

STAFF REPORT
October 5, 2006

No. 06RZ036 - Rezoning from Park Forest District to Medium Density Residential District **ITEM 34**

GENERAL INFORMATION:

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| PETITIONER | Development for the Disabled, Inc. for Working Against Violence, Inc. |
| REQUEST | No. 06RZ036 - Rezoning from Park Forest District to Medium Density Residential District |
| EXISTING LEGAL DESCRIPTION | Tract 6, Signal Heights, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 6.223 acres |
| LOCATION | Southeast of the intersection of East Quincy Street and Signal Drive |
| EXISTING ZONING | Park Forest District |
| SURROUNDING ZONING | |
| North: | High Density Residential District - Park Forest District |
| South: | General Commercial District - Medium Density Residential District |
| East: | Medium Density Residential District |
| West: | Park Forest District |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 9/6/2006 |
| REVIEWED BY | Karen Bulman / Mary Bosworth |

RECOMMENDATION: Staff recommends that the Rezoning from Park Forest District to Medium Density Residential District be approved in conjunction with the associated Planned Development Designation.

GENERAL COMMENTS: This undeveloped property contains approximately 6.223 acres and is located southeast of the intersection of East Quincy Street and Signal Drive. The property is currently zoned Park Forest District. Land located north of the subject property is zoned High Density Residential District and Park Forest District. Land located east of the subject property is zoned Medium Density Residential District. Land located west of the subject property is zoned Park Forest District. Land located south of the subject property is zoned Medium Density Residential District and General Commercial District. In addition to this Rezoning application, the applicant has submitted a Planned Development Designation for the subject property (06PD075).

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October 5, 2006

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Previous requests to rezone the subject property were submitted in 1995 (#1447) and 2000 (00PD012). Both applications were denied without prejudice at the applicant's request.

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.*

The undeveloped subject property is proposed for future residential development. The majority of the adjacent property north, south and east of the subject property are zoned for residential uses. Staff has not identified any changing conditions within the neighborhood.

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

The Medium Density Residential Zoning District is to provide for medium to high population density. The subject property is located adjacent to Medium and High Density Residential Zoning Districts and General Commercial Zoning District. Water and sewer facilities are present in the area and will be extended as development occurs. With the extension of infrastructure, the proposed rezoning appears to be consistent with the intent of the Zoning District.

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.*

Applications to rezone the property from Park Forest District to Medium Density Residential District have previously been submitted. The applications were denied without prejudice to allow the applicants to provide information indicating that structural development will not affect drainage in the area. Based on a proposed layout of structures, it appears that drainage will not be affected by the development. However, prior to approval of the Planned Residential Development, slope stability analysis and drainage analysis must be submitted for review and approval.

East Boulevard is located adjacent to the subject property. There is an existing curb cut providing access to the subject property. East Boulevard, at this location, has a curve and steep slopes. As such, any further access or changes in access will be addressed through the Planned Residential Development – Initial and Final Development Plan.

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 Comprehensive Land Use Plan identifies this area as appropriate for Residential land uses. As such, the proposed rezoning is consistent with the adopted plans. The Planned Residential Development – Initial and Final Development Plan will mitigate any negative

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impacts the development of the property will have on adjacent property or on the community.

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 October 5, 2006 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.