

STAFF REPORT
August 21, 2014

No. 14RZ008 - Rezoning from Low Density Residential I to Low Density Residential II **ITEM 4**

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Yasmeen Dream LLC
REQUEST	No. 14RZ008 - Rezoning from Low Density Residential I to Low Density Residential II
EXISTING LEGAL DESCRIPTION	A portion of the W1/2 of the SE1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the 1/4 corner, common to Sections 9 and 16, T1N, R8E, BHM, thence N37°10'22"E, a distance of 1632.66 feet to the point of beginning. Thence, first course: N 89°54'02" W a distance of 648.84'; Thence, second course: N 01°01'01" E a distance of 129.45'; Thence, third course: N 90°00'00" E a distance of 516.00'; Thence, fourth course N 00°00'00" W a distance of 636.36'; Thence, fifth course: S 89°53'48" E a distance of 131.91'; Thence, sixth course: S 00°06'07" W a distance of 766.68', to the said point of beginning
PARCEL ACREAGE	Approximately 3.852 acres
LOCATION	South of SD Highway 44 and east of Elk Vale Road
EXISTING ZONING	Low Density Residential District I
FUTURE LAND USE DESIGNATION	Low Density Neighborhood
SURROUNDING ZONING	
North:	Medium Density Residential District - Low Density Residential District I
South:	Low Density Residential District I
East:	Low Density Residential District I
West:	Medium Density Residential District - Low Density Residential District I
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	July 24, 2014

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REVIEWED BY

Fletcher Lacock / Bob Reiss

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential I to Low Density Residential II be approved.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the above legally described property from Low Density Residential District I to Low Density Residential District II. The approved Orchard Meadows Master Plan identifies the proposed rezoning for townhome development. Townhomes are a permitted use in the Low Density Residential District II.

On August 7, 2014, the Planning Commission approved a Preliminary Subdivision Plan (File #14PL042) which included a portion of the above legally described property. The Preliminary Subdivision Plan will go before the City Council on August 18, 2014.

The property is located southeast of the intersection of Elk Vale Road and South Dakota Highway 44. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed this proposed rezoning request 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 generally.*

The applicant has submitted a Preliminary Subdivision Plan (File #14PL042) which includes a Master Plan for Orchard Meadows identifying the area of the proposed Rezoning for townhome development. Townhomes are a permitted use in the Low Density Residential District II.

2. The proposed amendments shall be consistent with the intent and purposes of this title.

The City's Future Land Use Map identifies the property as suitable for Low Density Neighborhood including single-family and two-family residences. The Master Plan for Orchard Meadows identifies the above legally described property for townhome development.

3. *The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from the amendment.*

The property is currently zoned Low Density Residential District I. The Orchard Meadows master plan identifies the above legally described property for townhome development. The applicant is requesting the rezoning because townhomes are a permitted use in the Low Density Residential District II. A Preliminary Subdivision Plan

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has been approved by the Planning Commission and goes before the City Council on August 18, 2014. It does not appear that the Rezoning will have an adverse affect on any other part of the City.

- 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 property is served by Rapid Valley Sanitary District. The applicant has also submitted a Preliminary Subdivision Plan which has been approved by the Planning Commission and goes before the City Council on August 18, 2014. The proposed Rezoning request is not in conflict with the Major Street Plan or the Future Land Use Plan. The property will be accessed from South Dakota Highway 44 and Elderberry Boulevard. The signalization of the intersection will be coordinated with the South Dakota Department of Transportation as warrants are met.

Summary: The applicant is requesting that the above legally described property be Rezoned from Low Density Residential District I to Low Density Residential District II. The Orchard Meadows Master Plan identifies the above legally described property for townhome development. Townhomes are a permitted use in the Low Density Residential District II. Staff recommends that the rezoning request be approved.

Notification: The mailings and sign have been picked up. The mailings have been returned to Community Planning and Development Services for posting. Staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the August 21, 2014 Planning Commission meeting if this requirement has not been met.