



PLAN COMMISSION STAFF REPORT

Meeting date: December 14, 2023

APPLICATION NO:	REZ-2023-03
SUBJECT:	Change of Zoning
LOCATION:	12 W 7 th Street
PROPERTY OWNER(S):	Town of Lapel
PETITIONER(S):	Plan Commission
SUMMARY:	Rezoning of the real estate from Residential (R2) to Institutional (Is) zoning district.
WAIVERS REQUESTED:	None
RECOMMENDATION:	Recommend APPROVAL of Rezone to the Council
PREPARED BY	Oksana Polhuy, Planning Administrator
EXHIBITS	Exhibit 1. Location Aerial Map Exhibit 2. Site and Neighborhood Pictures Exhibit 3. Comprehensive Plan, Recommended Land Use Map

PROCEDURE

The application is scheduled for a public hearing at the December 14, 2023 Plan Commission meeting. Prior to the public hearing before the Commission, a published legal notice was advertised on November 29th and public hearing notices were mailed to the surrounding property owners on December 4th.

The Plan Commission hears the evidence presented by Staff, petitioner/owner, and any individuals in the audience wishing to speak for or against the proposed project or to just ask questions. The Plan Commission then holds a discussion among themselves and makes a recommendation to the Town Council to either allow the request, deny the request, and/or amend the applicants' proposal. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation.

The Council then hears the proposal, including the Plan Commission's recommendation at the Council meeting(s). At the final Council meeting, the proposal as presented in an Ordinance format is either adopted, denied, or modified by the Council.

STANDARDS FOR AMENDMENTS

Per Lapel UDO, V1.8.6, in reviewing the rezoning petition, the Plan Commission and Town Council shall pay reasonable regard to the following:

1. Whether the proposed amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan;
2. Whether the proposed amendment is compatible with current conditions and the overall character of uses in the immediate vicinity of the subject property;
3. Whether the proposed amendment is the most desirable use for which the land in the subject property is adapted;
4. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and
5. Whether the proposed amendment reflects responsible standards for development and growth.

CORRESPONDENCE

As of this writing, staff has / hasn't received any communication from the remonstrators.

ABOUT PROJECT

Location

The subject site is located behind the Lapel Bulldog café and is currently a vacant lot (see Exhibits 1 and 2). It appears that a house used to be on this lot that was demolished a decade ago (Figure 2).

It's surrounded by residential uses to the north, west and south, commercial uses to the east and southwest, and institutional uses to the northwest and southeast.

Proposal

The town of Lapel owns this property since 2011, but hasn't rezoned it to a zoning district appropriate for the government uses. The lot is too small for residential development and residential development isn't recommended for this area. Due to this, it proposes to rezone this property to an Institutional zoning district.

ANALYSIS

Compatibility with Surrounding Area

The subject lot is very small and doesn't fit most developments. Due to that, it sits vacant. However, it could fit a small utility structure and still have space for some screening and on-site parking. This kind of small improvement would have a very small visual impact on the surrounding commercial, residential, vacant, and institutional surrounding uses.

Consistency with Lapel Comprehensive Plan

The CP proposes a downtown commercial use on this property as a wider vision to convert several properties along Main Street into commercial uses. The whole block where the subject site is located is recommended for either commercial or institutional uses, so another institutional property will match the overall proposed character.



Figure 1. Aerial View 2023



Figure 2. Aerial View 2010

RECOMMENDATION

Staff recommends APPROVAL of application REZ-2023-03 because:

