

STAFF REPORT

March 21, 2002

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**No. 02RZ013 - Rezoning from General Agriculture District and Neighborhood Commercial District to Low Density Residential District** **ITEM 25**

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GENERAL INFORMATION:

PETITIONER Dream Design International, Inc. for Stoney Creek Inc.

REQUEST **No. 02RZ013 - Rezoning from General Agriculture District and Neighborhood Commercial District to Low Density Residential District**

EXISTING  
LEGAL DESCRIPTION

A parcel of land located in the NE1/4 SW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, being more particularly described as follows: Beginning at the southeast corner of Lot 3, Block 4 of Stoney Creek Subdivision Phase 1, as recorded in Pennington County Register of Deeds Office in Book 30, Page 4; thence N00°06'46"W, 344.73 feet; thence N89°50'04"E, 1319.78 feet; thence S00°10'01"E, 1164.55 feet to a point lying on a curve concave to the south and whose chord bears N62°17'18"W, 115.64 feet; said point is also lying on the northerly right-of-way line of Catron Boulevard; thence continuing along said northerly right-of-way line the following six (6) courses: Thence northwesterly along the arc of said curve to the left whose radius is 2513.09 feet and whose central angle is 02°38'12", an arc length of 115.65 feet to a point of tangency; thence N63°36'24"W, 52.54 feet; thence N32°27'56"W, 107.85 feet; thence N63°36'24"W, 23.24 feet; thence S80°51'12"W, 112.88 feet; thence N63°36'24"W, 459.58 feet; thence departing said northerly right-of-way line N26°23'36"E, 400.00 feet; thence N63°6'24"W, 400.00 feet; thence S26°23'36"W, 400.00 feet to a point on said northerly right-of-way line; thence continuing along said northerly right-of-way line the following two (2) courses; N27°46'08"W, 72.85 feet; thence N63°36'24"W, 85.30 feet; thence departing said northerly right-of-way line N25°26'46"W, 189.65 feet; thence S89°20'46"W, 21.08 feet, to the point of beginning; containing 21.246 acres more or less; and, a parcel of land located in the NE1/4 SW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, being more particularly described as follows: Beginning at the southeast corner of Lot 3, Block 4 of Stoney Creek Subdivision Phase I, as recorded in

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Pennington County Register of Deeds Office in Book 30, Page 4; thence S73°54'41"E, 346.52 feet to the true point of beginning; thence N26°23'36"E, 400.00 feet; thence S63°36'24"E, 400.00 feet; thence S26°23'36"W, 400.00 feet to a point lying on the northerly right-of-way line of Catron Boulevard; thence N63°36'24"W, along said northerly right-of-way line, 400.00 feet to the true point of beginning; containing 3.673 acres more or less.

PARCEL ACREAGE                      Approximately 24.92 acres

LOCATION                                  North of the intersection of Catron Boulevard and Sheridan Lake Road

EXISTING ZONING                      General Agriculture District/Neighborhood Commercial District

SURROUNDING ZONING

    North:                                  Mobile Home Residential District/Park Forest District

    South:                                 General Agriculture District

    East:                                    General Agriculture District

    West:                                  Low Density Residential District w/Planned Residential Development

PUBLIC UTILITIES                      City sewer and water

DATE OF APPLICATION              02/06/2002

REPORT BY                                Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District and Neighborhood Commercial District to Low Density Residential District be **approved in conjunction with the Planned Development Designation.**

GENERAL COMMENTS:

**This item was continued at the March 7, 2002 Planning Commission meeting at the applicant's request. This Staff Report has been revised as of March 10, 2002. All revised or added text is shown in bold print.** The applicant has submitted a rezoning request to change the zoning from General Agriculture and Neighborhood Commercial to Low Density Residential District on approximately 21.246 acres and 3.673 acres, respectively. The property is located approximately 1,300 feet east of the intersection of Catron Boulevard and Sheridan Lake Road on the north side of Catron Boulevard and is a part of the proposed Stoney Creek Subdivision.

