

STAFF REPORT

October 23, 2003

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**No. 03RZ040 - Rezoning from No Use District to Medium Density Residential District**

**ITEM 20**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 03RZ040 - Rezoning from No Use District to Medium Density Residential District</b>
EXISTING LEGAL DESCRIPTION	A previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Commencing at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26, this being the POINT OF BEGINNING; thence N89°18'29"W 697.03 feet; thence N01°18'09"E 142.76 feet; thence along a curve to the left having a radius of 526.00 feet through a central angle of 21°19'55" with an arc length of 195.84 feet, a chord bearing of N09°21'48"W and a chord length of 194.71 feet along said curve; thence N20°01'46"W 210.75 feet; thence along a curve to the left having a radius of 893.51 feet through a central angle of 10°56'23" with an arc length of 170.60 feet, a chord bearing of N64°30'03"E and a chord length of 170.34 feet along said curve; thence S46°19'54"E 890.09 feet to POINT OF BEGINNING; said parcel containing 5.57 acres more or less
PARCEL ACREAGE	Approximately 5.57 acres
LOCATION	South of Catron Boulevard and east of U.S. Highway 16
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development
South:	No Use District
East:	Low Density Residential District w/Planned Unit Development
West:	No Use District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	09/12/2003

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REPORT BY

Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Medium Density Residential District be approved in conjunction with a Planned Development Designation and the related Comprehensive Plan Amendment.

GENERAL COMMENTS: This property is located south of Catron Boulevard and east of U.S. Highway 16. The subject property is currently in a No Use Zoning District. Properties located north and east of the subject property are zoned Low Density Residential District with a Planned Development Designation. The properties located south and west of the subject property are zoned No Use District. The South Robbinsdale Neighborhood Area Future Land Use Plan indicates the land use on the subject property is appropriate for Planned Unit Development and Planned Residential Development with a Maximum Density of one dwelling unit per acre. The land use for the property located north, south and west of the subject property is Planned Residential Development with a Maximum Density of one dwelling unit per acre.

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:

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.*

Annexation of the subject property was completed in 1998. All annexed lands are temporarily placed in the No Use Zoning District. The annexation of the property constitutes the changing condition requiring rezoning of the property.

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

The properties located to the south and west of the subject property are zoned No Use District. The property located to the east of the subject property is zoned Low Density Residential District with a Planned Unit Development. The property located to the north of the subject property is zoned Low Density Residential District with a Planned Residential Development. The applicant met with the Future Land Use Committee to discuss rezoning the subject property from No Use District to Medium Density Residential District with a Planned Development Designation. The Future Land Use Committee noted that a portion of the subject area includes a deep draw and would not be suitable for construction. They also felt that the Medium Density Residential zoning would be a buffer between the General Commercial Zoning District to the west and the Low Density Residential Zoning District to the east. The Future Land Use Committee recommended the requested changes in land use and rezoning of the subject property. An application for a Planned Development Designation (03PD048) has been submitted in conjunction with this Rezoning from No Use District to Medium Density Residential

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District.

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 amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure. As noted above, the property is adjacent to Catron Boulevard and will be a buffer between the adjacent general commercial land use(s) and the residential land use(s).

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 South Robbinsdale Neighborhood Area Land Use Plan for this area currently identifies the subject property as appropriate for Planned Residential Development with a maximum of one dwelling unit per acre land use(s) and Planned Unit Development land use(s). An Amendment to the Comprehensive Plan to change the land use designation from Planned Residential Development with a maximum of one dwelling unit per acre and Planned Unit Development to Medium Density Residential with a Planned Residential Development (03CA026 and 03CA032) has been submitted in conjunction with this rezoning request. With the approval of the Amendments to the Comprehensive Plan, rezoning the subject property from No Use District to Medium Density Residential District in conjunction with a Planned Development Designation appears to be appropriate.

As of this writing, the sign has been posted on the property, and the receipts from the certified mailing have been returned. Staff has received three inquiries regarding this request.