

STAFF REPORT
May 4, 2006

No. 06CA010 - Amendment to the Comprehensive Plan by revising the Future Land Use Plan to change the land use designation from Residential to General Commercial

ITEM 37

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting for Black Hills Health and Wellness Center
REQUEST	No. 06CA010 - Amendment to the Comprehensive Plan by revising the Future Land Use Plan to change the land use designation from Residential to General Commercial
EXISTING LEGAL DESCRIPTION	Lots 21 thru 22 of Block 9, Flormann Addition, located in the NW1/4 SE1/4, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.161 acres
LOCATION	716 Fairview 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:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/7/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan by revising the Future Land Use Plan to change the land use designation from Residential to General Commercial be denied.

GENERAL COMMENTS:

This request is an application to amend the Comprehensive Future Land Use Plan from Residential to General Commercial. The subject property is located east of Mount Rushmore Road and north of Fairview Street at 716 Fairview Street. The property is currently zoned Medium Density Residential. A single family residence currently occupies the property. Properties located north, south, and east of the subject property are zoned Medium Density Residential District. The property located west of the subject property is zoned General Commercial. Properties located around the proposed property

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are currently single and multi-family residences. The property was zoned a Medium Density Residential Zoning District in 1968.

The Rapid City Municipal Code shows that a commercial parking lot is not a permitted nor is it a conditional use in the Medium Density Residential Zoning District. For that reason the applicant is requesting a change to the land use designation of the property. This would facilitate the rezoning of the property and allow the expansion of the existing parking lot to the west.

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.*

The applicant is proposing to amend the Comprehensive Plan by changing the existing designation from Residential to General Commercial. The change from Residential to General Commercial is not consistent with the overall intent of the Future Land Use Plan for the area. The change in the Future Land use designation would create additional General Commercial zoning in an established residential neighborhood. These uses can negatively impact the adjacent Residential land uses.

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

The subject property was zoned Medium Density Residential in 1968. A single-family residence is currently located on the subject property. The property is located in a stable developed residential neighborhood. Staff is unaware of any changing conditions in this area that would justify an Amendment to the Comprehensive Plan for this property.

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

The change from Residential zoning to General Commercial zoning is not compatible with the existing surrounding properties. The surrounding properties are zoned for uses associated with a residential neighborhood. Expanding a commercial parking lot within a residential area is not a use compatible with the surrounding zoning.

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

By amending the Future Land Use Plan from Residential to General Commercial there is potential for increased traffic in the residential neighborhood. As such, the proposed amendment does appear to have an adverse effect on the surrounding properties.

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 that is zoned Medium Density Residential. The proposed amendment would change the future land use designation on the subject property from Residential uses to General Commercial uses. Expanding the General Commercial Zoning District into the current Residential area is not a logical or an orderly development pattern for the already established area.

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 subject property is located adjacent to Medium Density Residential Zoning Districts on the north, south, and east. Staff feels the rezoning would have a negative affect on the surrounding land uses with additional commercial development in a residential neighborhood.

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 May 4, 2006 Planning Commission meeting if this requirement has not been met.

Staff recommends that the Amendment to the Comprehensive Plan to change the land use from Residential to General Commercial be denied.