

STAFF REPORT
June 26, 2008

No. 08RZ019 - Rezoning from Park Forest District to Medium Density Residential District **ITEM 48**

GENERAL INFORMATION:

APPLICANT	Dreamdak Holdings LLC
AGENT	Donnie Kirschenman
PROPERTY OWNER	Dreamdak Holdings, LLC
REQUEST	No. 08RZ019 - Rezoning from Park Forest District to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	Lots 30 thru 32 of Block 119 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.241 acres
LOCATION	815 First Street
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	High Density Residential District
South:	Park Forest District
East:	Low Density Residential District
West:	Park Forest District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	5/13/2008
REVIEWED BY	Jared Ball / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Rezoning from Park Forest District to Medium Density Residential District be Denied Without Prejudice at the applicant's request.

GENERAL COMMENTS: The property is located at 815 First Street which is located on the corner of First Street and Columbus Street. The property is currently zoned Park Forest District. The property to the north is zoned High Density Residential District, the property to the south is zoned Park Forest District, the property to the east is zoned Low Density Residential District and the property to the west is zoned Park Forest District. The applicant is requesting to rezone the property from Park Forest to Medium Density Residential.

Staff from Growth Management and Public Works Departments met with the applicant on

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June 16, 2008 to discuss the request. During the meeting initial items of concern were addressed. Of significant concern is the soil type, the stability of the soil, and the significant costs associated with constructing a foundation on this soil type were of major concern. The property is located at the bottom of a large hill that appears to consist of a loose soil made up primarily of shale. The storm water run-off from the hill has created a large eroded area raising significant concerns with the stability of the site. Staff recommended that the applicant obtain a geotechnical report for the property regarding slope stability and drainage to determine the special measures that will need to be taken to allow the site to be redeveloped and to determine the feasibility of the project.

The lack of adequate water and sewer to the property was also reviewed with the applicant. Staff indicated that the property is being serviced by out-of-date water and sewer lines and that those lines would have to be brought up to City standards prior to any changes in density on the property. The water and sewer lines will have to be extended approximately 170 feet in order to service the property. Staff also noted concerns with spot zoning. None of the surrounding properties are zoned Medium Density Residential, and by allowing the applicant to rezone his property to Medium Density Residential an area of spot zoning would be created.

Staff would note that the applicant should complete the geotechnical analysis prior to submitting any further rezoning requests. Such analysis is necessary to determine if an increase in density is a possible alternative for the site. Staff would also encourage the applicant to review the economic viability of the proposed redevelopment of the site, including the cost associated with site stabilization, spiral foundations and the extension of utilities to the site prior to resubmitting a rezone request for the site. The applicant requested that his application to rezone the property from Park Forest to Medium Density Residential be denied without prejudice. As such, staff is recommending that the request to rezone from Park Forest to Medium Density Residential be denied without prejudice.