

STAFF REPORT

April 7, 2005

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**No. 05RZ022 - Rezoning from Mobile Home Residential District to Low Density Residential - II District** **ITEM 31**

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GENERAL INFORMATION:

PETITIONER	Cedar Hill Corporation
REQUEST	<b>No. 05RZ022 - Rezoning from Mobile Home Residential District to Low Density Residential - II District</b>
EXISTING LEGAL DESCRIPTION	Two tracts of land located in the SW1/4 NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: Tract 1: Beginning at a point from which the N 1/16 corner of Section 24 bears N89°45'54"W a distance of 33.00 feet; Thence S89°45'54"E a distance of 204.00 feet; Thence S00°28'01"W a distance of 529.94 feet; Thence S89°31'59"E a distance of 169.42 feet; Thence S77°13'54"E a distance of 144.99 feet; Thence S00°26'09"W a distance of 111.69 feet; Thence S45°19'07"W a distance of 14.17 feet; thence on a curve turning to the right with an arc length of 99.69 feet, a radius of 224.00 feet, a chord bearing of N75°45'01"W and a chord length of 98.87 feet; thence on a curve turning to the left with an arc length of 127.81 feet, a radius of 276.00 feet, a chord bearing of N76°16'00"W and a chord length of 126.67 feet; thence N89°31'59"W a distance of 275.83 feet; thence N44°31'59"W a distance of 14.14 feet; thence N00°28'01"E a distance of 619.11 feet to the point of beginning. Said tract contains 3.75 acres more or less. Tract 2: Beginning at the ¼ corner common to Sections 23 and 24; thence S89°48'44"E a distance of 33.00 feet; thence S89°48'44"E a distance of 175.00 feet; thence N00°28'01"E a distance of 539.76 feet; thence S89°31'59"E a distance of 99.50 feet; thence S82°34'08"E a distance of 68.31 feet; thence S63°24'40"E a distance of 92.01 feet; thence S83°10'51"E a distance of 89.53 feet; thence on a curve turning to the left with an arc length of 25.10 feet, a radius of 236.29', a chord bearing of N03°28'47"E and a chord length of 25.09'; thence N00°26'09"E a distance of 77.98 feet; thence N44°38'43"W a distance of 14.12 feet; thence on a curve turning to the right with an arc length of 123.80', a radius of 276.00 feet, a chord bearing of N75°51'02"W and a chord length of 122.76 feet; thence on a curve turning to the left with an arc length of 103.73', a radius of 224.00 feet, a chord bearing of N76°16'00"W and a chord length of 102.81 feet; thence

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N89°31'59"W a distance of 275.83 feet; thence  
S45°28'01"W a distance of 14.14 feet; thence  
S00°28'01"W a distance of 191.11 feet; thence  
S44°31'59"E a distance of 14.14 feet; thence  
S00°28'01"W a distance of 52.00 feet; thence  
S45°28'01"W a distance of 14.14 feet; thence  
S00°28'01"W a distance of 85.00 feet; thence  
N89°31'59"W a distance of 52.00 feet; thence  
S00°28'01"W a distance of 85.00 feet; thence  
S45°28'01"W a distance of 14.14 feet; thence  
S00°28'01"W a distance of 49.00 feet; thence  
S44°31'59"E a distance of 14.14 feet; thence  
S00°28'01"W a distance of 135.67 feet; thence  
S89°45'08"E a distance of 19.00 feet to the point of  
beginning; said tract contains 3.80 acres, more or less

PARCEL ACREAGE Approximately 9.197 Acres

LOCATION Generally lying south of Nicole Street, west of Brooke Street, and west of Northridge Drive

EXISTING ZONING Low Density Residential - II District - Mobile Home Residential District

SURROUNDING ZONING

North: Low Density Residential - II District  
South: Public District  
East: Mobile Home Residential District  
West: Low Density Residential District (Planned Residential Development)

PUBLIC UTILITIES City sewer and water

DATE OF APPLICATION 2/25/2005

REVIEWED BY Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

Staff recommends that the Rezoning request from Mobile Home Residential District to Low Density Residential - II District be **approved**.

GENERAL COMMENTS:

**(Update, March 30, 2005. All revised and/or added text is shown in bold print.) This item was continued at the March 24, 2005 Planning Commission meeting to allow a correct legal description to be advertised.** The applicant has submitted a Rezoning request to change the zoning designation on the subject property from Mobile Home

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Residential District to Low Density Residential District II. In addition, the applicant has submitted an Initial and Final Planned Residential Development to allow a mix of single family and townhome residential development on the subject property. The applicant has also submitted a Preliminary Plat to subdivide the subject property and two additional parcels into 25 lots leaving a non-transferable unplatted balance. (See companion items #05PD013 and 05PL040.)

On December 20, 2004, the City Council approved an Exception to the Street Design Criteria Manual to allow 106 dwelling units with one point of access in lieu of 40 dwelling units. In particular, the Exception allows 67 lots to be platted as Phase One of the Rainbow Ridge Subdivision and these 25 lots as shown on the associated Preliminary Plat.

The subject property is located west of the western terminus of Northridge Drive. Currently, a single family residence is located on proposed Lot 1R.

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.***

To date, a single family residence is located on one of the lots. The balance of the property is void of any structural development but is located in a developing area. The recent development of property adjacent to the subject property along Northridge Drive and Brooke Street 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. In addition, the proposed Initial and Final Planned Residential Development for the subject property will serve as a tool to address concerns specific to the subject property.

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

According to the Zoning Ordinance, the Low Density Residential District II is intended "to provide a slightly higher population density, but with basic restrictions similar to Low Density Residential District I. The principal use of land is for single family and two family residential dwellings and related recreational, religious and educational facilities normally required to provide a balanced and attractive residential area". Low Density Residential II development at this location will provide a buffer between the Mobile Home Residential District located east of the subject property and the Low Density Residential District located west of 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.***

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Staff does not believe that rezoning this property will result in any significant adverse impacts. The additional review provided by an Initial and Final Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site.

- 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 Future Land Use Plan for this area identifies the property as being appropriate for residential use(s). Rezoning the property to Low Density Residential District II is consistent with the adopted Comprehensive Plan.

**Legal Notification:** The receipts from the certified mailing have been returned and the sign has been posted on the property. As of this writing, staff has not received any calls or inquiries regarding this proposal.