

STAFF REPORT
July 25, 2013

No. 13RZ016 - Rezoning from Low Density Residential District I to Medium Density Residential District **ITEM 8**

GENERAL INFORMATION:

APPLICANT	Walgar Development Corp.
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Walgar Development Corporation
REQUEST	No. 13RZ016 - Rezoning from Low Density Residential District I to Medium Density Residential District
EXISTING LEGAL DESCRIPTION	<p>A portion of Tract A of Block 19, Robbinsdale Addition No. 10, located in the W1/2 of the NW1/4 of the SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at a point on the westerly boundary said Tract A of Block 19 of Robbinsdale Addition No. 10, common to the southwesterly corner of Lot 3 of Block 20 of Robbinsdale Addition No. 10, Thence, S00°12'37"E, along the westerly boundary of said Tract A of Block 20 of Robbinsdale Addition No. 10, a distance of 145.84 feet, to the Point of Beginning; Thence, first course: N89°33'01"E, a distance of 165.79 feet, to a point of curvature; Thence, second course: northeasterly, curving to the left on a curve with a radius of 1495.38 feet, a delta angle of 07°26'28", an arc length of 194.21 feet, a chord bearing of N85°49'47"E, and a chord distance of 194.07 feet, to a point on the westerly boundary of Tract C of Block 9 of Robbinsdale Addition No. 10; Thence, third course: S01°01'03"E, along the westerly boundary of said Tract C of Block 9 of Robbinsdale Addition No. 10, a distance of 156.89 feet, to the southwesterly corner of said Tract C of Block 9 of Robbinsdale Addition No. 10; Thence, fifth course: S01°01'03"E, along the prolongation of the westerly boundary of said Tract C of Block 9 of Robbinsdale Addition No. 10, a distance of 230.11 feet, to the intersection with the prolongation of the southerly edge of the dedicated right-of-way of Hanover Drive, as shown in the subdivision of Lots 5 through 14 of Tract A of Block 9 of Robbinsdale Addition No. 10; Thence, sixth course: N88°50'16"W, along the prolongation of the southerly edge of the dedicated right-of-way of said Hanover Drive, as shown in the subdivision of Lots 5 through 14 of Tract A of Block 9 of Robbinsdale Addition No. 10, a distance</p>

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of 76.00 feet; Thence, seventh course: S01°09'44"E, a distance of 125.19 feet, to a point on the southerly boundary of said Tract A of Block 19 of Robbinsdale Addition No. 10, common with a point on the northerly boundary of Lot A Revised of the N1/2 of 'Government' Lot 4 of Section 18; Thence, eighth course: N89°15'22"W, along the southerly boundary of said Tract A of Block 19 of Robbinsdale Addition No. 10, common with the northerly boundary of said Lot A Revised of the N1/2 of 'Government' Lot 4 of Section 18, a distance of 285.91 feet, to the southwest corner of Said Tract A of Block 19 of Robbinsdale Addition No. 10, common to a point on the northerly boundary of said Lot A Revised of the N1/2 of 'Government' Lot 4 of Section 18; Thence, ninth course: N00°12'37"W, along the westerly boundary said Tract A of Block 19 of Robbinsdale Addition No. 10, a distance of 491.43 feet, to a point on the westerly boundary said Tract A of Block 19 of Robbinsdale Addition No. 10, and the Point of Beginning.

PARCEL ACREAGE	Approximately 5.103 acres
LOCATION	At the current southern terminus of Winfield Street
EXISTING ZONING	Low Density Residential District - Medium Density Residential District
FUTURE LAND USE DESIGNATION	Residential
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Agricultural District
East:	Medium Density Residential District - Low Density Residential District
West:	Medium Density Residential District - Public District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	June 3, 2013
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential District I to Medium Density Residential District **be approved in conjunction with a Planned Development Designation.**

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GENERAL COMMENTS:

(Update July 18, 2013. All revised and/or added text is shown in bold.) This item was continued at the July 3, 2012, Planning Commission meeting to allow the applicant to revise the legal description for the proposed rezoning request. Previously, the legal description included land already zoned Medium Density Residential District. The applicant has submitted the revised legal description which only includes land to be zoned from Low Density Residential District I to Medium Density Residential District.

The applicant has submitted a Rezoning request to change the zoning designation of the above legally described property from Low Density Residential District I to Medium Density Residential District.

On March 6, 1995, the City Council approved a Final Plat (File #PL2170) to create Tract A of Block 19 of Robbinsdale No. 10 Subdivision. Subsequently, additional lots have been created from Tract A leaving a non-transferable balance.

The property is located at the southern terminus of Winfield Court approximately 390 feet south of the intersection of Winfield Court and East Minnesota Street. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed this proposed rezoning request 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 generally.*

Currently, it does not appear that there are any substantially changing conditions in the area.

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

The Rapid City Municipal Code states that the Medium Density Residential District is established to provide for medium to high population density. The principal uses of land may range from single-family to multiple-family apartment uses. The subject property is located south of East Minnesota Street which is identified as a Minor Arterial Street on the City's Major Street Plan. The Rapid City Area Future Land Use Plan identifies the future use of the property as appropriate for residential use.

Property to the south and east is zoned Low Density Residential District I and consists of single-family residences. The applicant has previously submitted a Master Plan for the area showing that Hanover Drive will extend west to Parkview Drive and that Winfield Street will extend south to connect with Hanover Drive. Rezoning the property to Medium Density Residential District will allow the

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Medium Density Residential District

development of the property without dedicating the right-of-way for these street connections. In order to secure the rights-of-way and to ensure that future development of the property is designed to minimize potential impacts on adjacent single-family residences to the east and south, staff recommends that the rezoning request be approved in conjunction with a Planned Development Designation. The applicant has stated that they are not in support of securing a Planned Development Designation on the property.

- 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.*

Access to the property is from Winfield Court. The property is served by Rapid City water and sewer. Currently, the property is undeveloped. Property to the east and south is zoned Low Density Residential District I. The applicant has previously submitted a Master Plan for the area showing that Hanover Drive will extend west to Parkview Drive and that Winfield Street will extend south to connect with Hanover Drive. Rezoning the property to Medium Density Residential in conjunction with a Planned Development Designation will ensure that the identified street connections are made and that potential negative impacts to the existing single-family residences to the south and east are addressed.

- 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 City's adopted Future Land Use Plan identifies the future use of the property as appropriate for residential land use. Access to the property is from Winfield Court. The property is served by Rapid City water and sewer. The applicant has previously submitted a Master Plan for the area showing that Hanover Drive will extend west to Parkview Drive and that Winfield Street will extend south to connect with Hanover Drive. Rezoning the property to Medium Density Residential in conjunction with a Planned Development Designation will ensure that the identified street connections are made.

Summary: Previous master plans for the area identify street connections that should be maintained. In addition, there is an existing single-family development to the south and east of the subject property. Based on the size of the property, an apartment building with a maximum of 144 units could be constructed with only a building permit. Potential traffic issues could have a negative impact on the existing single-family development to the east and south. In order to ensure that future development of the property maintains neighborhood street connections and is consistent with the character of the neighborhood, staff recommends that the rezoning request be approved in conjunction with a Planned Development Designation.

Notification: As of this writing, the first class mailings have been returned to Community Planning and Development Services for mailing. The sign has been

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picked up; however, as of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the July 25, 2013 Planning Commission meeting if this requirement has not been met.