

STAFF REPORT  
May 5, 2005

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**No. 05CA019 - Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the future land use designation on a 1.58 acre parcel of land from Medium Density Residential to Light Industrial**

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**ITEM 34**

GENERAL INFORMATION:

PETITIONER	Marty Jacob for MBJ Company, Inc.
REQUEST	<b>No. 05CA019 - Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the future land use designation on a 1.58 acre parcel of land from Medium Density Residential to Light Industrial</b>
EXISTING LEGAL DESCRIPTION	Lots 1 thru 8 inclusive and Lots 21 thru 28 inclusive in Block 7 and Lots 1 thru 7 inclusive in Block 12; all located in Northside Addition, NW1/4 Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.58 Acres
LOCATION	826 East Monroe Street
EXISTING ZONING	Medium Density Residential District
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	3/8/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

The Future Land Use Committee recommends that the Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the future land use designation on a 1.58 acre parcel of land from Medium Density Residential to Light Industrial be **approved in conjunction with the associated Rezoning request (05RZ029) and with the provision that the necessary street improvements to Monroe Street are completed and the existing fence blocking the Monroe Street right-of-way is removed prior to approval by the City Council.**

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GENERAL COMMENTS: (This Staff Report was revised on April 22, 2005. All revised and/or added text is shown in bold text.) This item was continued at the April 21, 2005 Planning Commission meeting to allow time for the Future Land Use Committee to discuss the site and the surrounding properties and explore all available options for the subject property.

(This Staff Report was revised on April 15, 2005. All revised and/or added text is shown in bold text.) This item was continued at the April 7, 2005 Planning Commission meeting to allow time for the Future Land Use Committee time to visit the site and the surrounding properties.

The subject property is located east of North Spruce Street and west of Gold Finch Road between East Adams Street and East Madison Street. The subject property is currently developed with an office, large commercial garage and a storage lot for vehicles.

In 1920, the subject property was zoned commercial and was subsequently rezoned to residential in 1935. In 1947, a Building Permit was issued for a private shop on the subject property. In 1999, an inspector's report was issued indicating that the existing structure was no longer being used for commercial purposes but was for personal storage.

As previously indicated, the subject property is currently developed with an office, large commercial garage and a storage lot for vehicles. Currently, the use of land specifically identified as a towing facility is not listed in the Zoning Regulations. The applicant is now requesting a Comprehensive Plan Amendment to change the future land use designation on the subject property from Medium Density Residential to Light Industrial. The applicant has also submitted a Rezoning request (05RZ029) to change the current zoning from Medium Density Residential to Light Industrial and a Determination of Use application (05DU001) to determine if a towing company is appropriate in the Light Industrial Zoning District.

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.

On March 18, 2005, the Future Land Use Committee discussed the proposed amendment to the Comprehensive Plan. After discussing the location of the subject property and its proximity to residentially zoned properties, the Future Land Use Committee recommended that this item be continued to the April 21, 2005 Planning Commission meeting to allow the committee time to visit the site and the surrounding properties.

On April 15, 2005, the Future Land Use Committee again discussed the proposed amendment to the Comprehensive Plan. After visiting the location of the subject property

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and the surrounding area, the Future Land Use Committee recommended that this item be continued to the May 5, 2005 Planning Commission meeting to allow the committee time to discuss the site and the surrounding properties and explore all available options. As such, staff recommends that this item be continued to the May 5, 2005 Planning Commission meeting.

**The Future Land Use Committee has reviewed the 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 the findings are outlined below:**

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

The Future Land Use Plan is the framework for ensuring orderly and efficient growth of the community. One of the goals of the Future Land Use Plan is to concentrate new growth in the Rapid City urban area and protect existing rural areas from urban sprawl through planned development. In-fill development and full utilization of properties currently served by infrastructure are encouraged. This change appears to be consistent with the intent of the Comprehensive Plan to encourage the concentration of new growth in the Rapid City urban area.

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

The subject property is located north of East North Street and east of North LaCrosse Street. This portion of the City has a mixture of land uses consisting of commercial, light industrial and residential properties. However, the majority of the properties are developed and zoned Medium Density. The subject property is currently zoned Medium Density Residential and is the location of an existing towing company. The adjacent properties surrounding the subject property are zoned Medium Density Residential and are developed with single family residences. Staff is unaware of any changed or changing conditions in the area that would warrant the change in the Future Land Use Plan.

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

The adjacent properties on all sides are zoned Medium Density Residential. The subject property is currently being used as a towing company. The existing development of this property may not be compatible with the existing single family residences located adjacent to the subject property as there are large towing trucks traveling through the existing residential neighborhood to access the subject

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property. However, the Future Land Use Committee noted that the use has existed on the subject property for several years without any reported adverse impacts.

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

As previously indicated a towing company is located on the subject property with single family residences located on the adjacent properties. The property is located adjacent to East Adams Street, East Monroe Street and Gold Finch Road which are all identified as lane/place streets on the Major Street Plan. Monroe Street serves as the primary access to the subject property. Monroe Street is not currently constructed to the industrial/commercial standards needed to support the towing trucks that use the street and would need to be improved to comply with the Street Design Criteria Manual if the Comprehensive Plan Amendment is approved. Prior to City Council approval the necessary street improvements must be completed. Staff also noted that the Monroe Street right-of-way is currently obstructed by a six foot high chain link fence. As Monroe Street is a public right-of-way the existing fence must be removed, prior to City Council approval, to allow the general public to travel along it as a right-of-way.

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

The subject property is located in an area of mixed land uses, however, the adjacent properties are zoned Medium Density Residential and are developed with single family residences. The proposed amendment would create a Light Industrial Zoning District surrounded by Medium Density Residential and Mobil Home Residential land uses. The proposed amendment would result in a spot zoning classification. However, the Future Land Use Committee noted that there are Light Industrial properties located in close proximity to the subject property.

***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.***

The Future Land Use Committee noted that they do not feel that the proposed amendment would adversely affect any other part of the city, or would create a direct or indirect adverse effect on the city as a whole. As such, the Future Land Use Committee recommends that the proposed amendment to the Comprehensive Plan be approved.

Staff noted that the required sign has been posted on the property and the required legal notification to the surrounding property owners has been mailed out. Staff has received several phone calls in opposition to the Comprehensive Plan Amendment request and also notes that the manager of the existing mobile home park located to the north and east of the

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subject property attended the April 7, 2005 Planning Commission Meeting to speak in opposition to the proposed amendment.

On March 18, 2005, the Future Land Use Committee discussed the proposed amendment to the Comprehensive Plan. After discussing the location of the subject property and its proximity to residentially zoned properties, the Future Land Use Committee recommended that this item be continued to the April 21, 2005 Planning Commission meeting to allow the committee time to visit the site and the surrounding properties.

On April 1, 2005, the Future Land Use Committee indicated that they had visited the subject property and surrounding properties and is recommending that the proposed Comprehensive Plan Amendment be denied as it will have an adverse impact on the surrounding properties.

**On April 22, 2005 the Future Land Use Committee indicated that they had visited the subject property and visited with several of the surrounding property owners. After discussing the proposed amendment with the surrounding property owners and the applicant, the Future Land Use Committee recommends that the proposed amendment to the Comprehensive Plan be approved in conjunction with the associated Rezoning request (05RZ029) and with the provision that the necessary street improvements to Monroe Street are completed and the existing fence blocking the Monroe Street right-of-way is removed prior to approval by the City Council.**