

STAFF REPORT
December 10, 2009

No. 09CA031 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Public with Flood Hazard to Civic Center

ITEM 37

GENERAL INFORMATION:

APPLICANT	Rapid City Area School District #51-4
AGENT	Renner & Associates
PROPERTY OWNER	City of Rapid City
REQUEST	No. 09CA031 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Public with Flood Hazard to Civic Center
EXISTING LEGAL DESCRIPTION	<p>A portion of Tract 19 of Rapid City Greenway Tract, located in Section, 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the southeasterly corner of Lot RU-302A of the Original Townsite of Rapid City, common to a corner on the north boundary of Tract 19 of the Rapid City Greenway Tract, and the point of beginning, Thence, first course: S12°41'52"W, a distance of 204.24 feet; Thence, second course: N76°56'41"W, a distance of 367.77 feet; Thence, third course: N13°03'19"E, a distance of 301.94 feet, to a point on the northerly boundary of said Tract 19, common to a point on the southerly boundary of said Lot RU-302A; Thence, fourth course: S77°18'14"E, along the northerly boundary of said Tract 19, common to the southerly boundary of said Lot RU-302A, a distance of 65.68 feet, to a corner on the northerly boundary of said Tract 19, common to a corner on the southerly boundary of said Lot RU-302A; Thence, fifth course: S12°41'52"W, along the northerly boundary of said Tract 19, common to the southerly boundary of said Lot RU-302A, a distance of 100.00 feet, to a corner on the northerly boundary of said Tract 19, common to a corner on the southerly boundary of said Lot RU-302A; Thence, sixth course: S77°18'13"E, along the northerly boundary of said Tract 19, common to the southerly boundary of said Lot RU-302A, a distance of 300.20 feet, to a corner on the northerly boundary of said Tract 19, common to southeasterly corner of said Lot RU-302A, and the point of beginning, said Parcel contains 81,160 square feet or 1.863 acres more or less</p>

STAFF REPORT
December 10, 2009

No. 09CA031 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Public with Flood Hazard to Civic Center

ITEM 37

PARCEL ACREAGE	Approximately 1.863 acres
LOCATION	South of Central High School between North Mount Rushmore Road and West Boulevard North and north of Omaha Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Civic Center District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	11/20/2009
REVIEWED BY	Marcia Elkins / Karley Halsted

RECOMMENDATION:

The Future Land Use Committee recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Public with Flood Hazard to Civic Center be approved.

GENERAL COMMENTS: The Rapid City Area School District #51-4 has submitted this Comprehensive Plan Amendment to amend an approximately 1.8 acre area lying within Tract 19, Rapid City Greenway Tract. The property is located within the area included in the Northeast Area Future Land Use Plan. The applicant has requested that the future land use be changed from "Public with Flood Hazard" to "Civic Center." The area of the requested change is an irregular shape measuring approximately 204 feet by 368 feet. The location of the proposed amendment is directly south of Lot RU-302A. It is more generally described as being located west of N. Mount Rushmore Road and directly abuts the Rapid City Central High School campus.

While the property is owned by the City of Rapid City, it currently appears to be and functions as part of the Central High School campus. Play fields, a football field and sidewalks are currently located on the site. The parcel was dedicated as park land on the face of the Rapid City Greenway Tract plat approved in 1979, along with numerous other Greenway Tracts.

As noted, the adopted Comprehensive Plan (North Rapid Neighborhood Future Land Use Plan) for this area identifies the area as appropriate for "Public with Flood Hazard" land uses. The Future Land Use designation for the area to the south as "Public with Flood Hazard," to the east as "Public with Flood Hazard" and "Public," to the north as "Public" and to the west as "Public with Flood Hazard" and "Public."

STAFF REPORT
December 10, 2009

No. 09CA031 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Public with Flood Hazard to Civic Center

ITEM 37

The existing use of the property to the north is Central High School, the use of the property to the east is Memorial Park and the Rapid City Civic Center, the use of the property to the south is Central High School football fields and the use of the property to the west is Central High School campus area (football fields, sidewalks, landscape) and further to the west, undeveloped open space.

The property included in this Comprehensive Plan Amendment is currently zoned Flood Hazard Zoning District. The property to the north is zoned Civic Center Zoning District, the property to the east is zoned Civic Center Zoning District and Flood Hazard Zoning District, the property to the south is zoned Flood Hazard Zoning District and to the west is zoned Flood Hazard Zoning District. The applicant has submitted a related request (09RZ054) to rezone the property from Flood Hazard Zoning District to Civic Center Zoning District.

The applicant has indicated that the requested Comprehensive Plan Amendment and the related Rezoning request will facilitate the expansion of the existing Central High School. Specifically, gymnasium space, weight rooms, locker rooms and related offices are proposed to be located in the area of land where the Comprehensive Plan Amendment and Rezoning have been requested. It should be noted that parks and other public recreational facilities, as well as auditoriums, football fields, baseball and softball fields as well as schools and related activities are appropriate uses in both the Civic land use designation and the Public with Flood Hazard land use designation.

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 growing community, periodic adjustments are required to reflect changing conditions.

