

STAFF REPORT
January 10, 2008

No. 07RZ076 - Rezoning from Low Density Residential District to Neighborhood Commercial District **ITEM 64**

GENERAL INFORMATION:

APPLICANT	Double L Properties
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Shaver-Houk Properties Limited
REQUEST	No. 07RZ076 - Rezoning from Low Density Residential District to Neighborhood Commercial District
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 Rezoning from Low Density Residential District to Neighborhood Commercial District 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 currently zoned Low Density Residential District. Land located north, south and west of the

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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 Rezoning application, the applicant has submitted a Comprehensive Plan Amendment for the property from Low Density Residential District to Neighborhood Commercial District (#07CA061).

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.*

The property is zoned Low Density Residential District. Staff is unaware of any substantially changed conditions that make it necessary to rezone the property at this time.

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

The Neighborhood Commercial Zoning District is for a neighborhood store or group of stores devoted to serving the population of the immediate area. In reviewing the related Comprehensive Plan Amendments, staff noted that if additional neighborhood commercial activities are needed in the area, the logical and orderly development pattern would be to expand the existing commercial node on the east side of Sheridan Lake Road directly across from the property.

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.*

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 rezoning appears to have the potential for having an adverse effect on the surrounding properties and the roadway capacity.

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 Comprehensive Land Use Plan identifies this area as appropriate for Low Density Residential land uses. An application for a Comprehensive Plan Amendment to change the land use on the property to Neighborhood Commercial has been submitted in conjunction

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with the Rezoning request for the property. Rezoning the property is not consistent with the adopted Comprehensive Plan.

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 no inquiries or objections regarding the proposed request at the time of this writing. Staff recommends that the Rezoning from Low Density Residential District to Neighborhood Commercial District be denied.