

STAFF REPORT

August 23, 2001

No. 01RZ043 - Rezoning from Low Density Residential District to General Commercial District ITEM 1

GENERAL INFORMATION:

PETITIONER	Davis Engineering for Donald Carlson and Isaura Hansen
REQUEST	No. 01RZ043 - Rezoning from Low Density Residential District to General Commercial District
LEGAL DESCRIPTION	Lot 1 less Lot H1 and Lot 2, Una Del Acres #2, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.82 acres
LOCATION	5504 and 5508 Wildwood Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District with PRD
South:	Low Density Residential District
East:	Low Density Residential District/General Commercial District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Rezoning from Low Density Residential District to General Commercial District be denied.

GENERAL COMMENTS: **This item was continued from the August 9, 2001 Planning Commission meeting because the legal notification had not been completed.**

The applicant is proposing to rezone two lots located at the northwest quadrant of the intersection of Sheridan Lake Road and Wildwood Drive. Currently, a single family residence is located on each of the two lots in question. A request to rezone the property on the south side of Wildwood Drive was denied without prejudice at the applicant's request earlier this year. There has been strong opposition to any commercial development on the west side of Sheridan Lake Road from the Wildwood Homeowners Association.

STAFF REVIEW: Staff has reviewed this 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:

STAFF REPORT

August 23, 2001

No. 01RZ043 - Rezoning from Low Density Residential District to General Commercial District ITEM 1

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.

The reconstruction and widening of Sheridan Lake Road in 1996 and the recent construction of Catron Boulevard have changed the character of the area to the east of the applicant's property. There have been several rezoning requests for the property located on the east side of Sheridan Lake Road including request for General Commercial zoning. The land use along the west side of Sheridan Lake Road has remained residential. With the exception of the northwest corner of Sheridan Lake Road and Corral Drive, all property along the west side of Sheridan Lake Road in this area is developed with residential uses or have residential uses proposed. Staff has not identified any significant change in the area that would signify the need for additional General Commercial property on the west side of Sheridan Lake Road. Sheridan Lake Road in this area to remain zoned for residential uses to avoid the intrusion of commercial land uses in the established Wildwood/ Una Del Acres neighborhood.

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

The purpose of the General Commercial Zoning District is to provide "...for personal and business services and the general retail business of the city." Staff does not believe that the rezoning request to General Commercial would be consistent with the intent of the Zoning Ordinance. Residential zoning and land uses exist directly west and south of the subject property thereby prompting concern over adverse impacts to those areas by commercial development.

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.

As stated earlier, Staff is concerned that rezoning the subject property to General Commercial could result in negative impacts to residential areas directly to the west and south.

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 Major Street Plan identifies that both Sheridan Lake Road and Catron Boulevard as Principal Arterials. However, Wildwood Drive (to the west) is designated as a subcollector. The adopted Comprehensive Plan Land Use Plan for this area identifies that residential uses are appropriate. Based on the lack of compliance with the Comprehensive Plan, Staff recommends that the rezoning request be denied.

The required rezoning signs have been posted on the property. The green cards from the certified mailing have not yet been returned by the petitioner. Staff has received 10 telephone inquiries in opposition to the request.