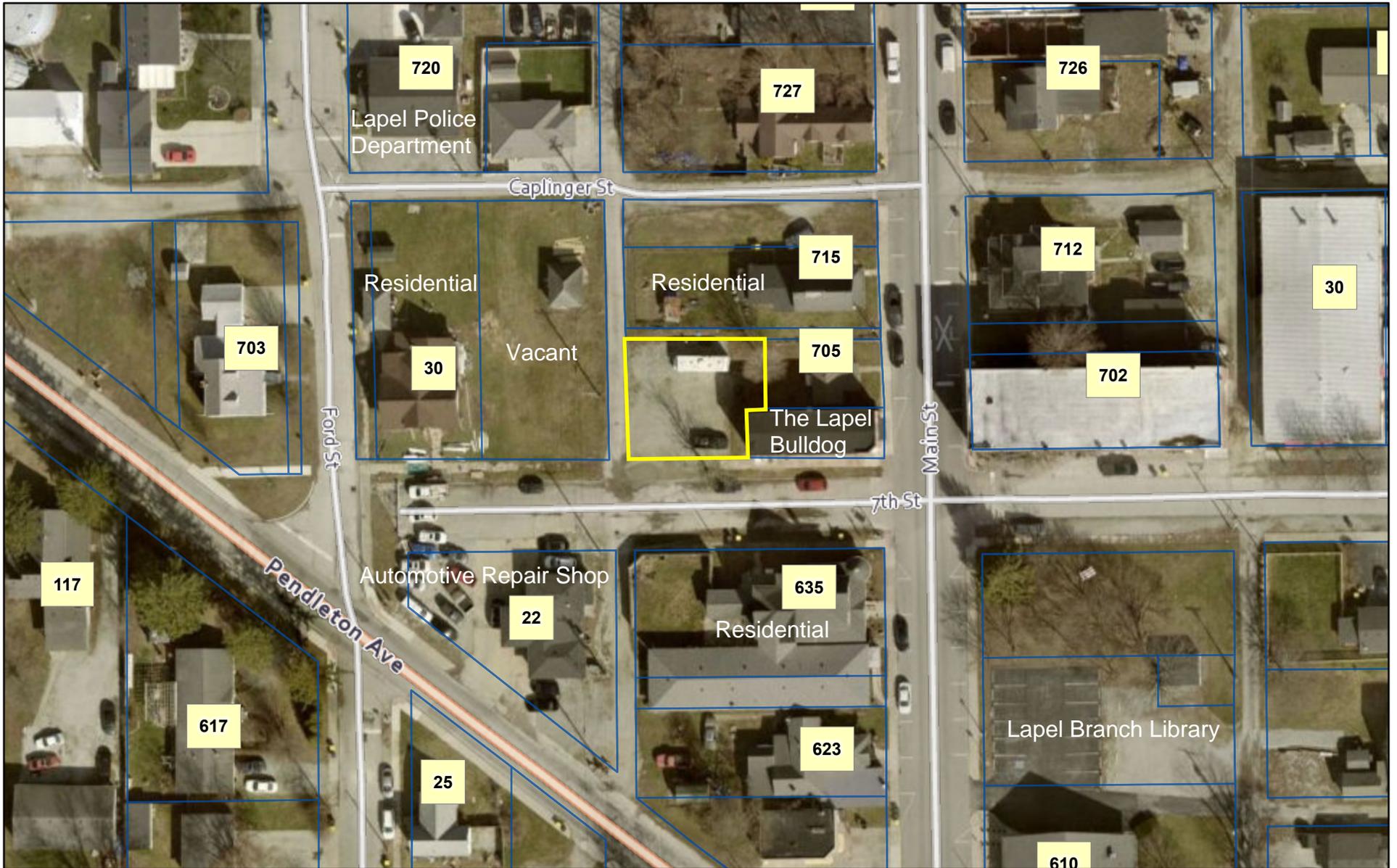
1. The proposed zoning district is consistent with the policies of the Comprehensive Plan;
2. The proposed zoning district is compatible with the surrounding uses in the immediate vicinity;
3. The subject lot is too small for most kinds of development. However, Institutional zoning district allows for installation of small utility structures which could fit on this lot making it a desired use for this property;
4. The property is very small. The hope is to have the property improved from its current vacant state to a neatly developed site that fits into the downtown context and adds to its overall property value; and
5. Converting it to the government-like zoning district clarifies that it may be used for the government purposes that the current residential zoning district doesn't allow.

