

STAFF REPORT  
August 04, 2005

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**No. 05RZ046 - Rezoning from General Agriculture District to Low Density Residential District**      **ITEM 28**

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GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for PLM Land Development, LLC
REQUEST	<b>No. 05RZ046 - Rezoning from General Agriculture District to Low Density Residential District</b>
EXISTING LEGAL DESCRIPTION	Commencing from the Point of Beginning, the North Quarter Corner of Section 24, T1N, R7E a rebar with cap marked "Davis #3095", thence S00°05'52"W - 623.22' to a point, thence N89°31'32"W - 68.00' to a point, thence S00°04'11"W - 6.78' to a point, thence S39°31'16"W - 15.73' to a point, thence S00 02'20"W - 52.00' to a point, thence S32°11'27"E - 18.62' to a point, thence S00°02'20"W - 107.70' to the northeast corner of Lot 18B in Block 2 of Eastridge Estates, a rebar with cap marked "RLS 3977", thence N89°58'01"W - 100.04' to a rebar with cap marked "RLS 3977", thence S00°02'20"W - 298.38' to a rebar with cap marked "RLS 3977", thence S03 33'57"W - 19.48' to a rebar with cap marked "RLS 3977", thence S13°29'25"W - 37.14' to a rebar with cap marked "RLS 3977", thence S26°43'09"W - 37.18' to a rebar with cap marked "RLS 3977", thence S39°53'41"W - 37.21' to a rebar with cap marked "RLS 3977", thence S50°26'32"W - 22.38' to a rebar with cap marked "RLS 3977", thence S54°24'38"W - 133.93' to a rebar with cap marked "RLS 3977", thence N35°35'14"W - 98.48' to a rebar with cap marked "RLS 3977", thence N44°27'27"W - 245.69' to a rebar with cap marked "RLS 3977", thence N79°44'48"W - 240.37' to a rebar with cap marked "RLS 3977", thence N16°51'47"E - 1075.77' to a point, thence S89°40'08"E - 500.00' to the Point of Beginning. Said parcel containing 16.24 acres more or less.
PARCEL ACREAGE	Approximately 16 acres
LOCATION	Adjacent to the south side of Enchanted Pines Drive and the east and west sides of Luminosity Lane
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (Planned Residential District)

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East:	Public District
West:	General Agriculture District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	7/8/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

**RECOMMENDATION:** Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with an Initial and Final Planned Residential Development.

**GENERAL COMMENTS:** This undeveloped property contains approximately 16 acres and is located adjacent to the west of Enchantment Road and north of Stumer Road. Land located north and west of the subject property is zoned General Agriculture District. Land located south of the subject property is zoned Low Density Residential District with a Planned Residential Development. Land located east of the property is zoned Public District. Applications for Preliminary Plats (05PL086 and 05PL116), a Subdivision Variance (05SV045) and a Planned Residential Development – Initial and Final Plan (05PD041) for the subject property have been submitted.

**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.*

This undeveloped property is zoned General Agriculture District. The property owners have indicated they wish to develop the property at urban densities with City water and sewer. The extension of sewer and water into the subject property will allow continued development of the area and constitutes a change in conditions of the area requiring rezoning of the property. Residential development is occurring in the areas west of 5<sup>th</sup> Street and north of Catron Boulevard. The proposal to rezone the subject property to a Low Density Residential Zoning District is reflective of a continuation of the development in the area.

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

The Low Density Residential Zoning District is intended to be used for single family residential development with low population densities. The subject property is located adjacent to a Low Density Residential District with a Planned Residential Development and General Agriculture Districts. The property owners have indicated that water and sewer will be available to the property. The US Highway 16 Future Land Use Plan indicates that this property is appropriate for a Planned Residential Development with a maximum density of 6.7 dwelling units per acre. An application for a Planned Residential Development – Initial

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and Final Plan has been submitted in conjunction with this rezoning request.

- 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 affects on any of the surrounding land uses or any other part of the City.

- 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 adopted US Highway 16 Future Land Use Plan identifies this area as appropriate for Planned Residential Development with a maximum density of 6.7 dwelling units per acre land use. An application for a Planned Residential Development – Initial and Final Plan has been submitted in conjunction with this rezoning request. The proposed rezoning to Low Density Residential Zoning District does not conflict with the Development Plan of Rapid City.

As of this writing, the required rezoning sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the August 4, 2005 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed rezoning at the time of this writing.

Staff recommends that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with the associated Planned Residential Development – Initial and Final Plan.