

STAFF REPORT
July 22, 2004

No. 04RZ037 - Rezoning from No Use District to Low Density Residential District **ITEM 21**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 04RZ037 - Rezoning from No Use District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	A parcel of land located in the W1/2 SE1/4 and the SE1/4SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 120 acres
LOCATION	West of South Highway 16 and south of Sammis Trail
EXISTING ZONING	No Use District (City)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Planned Unit Development (County)
East:	General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	06/25/2004
REVIEWED BY	Karen Bulman / Sig Zvejnieks

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Low Density Residential District be continued to the August 5, 2004 Planning Commission meeting.

GENERAL COMMENTS: This undeveloped property contains approximately 120 acres and is located west of South Highway 16 and south of Sammis Trail. The property is currently in the process of annexation and is zoned No Use District upon annexation into the City limits. Land located south of the subject property is zoned Planned Unit Development by Pennington County. Land located north of the subject property is zoned General Agriculture District in the City and Limited Agriculture District by Pennington County. Land located east and west of the subject property is zoned General Agriculture District by Pennington County.

The property owner has submitted a Petition of Annexation (04AN009) in conjunction with this rezoning request. In addition to this application for Rezoning from No Use District to Low Density Residential District, the applicant has submitted a request for a Petition to Annex (04AN009), a Layout Plat for the subject property (04PL097), a Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement (04SV042), and a Comprehensive Plan

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Amendment to change the Major Street Plan (04CA029).

STAFF REVIEW: The Rapid City Comprehensive Plan indicates that this property is appropriate for Park Forest land uses. At the present time, a Comprehensive Plan Amendment to change the land use from Park Forest to Low Density Residential would need to be submitted and approved prior to the rezoning of the property to Low Density Residential District. The land use plan for this area is currently in the process of being revised. A U.S. Highway 16 Corridor Study Final Report will be heard at the July 19, 2004 City Council meeting. The Highway 16 Corridor Study Final Report indicates that the subject property would be appropriate for Low Density Residential land use(s) with a Planned Development Designation. Staff is requesting that the rezoning of this property from No Use District to Low Density Residential District be continued to the August 5, 2004 Planning Commission meeting to allow the Future Land Use Plan for this area to be approved. The land use for the subject property would then be appropriate for Low Density Residential land uses with a Planned Development Designation and the rezoning of this property would be consistent with that land use plan.

The Future Land Use Committee met on July 9, 2004 and considered the land use for the subject property. The Committee stated that due to the topography and current land use in the area, a Planned Development Designation would be appropriate for the subject property in conjunction with the rezoning application. The applicant has agreed with this request and has submitted an application for a Planned Development Designation on this property.

As of this writing, the required rezoning sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received several inquiries and objections regarding the proposed rezoning.