

STAFF REPORT
February 9, 2012

**No. 12RZ001 - Rezoning from Low Density Residential District to
Office Commercial District**

ITEM 17

GENERAL INFORMATION:

APPLICANT	Robert T. Sundby and John Sundby
PROPERTY OWNER	John & Kathy Sundby, Robert Sundby and Kibbe Conti
REQUEST	No. 12RZ001 - Rezoning from Low Density Residential District to Office Commercial District
EXISTING LEGAL DESCRIPTION	Lot 1 less Lot H1 of Una Del Acres No. 2 located in Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.88 acres
LOCATION	At the northwest corner of the intersection of Catron Boulevard and Sheridan Lake Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development)
South:	Low Density Residential District
East:	General Commercial District (Planned Commercial Development)
West:	Low Density Residential District
PUBLIC UTILITIES	Shared well and private septic system
DATE OF APPLICATION	1/13/2012
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Pursuant to the recommendation from the Future Land Use Committee for the associated Comprehensive Plan Amendment, staff recommends that the Rezoning from Low Density Residential District to Office Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: The applicant has submitted a Rezoning request to rezone approximately 0.88 acres of land from Low Density Residential District to Office Commercial District. The applicant has indicated the site will be redeveloped to locate a real estate office on the property. The applicant has also submitted an associated Comprehensive Plan Amendment (File #12CA001) to change the Future Land Use designation for the property from Residential to Commercial.

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On September 4, 2001, a request to rezone the property from Low Density Residential District to General Commercial District (File #01RZ043) was denied without prejudice by the City Council.

The property is located at the northwest corner of the intersection of Sheridan Lake Road and Wildwood Drive, in the southwestern portion of the City. Currently, a single-family residence is located on the 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 district affected, or the City in general.*

The land is currently zoned Low Density Residential District. The Future Land Use Committee met on January 12, 2012 to consider a proposal by the applicant to change the Future Land Use designation for the property from Residential to Commercial and recommended approval of the request noting the expansion of Commercial uses on the east side of Sheridan Lake Road and the location of the property in relation to principal arterial streets. In particular, the Future Land Use Committee supported the proposal that the designation for the property be changed with the stipulation that the accompanying rezoning request be from Low Density Residential District to Office Commercial District. The Office Commercial District is designed to support a light intensity of commercial uses as well as residential uses.

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

The Rapid City Municipal Code states that the Office Commercial District is intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. Typical uses for land zoned Office Commercial District include professional offices, medical clinics and laboratories, financial institutions, or beauty shops. In an area of residential and general commercial uses, the Office Commercial District can serve as a transition between the uses when developed in compliance 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 amendment.*

The proposed Rezoning request will extend the existing commercial uses on the east side of Sheridan Lake Road to the west side of Sheridan Lake Road. To date, all commercial development in the area has remained on the east side of Sheridan Lake Road. Extending commercial uses to the west side of Sheridan Lake Road could significantly impact the existing residential development. The proposed amendment

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does not appear to be consistent with the goal to protect stable neighborhoods.

- 4. The proposed amendment shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan, and others.*

Sheridan Lake Road is classified as a principal arterial on the City's Major Street Plan. Wildwood Drive is classified as a sub-collector street and terminates at Sheridan Lake Road. Catron Boulevard extends east and south from Sheridan Lake Road toward U.S. Highway 16 and is classified as a principal arterial street. The location of the property abutting a principal arterial street makes it appropriate for a higher intensity of use. The three year average of traffic counts on Sheridan Lake Road from Corral Drive to Catron Boulevard is 13,167 vehicles per day. The three year average of traffic counts on Catron Boulevard from Sheridan Lake Road to U.S. Highway 16 is 9,561 vehicles per day. Due to the intensity of traffic and the proximity of the property to a major traffic intersection, the Street Design Criteria Manual prohibits access from Sheridan Lake Road. Wildwood Drive is a residential street and was not designed to support the higher traffic volume and intensity of use generally associated with a commercial use.

Public Works staff has noted that development of the site may require dedication of a major drainage easement to accommodate drainage running from and through the property. The applicant has indicated that that property is served by a shared well and septic system. Staff has noted that it appears public utilities have been stubbed to the property, but are not connected. The minimum required lot size for a septic system is 1 acre. The applicant should be aware that any redevelopment of the site will require that the property be connected to Rapid City water and sewer systems. The associated Comprehensive Plan Amendment will create a commercial land use designation for the property.

Based on the recommendation of the Future Land Use Committee, the rezoning request appears to be consistent with the development plan for Rapid City if approved in conjunction with the associated Comprehensive Plan Amendment.

Notification Requirements: The required signs have been posted on the property. The required receipts of the certified mailings have not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the February 9, 2012 Planning Commission meeting if these requirements have not been met. There have been numerous inquiries from area residents. All inquiring parties have expressed opposition to the Rezoning request.