

STAFF REPORT
January 10, 2008

No. 07CA060 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development

ITEM 61

GENERAL INFORMATION:

APPLICANT	James and Pamela Giese
AGENT	Lynn Livingston
PROPERTY OWNER	James and Pamela Giese
REQUEST	No. 07CA060 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Lots 19 and 20 of Block 3 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.16 acres
LOCATION	1021 St. Joseph Street
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	Park Forest District
South:	Medium Density Residential District
East:	Office Commercial District
West:	Office Commercial District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	11/15/2007
REVIEWED BY	Jonathan Smith / Ted Johnson

RECOMMENDATION:

The Future Land Use Committee recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development be denied.

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GENERAL COMMENTS:

The applicant has submitted a request to change the Future Land Use designation of a 0.16 acre parcel from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development. The property is located at 1021 St. Joseph Street. The property is located within the Rapid City Historic District. Currently a single-family residence, and a detached accessory building are located on the property. A request to rezone the property (#07RZ075) from Office Commercial District to General Commercial District has been filed in conjunction with this Comprehensive Plan Amendment request. The property was rezoned (#06RZ034) from High Density Residential District to Office Commercial District on October 16, 2006. A request (#06CA031) to change the Future Land Use Designation from Residential to Office Commercial with a Planned Commercial Development was approved by Council on October 16, 2006. A Planned Development Designation (#06PD074) was placed on the property on September 27, 2006.

STAFF REVIEW:

Staff recommends that this item be continued to the January 10, 2008 Planning Commission meeting at the request of the applicant.

(Update December 6, 2007. All revised text is shown in bold). This item was continued at the December 6, 2007 Planning Commission meeting at the request of the applicant.

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.

The Future Land Use Committee 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 the Future Land Use Committee findings is 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 preserve and enhance the existing economic base of Rapid City to achieve continued and well balanced economic development and employment opportunities. The applicant has submitted a Comprehensive Plan Amendment to change the future land use designation from Office Commercial District with a Planned Commercial Development to General Commercial with a Planned Commercial Development. The proposed land use change is inconsistent with the intent of the City's Comprehensive Plan to protect neighborhoods by preventing encroachment of incompatible commercial land uses.

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

The Future Land Use Designation from Residential to Office Commercial with a Planned Commercial Development was approved by Council on October 16, 2006. No significant changes in the character of the area of surrounding property has been identified since the Future Land Use Designation was changed that warrants the proposed change.

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 adjacent to residential land uses on the southern boundary, office commercial land uses on the eastern and western boundary, and abuts an arterial street on the northern boundary. If the proposed amendment were to be approved it would create a “spot” of General Commercial with a Planned Commercial Development, that would not provide any buffering of less intense land uses between the residential land uses and other high intensity commercial land uses located farther north. The proposed amendment appears to be incompatible with the residential land uses adjacent to the property.

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

Although the property is located on St. Joseph Street access to the property is currently by way of 11th Street, which is a residential street. Changing the Future Land Use designation to General Commercial with a Planned Commercial Development could result in general commercial land uses, which are associated with higher traffic volume, and extended hours of operation that could potentially cause adverse effects on residential streets. The proposed amendment appears to have potential for 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.

Abutting Future Land Use designation of the property on the eastern and western boundary is currently Office Commercial with a Planned Commercial Development. Changing the Future Land Use Designation to General Commercial with a Planned Commercial Development would result in an isolated Land Use designation that would not be compatible with the surrounding property. As noted the southern boundary of the property is currently residential. The existing Office Commercial with a Planned Commercial Development currently serves as a transition area of residential property and higher intensity commercial uses.

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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.*

As noted changing the Future Land Use designation to General Commercial with a Planned Commercial Development could potentially cause adverse affects on residential property in the area. In addition to increased traffic, staff has noted that the lot size is residential in character and not adequate in size for some of the uses associated with General Commercial land uses.

The Future Land Use Committee finds that this proposed change in Land Use Designation is not compatible with the abutting land uses in the area. Increased traffic in residential areas, the use intensity associated with General Commercial, and lot size constraints of the property, all could potentially cause adverse effects on the surrounding property. For these reasons The Future Land Use Committee recommends that the request to change the Future Land Use Designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development be denied.

NOTIFICATION:

The proper sign has been posted on the property. The green card receipts from the certified mailing have been returned. Staff has received several inquiries and objections concerning this Comprehensive Plan Amendment request.

STAFF REPORT
December 6, 2007

No. «Filenumber» - «Action»

ITEM
