

STAFF REPORT
August 25, 2011

**No. 11RZ014 - Rezoning from General Commercial District to Low
Density Residential District**

ITEM 11

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Stoney Creek Development Corporation - Jeff Bendt
REQUEST	No. 11RZ014 - Rezoning from General Commercial District to Low Density Residential District
EXISTING LEGAL DESCRIPTION	<p>A portion of Lots 1-6 of Block 2 of Stoney Creek South Subdivision located in the W1/2 of the SW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the northwesterly corner of Lot 6, Block 2 of Stoney Creek South Subdivision, common to the southwesterly corner of Lot 7, Block 2 of Stoney Creek South Subdivision, common to a point on the easterly boundary of Lot 1, Block 1 of Stoney Creek South Subdivision, and the point of beginning; Thence, first course: N89°21'43"E, along the northerly boundary of said Lot 6, common to the southerly boundary of said Lot 7, a distance of 69.46 feet; Thence, second course: S01°22'01"W, a distance of 436.45 feet; Thence, third course: S88°37'59"E, a distance of 50.14 feet; Thence, fourth course: S01°22'01"W, a distance of 272.12 feet, to a point on the southerly boundary of Lot 1, Block 2, Stoney Creek South Subdivision, common to a point on the northerly boundary of Outlot D of Stoney Creek South Subdivision; Thence, fifth course: N71°39'46"W, along the southerly boundary of said Lot 1, Block 2, common to the northerly boundary of said Outlot D, a distance of 83.66 feet, to the southwesterly corner of said Lot 1, Block 2; Thence, sixth course: N16°14'30"E, along the westerly boundary of said Lot 1, Block 2, common to the northerly boundary of said Outlot D, a distance of 101.85 feet, to the northwesterly corner of said Lot 1, Block 2, common to the southwesterly corner of Lot 2, Block 2 of Stoney Creek South Subdivision; Thence, seventh course: N02°05'29"W, along the westerly boundary of said Lot 2, Block 2, common to the northerly boundary of said Outlot D, a distance of 105.39 feet, to the northwesterly corner of said Lot 2, Block 2, common to a point on the southerly boundary of Lot 3, Block 2 of Stoney Creek South Subdivision; Thence, eighth course: S87°54'31"W, along the southerly boundary of said Lot 3,</p>

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Block 2, common to the northerly boundary of said Outlot D, a distance of 42.58 feet, to the southwesterly corner of said Lot 3, Block 2; Thence, ninth course: N00°38'17"W, along the westerly boundary of Block 2 of Stoney Creek South Subdivision, common to the easterly boundary of Block 1 of Stoney Creek South Subdivision, a distance of 480.95 feet, to the point of beginning

PARCEL ACREAGE	Approximately 1.035 acres
LOCATION	On the west side of Bendt Drive, south of Catron Boulevard and east of Sheridan Lake Road
EXISTING ZONING	General Commercial District (Planned Development Designation) - General Agriculture District - Low Density Residential District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District (Planned Commercial Development)
East:	Low Density Residential District - General Agriculture District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City/ City
DATE OF APPLICATION	7/29/2011
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Rezoning from General Commercial District to Low Density Residential District be approved in conjunction with the associated Comprehensive Plan Amendment.

GENERAL COMMENTS: On July 28, 2011, the applicant applied for a rezoning request for approximately 1.035 acres of land from a General Commercial District to a Low Density Residential District. In particular, this rezoning request refers to Lots 1 through 6 of Block 2 on Bendt Drive. The western portions of all six lots are currently zoned General Commercial District. The eastern portions of Lots 3 through 6 are zoned Low Density Residential District. The eastern portions of lots 1 and 2 are currently zoned General Agriculture District. This request is to rezone the western portion of lots 1 through 6 from General Commercial District to Low Density Residential District.

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The applicant has also submitted an associated request to rezone approximately .169 acres of land from General Agriculture District to Low Density Residential (File #11RZ015).

The applicant has also submitted an associated Comprehensive Plan Amendment to the Future Land Use Plan (File #11CA009) to change the land use designation from General Commercial with a Planned Commercial Development to Low Density Residential with a Planned Residential Development.

The applicant has also submitted an associated Initial and Final Planned Residential Development to allow six townhome or single family residences to be constructed on the lots (File #11PD032).

The property is designated as General Commercial in the U.S. Highway 16 Neighborhood Area Future Land Use Plan. The property is part of the Planned Development Designation #521, approved in 1983 to allow residential and commercial development on the property.

The property is located immediately on the west side of Bendt Drive, beginning approximately 430 feet south of Catron Boulevard and continuing south along Bendt Drive a distance of approximately 1,200 feet. The land is currently undeveloped.

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 property is currently zoned General Commercial District with a Planned Commercial Development. Commercial and residential development in the area has substantially expanded in recent years. Recent development to the north of Catron Boulevard is residential. Development south of the proposed Planned Development on Bendt Drive consists of townhomes and single family residences. Additionally, approval of the associated Comprehensive Plan Amendment will change the land use designation from General Commercial to Low Density Residential. Development on Nugget Gulch Road to the east is zoned Medium Density Residential District. The expansion of a variety of residential development in the area constitutes a change in conditions in the area which necessitate a change in the Zoning Ordinance.

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

The Rapid City Municipal Code states that the Low Density Residential District is intended to provide a range of land uses associated with single-family residential housing with low population densities. A Planned Residential Development allows for the development of townhomes and duplexes. The area currently consists of a mix of Residential and Commercial development. The proposed zoning is consistent with the

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intent and purpose of the Zoning 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.*

Residential development in the area continues to expand. Townhomes and single family residences are currently located south of the proposed Planned Development. Multi-family housing exists to the east. Single-family residences have developed to the north. The proposed Planned Development consists of townhomes or single family residences located on a street classified as a sub-collector. A large drainage channel separates the proposed development from commercial structures to the west, and topography creates a natural buffer from multi-family development to the east. Portions of the lots included in the associated Initial and Final Planned Residential Development are already zoned Low Density Residential. The proposed rezoning will create a uniform Zoning Ordinance in the area. The proposed Rezoning will not adversely affect any other part of the city.

- 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 and Catron Boulevard are designated as Principle Arterial Streets on the Major Street Plan. Bendt Drive is classified as a sub-collector street. The Initial and Final Planned Residential Development will serve as the tool to ensure the development of the site is compatible with the current development of the neighborhood. The proposed Comprehensive Plan Amendment will create a residential land use designation in the area. As such, Staff recommends that the rezoning request be approved in conjunction with the associated Comprehensive Plan Amendment.

Notification Requirements: The proposed sign has been posted on the property. As of this writing, the required receipts of the certified mailings have not been returned to the Growth Management Department. Staff will inform the Planning Commission at the August 25, 2011 Planning Commission meeting if the notification requirements have not been met. At this time there have been no inquiries regarding this request.