

STAFF REPORT
October 4, 2012

No. 12CA007 - Amendment to the Comprehensive Plan to change the land use designation from Commercial to Residential **ITEM 2**

GENERAL INFORMATION:

AGENT	James and Kelly Commet
PROPERTY OWNER	James and Kelly Commet
REQUEST	No. 12CA007 - Amendment to the Comprehensive Plan to change the land use designation from Commercial to Residential
EXISTING LEGAL DESCRIPTION	Lots 4 and 5 of Block 22 of West Boulevard Addition located in Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .16 acres
LOCATION	809 Saint Andrew Street
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Medium Residential District
South:	Medium Residential District - General Commercial District
East:	General Commercial District
West:	Medium Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	September 7, 2012
REVIEWED BY	Kip Harrington / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from Commercial to Residential be **approved**.

GENERAL COMMENTS:

(Update October 25, 2012. All revised and/or added text is shown in bold.) This item was continued at the October 4, 2012 Planning Commission meeting to allow the legal notice to be corrected and re-advertised. The proposed Amendment to the Comprehensive Plan has been correctly advertised. As such, staff recommends that this item be approved.

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The property contains approximately 0.16 acres and is located on the south side of Saint Andrew Street west of Mount Rushmore Road. A single family house is currently located upon the property. The property is currently zoned General Commercial District. Land located to the north and west of the property is zoned General Commercial District. Land located to the east of the property is zoned Medium Density Residential District. Land located to the south of the property is zoned Medium Density Residential District and General Commercial District.

The Rapid City Area Future Land Use Plan identifies the future use of the property as appropriate for Commercial use. In addition to this Amendment to the Comprehensive Plan, the applicant has submitted an application (File #12RZ018) to rezone the property from General Commercial District to Medium Density Residential District.

STAFF REVIEW: The legal notice for this Amendment to the Comprehensive Plan was advertised with an incorrect legal description. As such, the legal notice must be corrected and re-advertised for the next available Planning Commission meeting on October 25, 2012.

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.

Although the item must be continued, 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 the Future Land Use Plan is to maintain a commitment to neighborhoods by implementing appropriate policies that preserve and improve the quality and character of the community's established neighborhoods. The proposed change from Commercial to Residential land use will protect a stable residential neighborhood to prevent encroachment from incompatible commercial uses. The proposed change appears to be consistent with the intent of the Comprehensive Plan.

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

The property is currently zoned General Commercial District. An application to change the zoning from General Commercial District to Medium Density Residential District (File #12RZ018) has also been submitted for this property.

The Mount Rushmore Road Corridor Development Plan identifies the existing and proposed land uses in the area. The Plan also provides a strategy to control the

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expansion of non-residential uses into neighboring residential areas, limit incompatibilities and conflicts between adjacent land uses, and establish defensible edges and transitions between the commercial character of the arterial corridor and the neighboring residential neighborhoods.

On the west side of Mount Rushmore Road, it is recommended that commercial uses be limited to within 200 feet of Mount Rushmore Road. It is also recommended that any commercial development along the corridor have full, direct frontage along Mount Rushmore Road. Since the subject property does not front Mount Rushmore Road, the proposed change from Commercial to Residential land use is compatible with the Mount Rushmore Road Development Plan.

Staff has not identified any changed conditions within the surrounding neighborhood.

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

The property is located near areas that support residential and commercial land uses. The Rapid City Area Future Land Use Plan identifies the proposed uses of the surrounding properties. Land located to the north of the property is identified as public land use. Land located to the south of the property is identified as commercial and residential land use. Land located to the east of the property is identified as commercial land use. Land located to the west of the property is identified as residential land use. By amending the Future Land Use on this property from Commercial to Residential, the subject property will conform to the existing residential land uses on the south side of Saint Andrew Street.

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

The property is located on the south side of Saint Andrew Street, a sub-collector street. The property is served by City water and sewer. Staff has not identified any detrimental effects on the environment, services, facilities, or the adjacent transportation network.

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

The proposed amendment will continue the existing residential uses to the west on Saint Andrew Street, and prevent encroachment of commercial uses into a stable, established neighborhood. Staff has determined that the proposed amendment will result in a logical and orderly development plan.

- 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 property is located along a sub-collector street and is served by City water and sewer. Staff has not identified any significant adverse effects that the Comprehensive

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Plan Amendment would have on the surrounding area or on the City.

Summary: Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation from Commercial to Residential be **approved**.

Notification: **An incorrect legal description was advertised for the October 4, 2012 Planning Commission meeting. Staff will be sending out the certified mailings for the October 25, 2012 Planning Commission meeting. The required sign is posted on the property.**