

STAFF REPORT

September 26, 2002

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**No. 02RZ047 - Rezoning from Low Density Residential District to Medium Density Residential District** **ITEM 40**

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GENERAL INFORMATION:

PETITIONER Renner and Sperlich Engineering for Walgar Development Corp.

REQUEST **No. 02RZ047 - Rezoning from Low Density Residential District to Medium Density Residential District**

EXISTING LEGAL DESCRIPTION A portion of Tract B of Robbinsdale Addition No. 10 located in the SW1/4 of NE1/4 of SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described by metes and bounds as commencing at the northeasterly corner of Tract B of Robbinsdale Addition No. 10 common to a corner of Tract A of Robbinsdale Addition No. 10, thence, S00°34'24"W along the easterly boundary of said Tract B, common to the westerly boundary of said Tract A, a distance of 34.03 feet, to the Point of Beginning; thence, first course: S00°34'24"W along the easterly boundary of said Tract B, common to the westerly boundary of said Tract A, a distance of 87.87 feet, to the west corner common to said Tract A and Lot 2 of Block 11 of Robbinsdale Addition No. 10; thence, second course: S00°34'24"W along the easterly boundary of said Tract B, common to the boundary of said Lot 2 of Block 11, a distance of 545.67 feet, to the southeasterly corner of said Tract B; thence, third course: S89°43'09"W along the southerly boundary of said Tract B, common to the boundary of said Lot 2 of Block 11, a distance of 609.78 feet; thence, fourth course: northeasterly, curving to the left on a curve with a radius of 303.62 feet, a delta angle of 48°53'39", a length of 259.10 feet, a chord bearing of N47°46'47"E, and a chord distance of 251.31 feet; thence, fourth course: northeasterly, curving to the right on a curve with a radius of 536.05 feet, a delta angle of 15°00'02", a length of 140.34 feet, a chord bearing of N30°49'59"E, and a chord distance of 139.94 feet; thence, fifth course: northeasterly, curving to the left on a curve with a radius of 156.08 feet, a delta angle of 44°12'52", a length of 120.45 feet, a chord bearing of N16°13'34"E, a chord distance of 117.48 feet; thence, sixth course: N61°59'49"E, a distance of 43.64 feet;

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thence, seventh course: N28°45'23"W, a distance of 70.20 feet, to a point 150 feet southeasterly of the southerly right-of-way of Minnesota Street; thence eighth course: N64°33'00"E, parallel to the southerly right-of-way of Minnesota Street, a distance of 355.15 feet, to the Point of Beginning

PARCEL ACREAGE	Approximately 4.95 acres
LOCATION	On Minnesota Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District w/Planned Residential Development
South:	Public District
East:	Public District/Medium Density Residential District w/Planned Residential Development
West:	Office Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	08/30/2002
REPORT BY	Jeff Marino

**RECOMMENDATION:**

Staff recommends that the Rezoning from Low Density Residential District to Medium Density Residential District be approved in conjunction with the accompanying Future Land Use Plan Amendment.

**GENERAL COMMENTS:**

The property involved in this rezoning request is an irregular shaped lot that contains 215,676 square feet of area or 4.95 acres more or less. The property was annexed as part of an 80 acre annexation on September 4<sup>th</sup>, 1979. The petitioner has indicated a desire to rezone the 4.95 acre parcel of land from Low Density Residential to Medium Density Residential. Currently the property is void of any structural development.

**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:

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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.***

Residential lots are located north of the property along Minnesota Street. The area north of the proposed rezoning is zoned Medium Density Residential. The proposed rezoning from Low Density Residential to Medium Density Residential is consistent with the rezoning of the property to the north. The area to the south is being developed with softball fields and other park uses. The proposed Medium Density Residential zoning would allow uses more compatible with developing park areas. Due to these reasons, the Future Land Use Committee supports this change.

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

The purpose of the Medium Density Residential Zoning District is to provide for residential uses at a higher intensity than the Low Density Residential Zoning District. The Medium Density Residential Zoning District would appear appropriate for the location near the intersection of an arterial street and a collector street, such as Minnesota Street and Parkview Drive and near a community recreation facility. The Medium Density Zoning District is consistent with the other uses in the area.

**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 possible uses in a Medium Density Residential Zoning District do not appear to have a negative impact on the surrounding uses due to the similarity in nature of these uses. Many other uses in the area south of Minnesota Street are Medium Density Residential as well. With similar types of intensity and density of use, it appears this Medium Density Residential use will not create excessive negative impacts compared to the surrounding uses. The requirements for screening and landscaping should mitigate any potential adverse affects on surrounding properties.

**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 Rapid City Comprehensive Plan – South Robbinsdale Neighborhood Future Land Use Plan completed in 1998 identifies the area as appropriate for Medium Density Residential and Public for future residential land uses. The applicant has submitted a companion item to amend the Future Land Use Plan from public to Medium Density Residential. Upon approval of the accompanying amendment to the Future Land Use Plan, rezoning this property to Medium Density Residential will maintain the goals of the adopted Future Land Use Plan.

The property to the west of the subject property was rezoned from Low Density Residential

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to Office Commercial in 1996. This rezoning was approved based on the anticipated usage of Minnesota Street and Fifth Street as a collector street and an arterial road. This use was anticipated to have fewer impacts on surrounding neighborhoods compared to a use of a higher intensity of density causing high amounts of traffic, noise, dust, etc. The current rezoning also is consistent with the intent of the South Robbinsdale Neighborhood Future Land Use Plan.

The green cards from the notification of surrounding property owners have not been returned. A sign stating a rezoning of this property has been requested; however, there is no sign posted on the property at the time of this writing. Staff has not, as of this writing, received any calls or comments regarding this request.

Based on conformance with the criteria for review of zoning map amendments, Staff recommends that the request to rezone this property from Low Density Residential District to Medium Density Residential District be approved.