

STAFF REPORT  
August 8, 2013

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**No. 13RZ018 - Rezoning from General Agricultural District to Low Density Residential District**      **ITEM 3**

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GENERAL INFORMATION:

APPLICANT	Don Ward - DKEA, LLC
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	DKEA, LLC
REQUEST	<b>No. 13RZ018 - Rezoning from General Agricultural District to Low Density Residential District</b>
EXISTING LEGAL DESCRIPTION	Tract A of Red Rock Village Subdivision, less Lot 3R of Block 12 of Red Rock Meadows Subdivision, located in the NE1/4 of the NE1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.670 acres
LOCATION	West of Dunsmore Road
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County)
South:	Low Density Residential District (Planned Development) - General Agricultural District
East:	Low Density Residential District (Planned Development)
West:	General Agricultural District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	July 3, 2013
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Rezoning from General Agricultural District to Low Density Residential District be approved.

GENERAL COMMENTS: The applicant has submitted a request to rezone approximately 14.67 acres of property from General Agriculture District to Low Density Residential District. The property, known as Tract A of the Red Rock Village Subdivision, is part of the ongoing Red Rock residential development. The applicant has also submitted a Preliminary

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Subdivision Plan (File #13PL077) and a request for a Final Planned Development (File #13PD033) to subdivide and develop the property with single family, detached housing in several phases. The associated applications are currently under review and are tentatively scheduled to be heard by the Planning Commission on August 22, 2013.

The property is located west of the northern terminus of Dunsmore Road. The property is currently undeveloped.

STAFF REVIEW: Staff has reviewed the proposed rezoning for conformance with the four criteria for review of zoning map amendments established in Section 17.54.040.D(1) and has noted the following considerations:

1. *The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and districts affected, or the city generally.*

The property is zoned General Agriculture District. Property to the north is located outside the City limits and is zoned General Agriculture District in Pennington County. Property to the east is zoned Low Density Residential District with a Planned Development Overlay in Rapid City. Property to the south and west is zoned General Agriculture District in Rapid City. The future land use designation for the property is residential and, as such, a Comprehensive Plan Amendment is not required. The area continues to develop with single family detached and attached residences. The applicant has indicated that they intend to develop this property as single family detached residences. The ongoing development of the Red Rock Subdivision represent changing conditions in the area.

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

The Low Density Residential District is intended for single family residential development with low population densities. The General Agriculture District is intended to provide land situated on the fringe of the urban area that is used for agricultural purposes, but will be undergoing urbanization in the future. The General Agriculture District typically serves as a holding zone until such time as the property is developed. The Rezoning request will allow for the continuing expansion of residential development in the area. The proposed zoning is 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 the amendment.*

The Rezoning request will change the zoning from General Agriculture District to Low Density Residential District. The area is comprised of single family detached and attached residences. The Rezoning request will increase the intensity of uses permitted on the property. It is not expected that the Rezoning request will adversely affect any other part of the City.

4. *The proposed amendment 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*

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*plan, community facilities plan, and others.*

The City's adopted Future Land Use Plan shows that the property has been designated for residential use and the Rezoning request is consistent with the Future Land Use Plan. Dunsmore Road is designed as a local street, meant to funnel residential traffic to area collector and arterial streets. Poppy Trail is located to the north west of the property and is proposed to be extended along the northern property line when the property is subdivided. Public Works staff has noted that the property is located within an Infrastructure Development Partnership Fund (IDPF) loan area. The applicant should note that before platting of the property can occur, the Infrastructure Development Partnership Loan must be paid, although payment of the Final Infrastructure Development Partnership Loan is not required as a part of the review for this Rezoning request. The proposed Rezoning request will allow for the continuing expansion of residential development in the area. The pending development applications will ensure that the proposed development of the area will meet the development standards required by the City and the character of the neighborhood. For these reasons, staff recommends the request to change the zoning on the property from General Agriculture District to Low Density Residential District be approved.

Notification Requirements: As of this writing, the sign has not been posted on the property. The required proof of notification mailing has not been submitted to Community Planning and Development Services. Staff will inform the Planning Commission at the August 8, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there has been one inquiry into the Rezoning request. The inquiring party wanted to know what type of housing was being proposed for the future development of the site as well as how the property would be accessed in the future. The party did not indicate support or opposition to the requested Rezoning.