

STAFF REPORT
June 10, 2004

No. 04RZ023 - Rezoning from Park Forest District to Low Density Residential II District **ITEM 29**

GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for Web Real Estate Holdings Company, LLC
REQUEST	No. 04RZ023 - Rezoning from Park Forest District to Low Density Residential II District
EXISTING LEGAL DESCRIPTION	Commencing at the SW corner of the NW1/4 of the SE 1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota: thence travel 588.52 feet at a bearing N00°21'00" East to the Point of Beginning; travel 330.47 feet at a bearing N00°21'00" East to a point; thence travel 151.09 feet at a bearing S41°05'15" East to a point; thence travel 14.84 feet at a bearing S00°21'00" West to a point; thence travel 239.65 feet at a bearing S10°42'07" East to a point on a curve; thence travel 65.70 feet along a 74.00 foot radius Concave Northerly curve with a chord bearing N80°16'49" West to a point on a curve; thence travel 77.31 feet along a 126.00 foot radius Concave Southerly curve with a chord bearing N72°25'20" West to a point; thence travel 7.41 feet at a bearing N89°51'16" West to the Point of Beginning; said area described contains approximately 0.78 Acres more or less
PARCEL ACREAGE	Approximately 0.78 acres
LOCATION	West of the western terminus of Fairmont Boulevard along Tower Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential District w/PDD
East:	Low Density Residential District w/PDD
West:	Park Forest District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	04/08/2004
REVIEWED BY	Todd Tucker

STAFF REPORT
June 10, 2004

No. 04RZ023 - Rezoning from Park Forest District to Low Density Residential II District **ITEM 29**

RECOMMENDATION: Staff recommends that the Rezoning from Park Forest District to Low Density Residential II District be **approved in conjunction with the associated Comprehensive Plan Amendment request.**

GENERAL COMMENTS: (Update May 28, 2004) This item was continued at the May 6, 2004 Planning Commission meeting to allow the applicant time to submit a **Comprehensive Plan Amendment request.**

(This Staff Report was revised on May 5, 2004. All revised and/or added text is shown on bold text.)

In 2001 the applicant submitted three rezoning requests for the property now known as the Skyline Pines East development. At that time the applicant proposed to develop the 61.75 acre tract that is located west of the Ridco Development and east of the Skyline Pines development with three development components. The applicant proposed a single family residential development, a multi-family residential development, and an office commercial development. The applicant also proposed the construction of Fairmont Boulevard to the west and south to connect to Tower Road in the future. The applicant has now proposed a change to that initial configuration of zoning designations. As part of that change to the initial development proposal the applicant has submitted several rezoning requests. This request is to rezone a piece of property located south of Highland Park Drive and north of the future eastern extension of Pevans Parkway from Park Forest to Low Density Residential II. The property is currently void of any structural development.

STAFF REVIEW: Staff has reviewed this proposed rezoning request and has questions about the proposal. Staff is meeting with the applicant on May 3, 2004 to discuss the proposed development and rezoning requests for the Skyline Pines East Development. Staff will make a recommendation at the May 6, 2004 Planning Commission meeting for the rezoning request from Park Forest District to Office Commercial District.

- 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 is currently void of any structural development but is located in a developing area. The recent development of property located to the west of the subject property, along Pevans Parkway, has brought the extension of water and sewer to the area. The proximity of water and sewer constitutes a substantial change in the condition of the area and increases the potential development of the subject property as well as the surrounding area.

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

Low Density Residential II zoning is intended to allow a slightly higher population density, but still meet all the requirements of the Low Density Residential Zoning District. Property located west of the subject property is developed with single family residences. The properties located to the south and east of the subject property are currently zoned Low Density Residential II. Low Density Residential

STAFF REPORT
June 10, 2004

No. 04RZ023 - Rezoning from Park Forest District to Low Density Residential II District **ITEM 29**

II zoning is an appropriate transition from the Low Density Residential development to the east of the subject property to the existing Low Density Residential II development to the south and east. The proposed zoning appears to be consistent with the intent and purpose 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 such an amendment.*

The subject property is located adjacent to Low Density Residential II, and Park Forest Zoning Districts. Access to the property will be made from an extension of Pevans Parkway to the east. The proposed amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

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 for this area identifies the subject property as appropriate for park forest land use(s). Rezoning the subject property from Park Forest District to Low Density Residential II District would also require an amendment to the Comprehensive Plan. As such, staff recommends this request be continued to the June 10, 2004 Planning Commission meeting, to allow the applicant time to submit an application for a Comprehensive Plan Amendment.

On May 14, 2004 the applicant submitted a Comprehensive Plan Amendment application to change the land use designation for the subject property from Park Forest to Low Density Residential II with a Planned Residential Development.

A sign stating that a Rezoning has been requested is posted on the property. The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the May 6, 2004 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding this request.

Staff is recommending that the rezoning request be approved in conjunction with the associated Comprehensive Plan Amendment request.