The Future Land Use Committee met on December 3, 2009 and reviewed this proposed Comprehensive Plan Amendments for conformance with the six criteria for review of Comprehensive Plan Amendments established in Section 2.60.160(D) of the Rapid City Municipal Code. A summary of the Future Land Use Committee's findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the Comprehensive Plan.*

The Rapid City Area Future Land Use Plan 2008 Plan Overview identified ten overarching goals for the future development of Rapid City. Goal 8 reads: "Preserve downtown as a community focus and encourage policies which will strengthen this role." The proposed Comprehensive Plan Amendment would provide for the expansion of civic land uses serving the educational needs of Rapid City. Schools are traditionally a key element of insuring that central downtown areas are vibrant and active areas. This modest expansion of the civic land use area is consistent with the existing public land use designation and will facilitate the community's reinvestment in the existing central downtown area of the community.

STAFF REPORT
December 10, 2009

No. 09CA031 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Public with Flood Hazard to Civic Center

ITEM 37

In addition, the Future Land Use Committee reviewed the recently updated "Resolution Establishing a Rapid Creek Floodplain Policy" adopted as a part of the Comprehensive Plan. The Committee noted that the proposed area of the Comprehensive Plan Amendment is all located in the 100 year floodplain or flood fringe area. None of the area included in the Comprehensive Plan Amendment request is located in the 100 year hydraulic floodway. The adopted Floodplain Policy states the following: "When applying the Flood Hazard Zoning District to public property, the boundaries of the Flood Hazard Zoning District shall match the boundaries of the 100 year floodway on properties downstream from the Chapel Lane Road Bridge..." The property in question is located outside of the 100 year floodway and downstream of the Chapel Lane Road. As such, the requested change in the Comprehensive Plan is consistent with the adopted Floodplain Policy.

The Future Land Use Committee found the proposed change in the Comprehensive Plan to be consistent with the policies and overall intent of the comprehensive plan as evidenced by the goals of the Future Land Plan Overview and the Rapid Creek Floodplain Policy.

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

In reviewing the boundaries between the "Civic" land uses and the "Public with Flood Hazard" land uses, the Future Land Use Committee identified two related changes that had occurred since the adoption of the North Rapid Neighborhood Plan. First, they noted that a similar rezoning had been approved to the south the Rushmore Plaza Civic Center building facilitating the construction of the Ice Arena. The Committee noted that this change had no negative effects on the neighborhood or the community and had in fact, brought additional vitality to the City's central downtown area. Additionally, the Committee reviewed the development of the Roosevelt Park Ice Area and Swimming Pool complex. Again, the Committee found that the development in that area was having a positive and revitalizing effect on the neighborhood.

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

As noted previously in this report, the area of the proposed Comprehensive Plan Amendment already operates in large part as a part of the Central High School campus, with sidewalks, landscaping, ball fields and football fields. The extension of the Civic land use designation will not have a significant impact on the surrounding areas. It should be noted that the change will potentially allow the gymnasium area of the building to extend approximately 172 feet south of the current land use plan boundary. The location of the existing high school has proved compatible with the surrounding land uses, both existing and proposed. The Future Land Use Committee did not identify any significant incompatibility between the requested amendment and the existing and surrounding land uses.

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

STAFF REPORT
December 10, 2009

No. 09CA031 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Public with Flood Hazard to Civic Center

ITEM 37

The Future Land Use Committee reviewed in detail the proposal as it relates to the flood boundaries. They noted that no structural development is proposed for the hydraulic floodway. In particular, they identified that the request is consistent with the Floodplain Development Policy as updated in 2008. Discussion also included the fact that the area of the amendment where the gymnasium and related facilities could be located were in the 100 year floodplain or flood fringe area. The Committee noted that a Floodplain Development Permit has already been issued insuring that the development would meet all safety requirements of the Flood Construction Standards contained in Chapter 15 of the Rapid City Municipal Code. The Committee did not identify any significant adverse affects on the environment, services, facilities or transportation that would result from the request.

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

The Future Land Use Committee noted that the requested amendment was a modest extension of the existing civic uses in the area. They also discussed that the amendment was consistent with the existing Public with Flood Hazard designation. The proposed amendment would appear to result in a logical and orderly extension of the existing development pattern found on the site.

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 effect.

As noted previously in this report, the Future Land Use Committee reviewed in detail the issues associated with the proximity of the proposal to the floodway. They noted that a Floodplain Development Permit has been issued insuring that the potential construction on the site would not adversely affect the flooding potential on other properties upstream or downstream of the site. The Committee also discussed the similarities of the proposed gymnasium expansion to similar expansions of the Rushmore Civic Center Ice Arena as well as the Roosevelt Park Pool and Ice Arena. The Committee did not identify any significant adverse effects resulting from the Comprehensive Plan Amendment request for approximately 1.82 acres of property.

In compliance with the policy adopted by the City Council, the property owner has been notified by return receipt mail. Staff will inform the Planning Commission if the required sign is not posted on the property.

Based on the factors identified in this report and the adopted criteria for the review of Comprehensive Plan Amendments, the Future Land Use Committee recommends approval of the Amendment to the Comprehensive Plan to change the land use designation from "Public with Flood Hazard" land use to "Civic Center" land use.