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On February 4, 2002, the City Council approved Layout Plat #02PL002 to subdivide the subject property into 25 residential lots. The applicant has also submitted a Preliminary and Final Plat to subdivide the property as identified on the Layout Plat and a Comprehensive Plan Amendment to revise the Major Street Plan eliminating Nugget Gulch as a collector road. In addition, the applicant has submitted a Planned Residential Development request and a Variance to the Subdivision Regulations to allow lot(s) twice as long as they are wide. (See companion items 02PL012, 02CA014, 02PD005 and 02SV008.)

During the review of the Layout Plat, it was identified that a portion of the subject property is currently zoned General Agriculture District with the balance being zoned Neighborhood Commercial District. The General Agriculture District requires a minimum lot area of not less than 20 acres for each dwelling and buildings accessory thereto. The Neighborhood Commercial District allows living and/or sleeping quarters only when constructed above the ground floor and a permitted neighborhood commercial use exists in the ground floor of the structure. Detached single family dwelling units are not permitted. The Southwest Connector Neighborhood Area Future Land Use Plan identifies the appropriate use of the property as Planned Residential Development with a maximum density of 4.8 dwelling units per acre. As such, the applicant has submitted a rezoning request to change the zoning on the subject property from General Agriculture District and Neighborhood Commercial District, respectively, to Low Density Residential District with a Planned Development Designation.

#### STAFF REVIEW:

**Staff has evaluated the proposed rezoning as it relates to the four criteria for the review of the zoning map amendments. A summary of Staff findings is outlined below:**

- 1. The proposed amendments shall be necessary because of substantially changed or changing conditions of the area and district affected, or the City in general.***

**Staff has noted that the land uses and zoning in this portion of the community has changed. In 2000, a Planned Development Designation was approved to allow four commercial lots to be located at the northeast corner of the Catron Boulevard/Sheridan Lake Road intersection. In addition, in 2001, a Planned Residential Development was approved to allow 40 residential lots to be located directly west of the subject property. The completion of the Southwest Connector in December 1999 has resulted in greater development activity in the area. The extension of municipal services to the area and the completion of a significant east-west arterial connection have changed conditions within the area to support the extension of the proposed urban density zoning on the subject property. In addition, the Planned Development Designation will serve as a tool to address the issues, traffic concerns and topographic and drainage concerns specific to the subject property.**

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

The purpose of the Low Density Residential District as stated in the Zoning Ordinance is to provide for single family residential development with low population densities. The location of the property, adjacent to a major east-west arterial, provides the proposed residential development with viable access to all major employment centers within the community. The additional review provided by a Planned Residential Development process will insure for unique and desirable residential home configurations that take into account the topographic concerns associated with the property.

***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 amendment.***

Staff does not believe that rezoning this property will result in any adverse impacts provided the associated Planned Development Designation request is approved. The additional review provided by a Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. With the extension of City sewer and water to the area, the proposed rezoning request is consistent with urbanized development within the area.

***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 Southwest Connector Neighborhood Area Future Land Use Plan identifies the appropriate use of the property as Planned Residential Development with a maximum density of 4.8 dwelling units per acre. The Future Land Use Plan also identifies an alternate use to allow Neighborhood Commercial use(s) within two of the four nodes located at the Nugget Guch/Catron Boulevard intersection. The applicant has indicated that the Neighborhood Commercial use(s) will be located south of Catron Boulevard. The proposed rezoning is consistent with the adopted plan provided a Planned Residential Development is also approved for the subject property. The proposed rezoning does not conflict with the adopted Major Street Plan; however, any specific development plan for the property will be required to comply with the street network identified in that plan. Staff believes that the proposed rezoning is consistent with all applicable planning documents.

The receipts from the certified mailings have been returned and the sign has been posted on the property. Staff has received three calls of inquiry regarding this proposal. None of the callers voiced objection to the request.