MOTION OPTIONS (Change of Zoning Request)

1. Motion to forward a *favorable* recommendation to the Council for adoption of the Change of Zoning from Residential to Institutional Zoning District for the subject real estate as per submitted application REZ-2023-03.
2. Motion to forward an *unfavorable* recommendation to the Council for adoption of the Change of Zoning from Residential to Institutional Zoning District for the subject real estate as per submitted application REZ-2023-03 because... **(List reasons, findings of fact)**
3. Motion to *continue* the review of the application REZ-2023-03 until the next regular meeting on January 11, 2024.

Next Plan Commission meeting date(s): January 11, 2024.

EXHIBIT 1. LOCATION MAP



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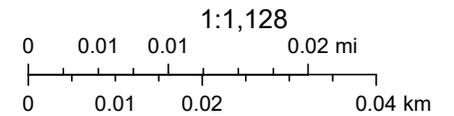


EXHIBIT 2. SITE AND VICINITY PICTURES

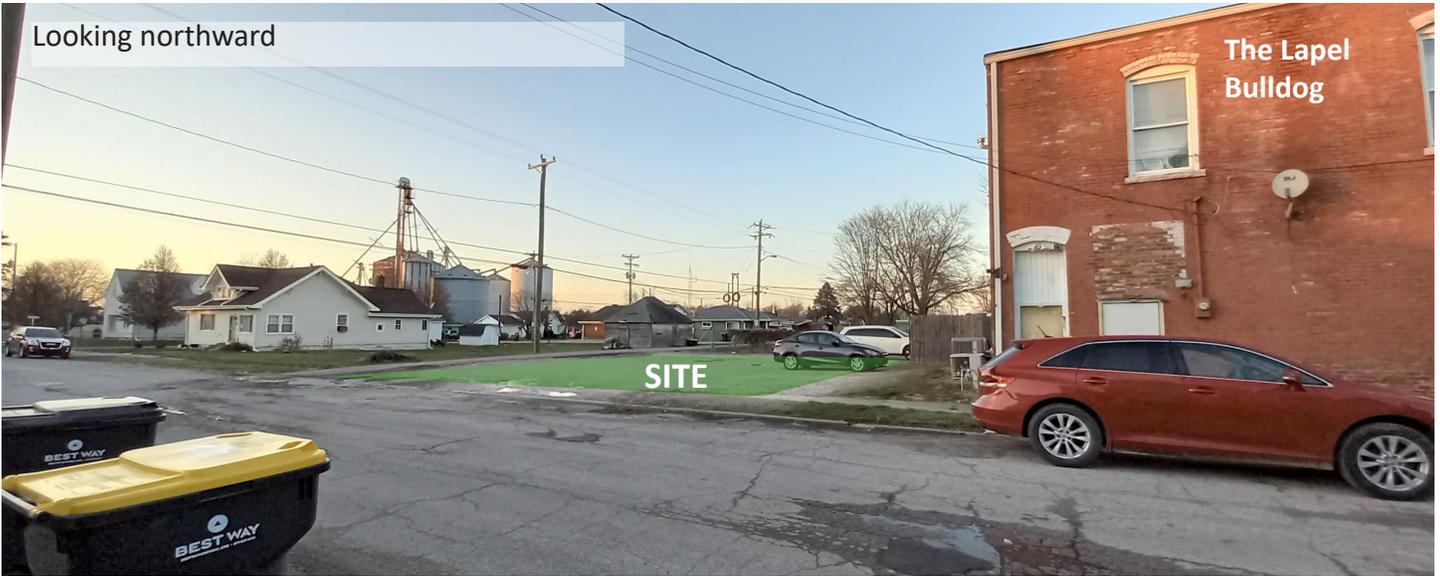


EXHIBIT 3

Comprehensive Plan Proposed Land Use - Downtown Area

