

STAFF REPORT
September 6, 2007

No. 07RZ014 - Rezoning from Flood Hazard District to Medium Density Residential District **ITEM 14**

GENERAL INFORMATION:

PETITIONER	Rimrock Estates, LLC for Heavy Constructors, Inc.
REQUEST	No. 07RZ014 - Rezoning from Flood Hazard District to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	Lot 1 of Knecht Park Subdivision, Sections 8 and 17, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.66 acres
LOCATION	Southwest of the intersection of Idlehurst Lane and Jackson Boulevard
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District - Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Public sewer
DATE OF APPLICATION	2/21/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning request from Flood Hazard District to Medium Density Residential District be denied without prejudice at the request of the applicant.

GENERAL COMMENTS:

(Update August 28, 2007. All revised text shown in bold). The applicant has indicated to staff that they wish to have this item denied without prejudice. Staff recommends that this item be denied without prejudice at the request of the applicant.

(Update July 17, 2007. All revised text shown in bold). On June 4, 2007 the City Council adopted a moratorium on rezoning property within the 500 year floodplain, and on the issuance of Floodplain Development Permits for the area west of Chapel Lane Bridge. The effective date of this moratorium is ninety days from the date of passage. Staff requests that this item be continued to the September 6, 2007 Planning Commission meeting to allow the public hearing

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to take place after the moratorium has expired, and to allow the applicant additional time to submit the required information.

The applicant has submitted a rezoning request to rezone 4.66 acres from Flood Hazard District to Medium Density Residential District. The subject property is located on Jackson Boulevard, west of the Braeburn Dog Park. The subject property is currently void of any structural development. A Comprehensive Plan Amendment (#07CA009) to change the future land use from Flood Hazard to Medium Density Residential with a Planned Residential Development has been filed in conjunction with this rezoning request. The applicant is proposing to construct a multi family residential complex consisting of 30 units. Land located to the south and east of the subject property is currently zoned Flood Hazard District. Land located west of the subject property is zoned Flood Hazard District and Suburban Residential District by Pennington County. Land located to the north of the subject property is currently zoned Limited Agriculture by Pennington County.

FLOOD PLAIN

The subject property is currently listed as being located within the 100 year flood plain by Flood Rate Insurance Map 4654200011F. Staff has noted that the applicant has submitted a request for a Letter of Map Revision from the Federal Emergency Management Agency identifying the property to be located within the flood plain, but the plans were not in compliance with the Rapid City Flood Plain Regulations. Staff has also noted that the applicant has submitted revised grading plans so that the property is in compliance with the Rapid City Flood Plain Regulations. The applicant must submit the revised grading plans to the Federal Emergency Management Agency for a revised Conditional Letter of Map Revision.

PLANNED DEVELOPMENT DESIGNATION:

The applicant has filed a Comprehensive Plan Amendment (#07CA009) to change the land use designation from Flood Hazard to Medium Density Residential with a Planned Residential Development. Staff has noted that the applicant has not filed a Planned Development Designation application with the Growth Management Department. The applicant is required to obtain a Planned Development Designation on the subject property in conjunction with the proposed rezoning and Comprehensive Plan Amendment.

WATER & SEWER:

The applicant has indicated that if the subject property is rezoned to Medium Density Residential District that a 30 unit multi-family residential complex will be constructed on the subject property. Currently the site does not have access to City water and sewer. Staff has noted that the applicant plans to provide water service by way of a well. However no information has been submitted demonstrating adequate fire and domestic flows. Staff recommends that the applicant submit a water system analysis prepared by a Registered Professional Engineer verifying source and sufficient quantities for review and approval.

The applicant has indicated that they propose to tie into Rapid Canyon Sanitary Sewer District's sewer main to provide sewer service to the proposed 30 unit multi-family residential complex. Staff has noted that no documentation granting permission to tie into Rapid Canyon Sewer District's sewer main has been submitted. In addition, no information demonstrating adequate

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capacity is available within Rapid Canyon Sanitary District's system for the proposed development has been submitted. Staff recommends that the applicant submit documentation from Rapid Canyon Sanitary District stating no objection to the proposed development connecting into their sanitary sewer system, and that the applicant submit a waste water system analysis from a Registered Professional Engineer for review and approval.

ACCESS:

Staff has noted that egress and ingress to the site will be via Jackson Boulevard which is also known as South Dakota Highway 44. The applicant is required to obtain an access permit from the South Dakota Department of Transportation to allow for an approach that will serve a 30 unit multi-family residential complex.

NOTIFICATION:

The proper sign has been posted on the subject property. The green card receipts from the certified mailing have not been returned as of this writing. Staff will notify the Rapid City Planning Commission at its meeting on June 7, 2007 if the receipts have not been returned prior to the meeting. Staff has received no inquiries or objections concerning this rezoning request.

Staff recommends that this item be continued to the June 7, 2007 Planning Commission meeting to allow the applicant to submit additional water and sewer information which demonstrates adequate service for a 30 unit multi-family residential complex, obtain an access permit from the South Dakota Department of Transportation, obtain a Planned Development Designation on the subject property, and submit an approved grading plan, and a revised Conditional Letter of Map Revision from the Federal Emergency Management Agency