

STAFF REPORT
September 9, 2004

No. 04RZ041 - Rezoning from Low Density Residential - II District to Park Forest District **ITEM 15**

GENERAL INFORMATION:

PETITIONER	Wyss Associates for WEB Land Holdings
REQUEST	No. 04RZ041 - Rezoning from Low Density Residential - II District to Park Forest District
EXISTING LEGAL DESCRIPTION	Described by metes and bounds commencing at the NW corner of the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Thence travel 367.51 feet at a bearing S00°31'58" West to the Point of Beginning; Travel 249.13 feet at a bearing S41°05'15" East to a point; Travel 110.01 feet at a bearing N35°36'28" East to a point; Travel 204.40 feet at a bearing S12°13'30" West to a point; Travel 76.49 feet at a bearing S33°41'47" East to a point; Travel 40.83 feet at a bearing S56°18'13" West to a point on a curve; Travel 133.10 feet along a 124.00' radius convex southwesterly with a chord bearing S87°03'11" West to a point; Travel 36.45 feet at a bearing N62°11'51" West to a point on a curve; Travel 33.00 feet along a 126.00' radius concave northwesterly with a chord bearing N71°13'38" West to a point; Travel 363.20 feet at a bearing N00°31'58" East to the point of beginning. The area described contains approximately 1.35 acres more or less
PARCEL ACREAGE	Approximately 1.35 Acres
LOCATION	West of the western terminus of Fairmont Boulevard along Tower Road
EXISTING ZONING	Low Density Residential - II District (PD)
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential - II District (PD)
East:	Low Density Residential - II District (PD)
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/30/2004
REVIEWED BY	Vicki L. Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential - II District to Park Forest

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District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the subject property from Low Density Residential II District to Park Forest. The applicant has also submitted a Comprehensive Plan Amendment to change the future land use designation on the property from Low Density Residential II with a Planned Residential Development to Park Forest with a Planned Residential Development. (See companion item #04CA036.)

Currently, an Initial Planned Residential Development has been approved to allow a single family and townhome development on the subject property and an adjoining parcel. A separate Initial Planned Commercial Development has been approved to allow a mix of multi-family and office commercial development to be located on property further east of the subject property. The applicant has indicated that a minimum three acre parcel will be platted and developed with one single family residence, which includes the subject property. As such, the applicant is proposing to rezone the property to Park Forest District to serve as a buffer between the existing single family development located west of the property and the proposed single family/townhome development.

The subject property is located at the eastern terminus of Pevans Parkway and is part of the Skyline Pines East Development. Currently, the subject property is void of any structural development.

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 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.*

Park Forest zoning is intended to allow single family residential development while preserving the areas natural beauty and open character. The additional review provided by the Planned Residential Development process will insure unique and desirable residential home configuration(s) that take into account the topographic concerns associated with the property. In addition, the Park Forest District will serve as a buffer between the existing single family development located west of the property and the proposed single family/townhome development. The proposed zoning appears to be consistent with the intent and purpose of this ordinance.

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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.*

Staff has not identified any significant adverse impacts that will result from the proposed rezoning. The additional review provided by the Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. As such, 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 applicant has submitted a Comprehensive Plan Amendment to the City's Long Range Comprehensive Plan to change the appropriate land use designation from Low Density Residential II with a Planned Residential Development to Park Forest with a Planned Residential Development. Upon approval, the proposed Rezoning request will be consistent with the adopted Comprehensive Plan.

Legal Notification: The receipts from the certified mailings have been returned. Staff has not received any inquiries or objections regarding the proposed request at the time of this writing.

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