

STAFF REPORT

August 23, 2001

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**No. 01RZ049 - Rezoning from No Use District to Low Density Residential District**      **ITEM 35**

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GENERAL INFORMATION:

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|--------------------|----------------------------------------------------------------------------------------|
| PETITIONER         | Dream Design International, Inc.                                                       |
| REQUEST            | <b>No. 01RZ049 - Rezoning from No Use District to Low Density Residential District</b> |
| LEGAL DESCRIPTION  | SE1/4 SE1/4 Section 13, T2N, R7E, BHM, Pennington County, South Dakota                 |
| PARCEL ACREAGE     | Approximately 40.25 Acres                                                              |
| LOCATION           | At the northwest corner of the intersection of Country Road and Nike Road              |
| EXISTING ZONING    | General Agriculture District (County)                                                  |
| SURROUNDING ZONING |                                                                                        |
| North:             | General Agriculture District (County)                                                  |
| South:             | Medium Density Residential District (City)                                             |
| East:              | General Agriculture District (County)                                                  |
| West:              | General Agriculture District (County)                                                  |
| PUBLIC UTILITIES   | City Water and Sewer to be extended                                                    |
| REPORT BY          | Blaise Emerson                                                                         |

RECOMMENDATION: Staff recommends that the Rezoning from No Use District to Low Density Residential District be approved in conjunction with the associated Planned Residential Development.

GENERAL COMMENTS: The applicant is requesting to rezone a 40 acre parcel to Low Density Residential Zoning District as part of the proposed Northbrook Development. The property is located directly to the east of the Mallridge Subdivision at the northwest quadrant of the intersection of Country Road and Nike Road. The applicant is proposing a 106 lot residential subdivision. An associated annexation request and Planned Residential Development request have also been submitted for 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.**

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The property owner is requesting to annex the subject property into the City. All lands annexed are placed in the No Use Zoning District. The No Use Zoning District is a temporary designation for the purpose of permitting investigation and study of the land uses in the area.

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

The purpose of the Low Density Residential Zoning District "is intended to be used for single-family residential development with low population densities. Additional permitted uses, by review of the City Council, include related noncommercial, recreational, religious and educational facilities normally required to provide the basis elements of a balanced and attractive residential area." The zoning district located east of this property is zoned Low Density Residential and is developed in a single-family residential neighborhood. The extension of the residential development would be consistent with the 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.**

There are adequate public services to accommodate the additional residential development. A sanitary sewer lift station is located on the subject property that serves the north Haines Avenue area.

**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 Northeast Neighborhood Area Future Land Use Plan identifies that the subject property as appropriate for Low Density Residential land uses in association with a Planned Residential Development. Country Road is identified as an arterial along the southern portion of the subject property and Nike Road is identified as a collector along the eastern portion of the subject property. Staff finds that the rezoning request is consistent with the Comprehensive Plan.

The applicant has posted the required sign on the property. As of writing this Staff Report, staff has not received any comments regarding the request.