

STAFF REPORT
March 22, 2007

No. 07RZ013 - Rezoning from Park Forest District to Low Density Residential District **ITEM 41**

GENERAL INFORMATION:

PETITIONER	John Diedrichs for Dawn Mazzio
REQUEST	No. 07RZ013 - Rezoning from Park Forest District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	Lot 3 of Tract B of Springbrook Acres, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.7 acres
LOCATION	East of Golden Eagle Drive and north of Catron Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential District (Planned Development Designation)
East:	Park Forest District
West:	Low Density Residential District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/22/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION: Staff recommends that the Rezoning from Park Forest District to Low Density Residential District be approved.

GENERAL COMMENTS: This undeveloped property contains approximately 14.7 acres and is located at the northern terminus of Golden Eagle Drive. The properties located west and south of the subject property are zoned Low Density Residential District with a Planned Development Designation. The properties located north and east of the subject property are zoned Park Forest District.

On March 7, 2007 a Planned Development Designation application (07PD013) was approved for the subject property.

On November 20, 2006 City Council approved a Rezoning (06RZ059) request from Park

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Forest District to Low Density Residential District for the adjacent property to the west of the subject property.

On June 19, 2006 City Council approved a Rezoning (06RZ015) request from General Agricultural District to Low Density Residential District for the adjacent property to the south of the subject property.

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 subject property is currently undeveloped. The property south of the subject property is currently being developed and is known as the Villaggio at Golden Eagle Subdivision. The extension of water, sewer, and streets within that project increases the development of the area. Additional development is anticipated south and east of the subject property. The extension of infrastructure to the south end of the subject property is the substantially changed condition of 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. Low Density Residential Zoning Districts are located on properties south and west of the subject property. Access to the subject property will be taken from the road through the adjacent property to the south as it develops. Based on the topography of the site, the property would appear to be an appropriate location for Low Density Residential land uses. Higher density or multi-family uses would not appear to be appropriate due to topography, surrounding land uses, and the need to access the site through the adjacent low density residential development. The Low Density Residential District in conjunction with a Planned Development Designation is consistent with the intent of this ordinance.

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.*

The property is located at the terminus of Golden Eagle Drive. Currently, 25 lots are served by Golden Eagle Drive. With the approved rezoning of adjacent property to the west and the proposed rezoning of the subject property there is the potential to create more than 40 single-family dwelling units in the area with only one point of access.

On August 16, 2000, the City Council approved an amendment to the Street Design Criteria Manual stating that "...a street shall not provide exclusive access to more than forty (40) dwelling units. A second street access shall be provided when more than forty (40) dwelling units are exclusively accessed from a street". Currently, Golden Eagle Drive serves as

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exclusive access to this subdivision. Any development beyond 40 dwelling units will require that a second point of access be developed or an Exception to allow more than 40 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual must be obtained.

City water and sewer are located in Villaggio Lane adjacent to the subject property. Staff noted that hookup fees will be accessed for all properties accessing water from that waterline. In addition, the property is located in the Arrowhead Drainage Basin which serves this area.

Staff is not aware of any significant adverse effects that would result from rezoning the subject property from Park Forest District to Low Density Residential District, particularly with the provision of a planned development application to insure that adequate infrastructure is provided at the time development occurs.

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 U.S. Highway 16 Future Land Use Plan identifies this area as appropriate for Planned Residential Development land use with a maximum of one dwelling unit per acre. Through the platting process and Planned Development process the applicant will have to develop the subject property so the number of dwelling units do not exceed a maximum of one dwelling unit per acre or obtain an Amendment to the U.S. Highway 16 Future Land Use Plan. Golden Eagle Drive leading into the subject property is a proposed collector street on the City's Major Street Plan. When the property is developed, an Exception to the Street Design Criteria Manual must be submitted for a cul-de-sac exceeding 1200 feet in length or a secondary access will need to be provided. The rezoning of the subject property to Low Density Residential, with the additional safeguards associated with a Planned Development, is consistent with the Land Use Plan and not in conflict with the Development Plan for Rapid City.

As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the March 22, 2007 Planning Commission meeting if these requirements have not been met. The Representatives of Springbrook Acres Homeowners Association have been notified of the rezoning application. The Association representatives are concerned with any future development in the area and the need for a secondary access through their development. Staff has received no further inquiries or objections regarding the proposed request at the time of this writing.