

STAFF REPORT  
January 10, 2008

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**No. 07CA061 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential to Neighborhood Commercial**

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**ITEM 63**

GENERAL INFORMATION:

APPLICANT	Double L Properties
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Shaver-Houk Properties Limited
REQUEST	<b>No. 07CA061 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential to Neighborhood Commercial</b>
EXISTING LEGAL DESCRIPTION	The south 210 feet of the east 358 feet of the NE1/4 of the SW1/4, less Lot H-1 located in the NE1/4 of the SW1/4, Section 10, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.471 acres
LOCATION	2935 Sheridan Lake Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Office Commercial District with Planned Commercial Development
West:	Low Density Residential District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	12/14/2007
REVIEWED BY	Monica Heller / Ted Johnson

RECOMMENDATION:

Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential to Neighborhood Commercial be denied.

GENERAL COMMENTS:

This property contains approximately 1.47 acres and is located on the west side of Sheridan Lake Road, south of Castle Heights Place and north of Country Club Court. The property is

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currently zoned Low Density Residential District. Land located north, south and west of the property is zoned Low Density Residential District. Land located east of the property is zoned Office Commercial District with a Planned Commercial Development. In addition to this application for an Amendment to the Comprehensive Plan to change the land use designation from Low Density Residential to Neighborhood Commercial, the applicant has submitted a Rezoning request to change the current zoning from Low Density Residential District to Neighborhood Commercial District (#07RZ076).

STAFF REVIEW:

The adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. In order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

Staff has reviewed this proposed Comprehensive Plan Amendment for conformance with the six criteria for review of Comprehensive Plan Amendments established in Section 2.60.160(D). A summary of Staff findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

One of the goals of any Future Land Use Plan is to maintain a commitment to neighborhoods by implementing appropriate policies that preserve and improve the quality and character of the community's established neighborhoods. Stable neighborhoods need to be protected to prevent encroachment by incompatible commercial uses. The property is surrounded on three sides by Low Density Residential. Office commercial land uses are directly across Sheridan Lake Road from the property. Changing the land use from Low Density Residential to Neighborhood Commercial will allow commercial encroachment into a well established neighborhood. The proposed land use change is inconsistent with the intent of the City's Comprehensive Plan to protect neighborhoods by preventing encroachment of incompatible land uses.

2. *Whether the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property.*

Currently, the property is a single family dwelling unit. There does not appear to be any changed condition within the surrounding neighborhood, including this property that warrants the proposed change.

3. *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land*

Changing the land use from Low Density Residential to Neighborhood Commercial will allow commercial encroachment into a well established neighborhood. Several characteristics of commercial land uses, such as exterior lighting, the scale of the building, increased noise from traffic and deliveries, and hours of operation of the business have the potential to adversely

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affect the surrounding neighborhood. The proposed amendment to change the land use from Low Density Residential to Neighborhood Commercial appears to be incompatible with the adjacent residential uses.

*4. Whether and the extent to which the proposed amendment would adversely affect the environment, services, facilities, and transportation*

The property is located on the west side of Sheridan Lake Road and currently has access to Sheridan Lake Road. Sheridan Lake Road is classified as a principal arterial on Rapid City's Major Street Plan. There is currently no left turn lane on Sheridan Lake Road adjacent to the property. The close proximity of other driveways and roadways in the area, the lack of a center turn lane, and the increased traffic generated by a commercial business versus a single family residence will generate increased traffic, additional congestion and safety issues along Sheridan Lake Road. The proposed amendment appears to have the potential for having an adverse effect on the surrounding properties and the roadway network.

*5. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

The property is developed with a single family dwelling unit and is adjacent to existing residential land uses. The proposed amendment will increase the commercialization of the area and potentially disrupt an established neighborhood. The proposed change would not result in a logical and orderly development pattern. If further commercial activities are needed in the area, the logical and orderly development pattern would be to expand the existing commercial area on the east side of Sheridan Lake Road directly across from the property as an expansion of the existing Neighborhood Commercial and Office Commercial node.

*6. Whether and the extent to which the proposed amendment adversely affects any other part of the city, or creates any direct or indirect adverse effects.*

Changing the Future Land Use designation to Neighborhood Commercial will potentially increase traffic and noise in an established residential area. The proposed amendment will adversely affect adjacent established residential areas as well as any future residential development in the area.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the January 10, 2008 Planning Commission meeting if this requirement has not been met. Staff has received several inquiries regarding the proposed request at the time of this writing. Staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from Low Density Residential to Neighborhood Commercial be denied.