

STAFF REPORT

February 19, 2004

No. 04CA002 - Amendment to the Comprehensive Plan to change the future land use designation on a 0.932 acre parcel of land from Residential to Neighborhood Commercial

ITEM 26

GENERAL INFORMATION:

PETITIONER	Stanley & Durr LLC dba Fjords Ice Cream Factory
REQUEST	No. 04CA002 - Amendment to the Comprehensive Plan to change the future land use designation on a 0.932 acre parcel of land from Residential to Neighborhood Commercial
EXISTING LEGAL DESCRIPTION	Lots 1 and 2, Mediterranean Subdivision, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.932 acres
LOCATION	1805 and 1815 38th Street
EXISTING ZONING	Medium Density Residential District/Planned Residential Development
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	01/23/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

The Future Land Use Committee recommends that the Amendment to the Comprehensive Plan to change the future land use designation on a 0.932 acre parcel of land from Residential to Neighborhood Commercial be denied.

GENERAL COMMENTS: The subject properties are located at 1805 and 1815 38th Street, which is south of Canyon Lake Drive and west of 38th Street. The properties were annexed into the City of Rapid City in 1947. They are currently zoned Medium Density Residential with a Planned Residential Development. In 1995 the Planning Commission approved with stipulations the Planned Residential Development allowing the construction of 18 apartment units separated into three buildings. This Medium Density Residential property is

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surrounded by Medium Density Residential zoning districts to the north, south, east, and west. The Comprehensive Plan and the West Rapid Neighborhood Area Future Land Use Plan Draft identifies these properties as appropriate for Medium Density Residential with a Planned Residential Development. The applicant is requesting the Comprehensive Plan be amended to change the future land use designation for the subject property from Medium Density Residential to Neighborhood Commercial. An application to rezone the property from Medium Density Residential to Neighborhood Commercial has been submitted in conjunction with this Amendment to the comprehensive Plan.

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 the changing market place, periodic adjustments to reflect changing conditions will be required.

Currently four single-family residences are located on the southernmost parcel, and the northernmost parcel is vacant. The properties are located in a stable developed residential neighborhood. The properties located to the north, south, east, and west of the subject properties are zoned Medium Density Residential. The Comprehensive Plan identifies the subject properties as appropriate for a Medium Density Residential Zoning District with a Planned Residential Development.

Extensive discussions have been held regarding the conversion of existing residentially zoned and developed properties to commercial uses in the Canyon Lake neighborhood. At least two neighborhood meetings were held on the draft Neighborhood Land Use Plan with over one hundred residents attending each meeting. Strong objections were expressed to further commercial intrusions into this residential neighborhood.

The Future Land Use Committee has reviewed the request and recommended denial of the request citing concerns with spot zoning, encroachment into the residential neighborhood and strip commercial development.