

STAFF REPORT

November 20, 2003

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**No. 03RZ046 - Rezoning from Low Density Residential District to Medium Density Residential District** **ITEM 29**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 03RZ046 - Rezoning from Low Density Residential District to Medium Density Residential District</b>
EXISTING LEGAL DESCRIPTION	SE1/4 SE1/4 SE1/4 NW1/4 and NW1/4 SE1/4 SE1/4 NW1/4 less Edinborough Subdivision, all located in Section 26, T1N, R7E, BHM, Rapdi City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.5 acres
LOCATION	South of Catron Boulevard and east of U.S. Highway 16
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Residential Development
South:	Low Density Residential District w/Planned Residential Development
East:	Low Density Residential District w/Planned Residential Development
West:	Medium Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	10/24/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Rezoning from Low Density Residential District to Medium Density Residential District be approved.

GENERAL COMMENTS: Numerous applications for Rezoning, Planned Development Designations and Amendments to the Comprehensive Plan have occurred in this area recently. This property is located south of Catron Boulevard and east of U.S. Highway 16. The subject property is currently zoned Low Density Residential District. Properties located north and east of the subject property are zoned Low Density Residential District with a Planned Development Designation. Property located south of the subject property is zoned

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Low Density Residential District with a Planned Development Designation. Property located west of the subject property is zoned Medium Density Residential District with a Planned Development Designation. The South Robbinsdale Neighborhood Area Future Land Use Plan identifies the land use for this property as appropriate for Medium Density Residential with a Planned Residential Development. The South Robbinsdale Neighborhood Area Future Land Use Plan identifies the land use for property located east of the subject property as appropriate for Planned Unit Development. The Land Use Plan for the area located west of the subject property identifies the land use as appropriate for Medium Density Residential with a Planned Residential Development.

The subject property was part of a larger parcel that was recently recommended for approval by the Planning Commission to be rezoned from No Use District to Medium Density Residential District (03RZ040). Staff noted that the legal description for the subject property was included in the zoning of property located to the east of the subject property from No Use District to Low Density Residential District after the annexation of the property in 1998. On November 3, 2003, the City Council approved the Planning Commission's recommendation to rezone the larger parcel of property from No Use District to Medium Density Residential District (03RZ040) but with the subject property removed from the legal description. This application proposes to rezone the subject property from Low Density Residential District to Medium Density Residential District.

**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. The property was rezoned from No Use District to Low Density Residential District at that time. Subsequently, the adjoining property to the east was platted off, leaving a small remainder. This application will rezone the subject property from Low Density Residential District to Medium Density Residential District to coincide with the rezoning of adjacent property from No Use District to Medium Density Residential District approved by the City Council on November 3, 2003 (03RZ040).

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

The properties located north and south of the subject property are zoned Low Density Residential District with a Planned Development Designation. The property located to the west of the subject property is zoned Medium Density Residential District with a Planned Development Designation. The property located to the east of the subject property is zoned Low Density Residential District with a Planned Unit Development. The subject property was a portion of a larger parcel that was recommended for rezoning from No Use District to Medium Density Residential District by the Planning

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Commission on October 23, 2003. As noted above, the subject property was zoned Low Density Residential District in 1998 following annexation. Subsequently, the City Council approved the Planning Commission's recommendation for the larger parcel, removing the subject property from the legal description. An application for a Planned Development Designation (03PD048) was approved for this property by the City Council on November 3, 2003. A major portion of the subject area includes a deep draw and would not be suitable for construction. The Planned Development Designation will ensure that an adequate buffer is provided between the residential uses and protect the drainage area. With the Planned Development Designation, Staff feels that the proposed rezoning is consistent with the intent and purposes 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 amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure. Due to the increase in density, the South Dakota Department of Transportation indicates that turn lane(s) and traffic signals may be required, depending on a Traffic Impact Study. Access will be at a point approximately 1200 feet east of the U.S. Highway 16 and Catron Boulevard intersection. The property is located adjacent to Catron Boulevard. Along with approximately two acres of land zoned Medium Density Residential District located to the west, the subject property will be a buffer between the general commercial land use(s) to the west and the residential land use(s) to the east.

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 amended South Robbinsdale Neighborhood Area Land Use Plan indicates this property is appropriate for Medium Density Residential land use(s) with a Planned Residential Development. Rezoning the subject property from Low Density Residential District to Medium Density Residential District in conjunction with the approved 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 no inquiries regarding this request.