

STAFF REPORT

May 25, 2006

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**No. 06CA011 - Amendment to the Comprehensive Plan to the Long Range Comprehensive Plan to change the land use designation from High Density Residential to Office Commercial with a Planned Commercial Development**

**ITEM 26**

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**GENERAL INFORMATION:**

PETITIONER	Fisk Land Surveying for Del Solano for the Rapid City Columbian Club
REQUEST	<b>No. 06CA011 - Amendment to the Comprehensive Plan to the Long Range Comprehensive Plan to change the land use designation from High Density Residential to Office Commercial with a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in Block 126 of the Original Townsite of Rapid City, located in the NW1/4, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as follows: Beginning at the northwest corner of said Block 126, of the Original townsite of Rapid City, said point of being coincident with the northwest corner of Lots 16 of Block 126 and also coincident with the south right-of-way of Columbus Street, said point being marked by a mag nail in asphalt; Thence, southeasterly along the north edge of Block 126 and along the south right-of-way of Columbus Street and along the north line of Lots 16, 15, 14, 13, 12, 11, 10 and the west five feet of Lot 9, S77°34'35"E, a distance of 180.17 feet more or less to the northwest corner of the alley adjoining the west five feet of Lot 9 of Block 126, said point being marked by a mag nail in asphalt; Thence, southwesterly along the easterly line of the west five feet of said Lot 9 of Block 126 and along the westerly edge of the alley right-of-way, S12°32'24"W, a distance of 159.82 feet, more or less to the southwest corner of the intersecting alleys in Block 126, said point being located on the north line of Lot 24 of said Block 126, and said point being marked by a rebar with a survey cap "LS 7719"; Thence, continuing southwesterly in said Lot 24 of Block 126, S12°40'28"W, a distance of 9.00 feet, more or less, to a point marked by rebar with survey cap "LS 7719"; Thence, northwesterly through Lots 24, 23, 22, 21, 20, 19, 18 and 17 of Block 126, N77°36'11"W, a distance of 180.18 feet, more or less to a point on the westerly line of Lot 17 of Block 126, said point being coincident with the easterly line of Fifth Street right-of-way, and said point being marked by a mag nail in

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asphalt; Thence, northeasterly along the westerly line of Block 126 and along the westerly line of Lot 17, along the westerly line of the vacated alley in Block 126 and along the westerly line of Lot 16 of Block 126, and coincident with the easterly edge of Fifth Street right-of-way, N12°33'06"E, a distance of 168.90 feet, more or less to the point of beginning. Said parcel contains 0.70 acres, more or less.

PARCEL ACREAGE	Approximately .70 acres
LOCATION	910 Fifth Street
EXISTING ZONING	High Density Residential District
SURROUNDING ZONING	
North:	High Density Residential District
South:	Medium Density Residential District
East:	High Density Residential District
West:	Public District - High Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/1/2006
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

**RECOMMENDATION:**

Staff recommends that the Amendment to the Comprehensive Plan to the Long Range Comprehensive Plan to change the land use designation from High Density Residential to Office Commercial with a Planned Commercial Development be approved.

**GENERAL COMMENTS:**

The applicant has submitted a Comprehensive Plan Amendment to the Long Range Comprehensive Plan to change the land use designation from High Density Residential to Office Commercial with a Planned Commercial Development.

On May 4, 2006, the Planning Commission approved an Initial and Final Planned Commercial Development to allow an assembly hall and offices to be located on the subject property. In addition, the Planning Commission recommended approval of a rezoning request to change the zoning designation of the subject property from High Density Residential District to Office Commercial District. Both items were approved contingent upon approval of the Comprehensive Plan Amendment to the Long Range Comprehensive Plan. (See companion items #06PD023 and 06RZ010.)

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The property is located in the southeast corner of the intersection of 5<sup>th</sup> Street and Columbus Street. Currently, the Knights of Columbus Recreational Center is located on the property and is used as an assembly hall and offices.

On February 6, 2006, the City Council approved a Layout Plat to move the common lot line between this property and an adjacent property also owned by the applicant. A stipulation of the Layout Plat requires that prior to submittal of a Preliminary Plat, the land use issues be addressed.

**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 encourage compact and contiguous growth within the City that is linked to orderly extension and efficient use of public improvements, infrastructure, and services. Full utilization of properties currently served by infrastructure is encouraged. The purpose of the Office Commercial District as stated in the Zoning Ordinance is to "...provide for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods". The subject property is central to the City and located adjacent to a residential area. In addition, the Initial and Final Planned Commercial Development will serve as a tool to address concerns specific to the subject property and to mitigate any potential negative impacts the office commercial use may have on the adjacent properties.

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

The existing building was constructed on the property approximately 40 years ago. The building was originally used as an auditorium and was a part of a private school complex. The school closed in 1969 and the Knights of Columbus purchased and began using the building as an assembly hall with offices in 1972. The balance of the school complex located on adjacent properties is being used as office(s) and a church. The property located

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directly north of the subject property has been zoned Office Commercial District and is the location of "Western Dakota Insurers". With the introduction of office commercial use(s) into the neighborhood, the conditions of the area have changed. The property is located in the core of the City which makes it desirable for office commercial use(s). In addition, the additional review provided by a Planned Commercial Development will insure that issues specific to the subject property are being addressed.

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

As previously indicated, some properties along 5<sup>th</sup> Street have been developed as office commercial area. In addition, the Initial and Final Planned Commercial Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the subject property. The Initial and Final Planned Commercial Development will also help mitigate any potential negative impacts the office commercial use may have on existing and future residential land uses within the area.

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

Fifth Street is located west of the subject property and is classified as a principal arterial street on the City's Major Street Plan. In addition, 5<sup>th</sup> Street has been constructed accordingly. As such, staff has not identified any significant adverse impacts that will result from the requested rezoning. The additional review provided by the Initial and Final Planned Commercial Development process will insure that any possible adverse impacts of development and/or redevelopment are adequately mitigated. In particular, the Initial and Final Planned Commercial Development will serve as a tool to insure that any redevelopment of the property does not negatively impact Dakota Middle School located west of the subject property and/or the residential development within the area.

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

The subject property is located east of 5<sup>th</sup> Street in an area of existing office commercial development. The proposed amendment will allow for the continuation of the established office commercial development pattern.

*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 existing structure is currently served with City sewer and water as well as private utilities in compliance with the community facilities plan. Staff has not identified any adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City with the assistance of the Initial and Final Planned Commercial Development.

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Notification Requirement: As of this writing, the sign has not been posted on the property nor have the certified mailings been returned. Staff will notify the Planning Commission at the May 25, 2006 Planning Commission meeting if these requirements have not been met.