	At the northern terminus of Bunker Drive and west of Haines Avenue
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential II District, Low Density Residential District, Medium Density Residential District, Medium Density Residential District (Planned Residential Development)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	5/9/2008
REVIEWED BY	Karen Bulman / Mary Bosworth

**RECOMMENDATION:** Staff recommends that the Rezoning from No Use District to General Agriculture District be approved.

**GENERAL COMMENTS:** This undeveloped property contains approximately 160 acres and is located at the northern terminus of Bunker Drive and west of Haines Avenue. The property was annexed effective October 11, 2007 (File #07AN004). The property is currently zoned No Use District. The property located north and west of the property is zoned General Agriculture District by Pennington County. The property located south of the property is zoned Low Density Residential District with a Planned Residential Development. The property located east of the property is zoned Low Density Residential II District with a Planned Residential Development, Medium Density Residential District, and Medium Density Residential District with a Planned Residential Development. The property is currently undeveloped.

**STAFF REVIEW:** The property is identified on the adopted Comprehensive Plan as appropriate for Park Forest land uses and on the draft Deadwood Avenue Neighborhood Land Use Plan as appropriate for a Planned Residential Development with a maximum of one dwelling unit per three acres. The property owner concurs with the recommendation to rezone this property as General Agriculture District as a holding zone until such time as further development of the area may be requested.

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:

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---

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 property has been annexed into the City limits (#07AN004) and 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 at the northern terminus of Bunker Drive and west of Haines Avenue.

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

The General Agriculture Zoning District is intended to provide for land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. Most of these areas will be in close proximity to residential and commercial uses and therefore the agricultural activities conducted in this district should not be detrimental to urban land uses. The types of uses, area and intensity of use of land which is authorized in this district is designed to encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made. Until this property is ready to be developed, General Agriculture District is appropriate as a holding zone.

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 property is located in an area that is developing as a residential area and is located adjacent to Low Density Residential Districts, Low Density Residential II Districts and Medium Density Residential Districts. An existing eight inch sewer main and a six inch water main are located at the terminus of Cobalt Street. Future development of the subject property will require that adequate water and sewer be extended to the development. Staff is not aware of any significant adverse effects that would result from rezoning the subject property from No Use District to General Agriculture District as a holding zone.

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 Adopted Comprehensive Plan indicates that this area may be appropriate for Park Forest land uses. This property is currently not being developed. Rezoning the subject property from No Use District to General Agriculture District as a holding zone until development occurs in the future appears to be appropriate.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 5, 2008 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

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