

13. **PRIVATE (PROPOSED) PLAN CHANGE 20: TO REZONE 250 CRANFORD STREET AND 215 INNES ROAD FROM LIVING 1 TO BUSINESS 1**

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| <b>General Manager responsible:</b> | General Manager Strategy and Planning, DDI 941 8177 |
| <b>Officer responsible:</b>         | Strategy Support Manager                            |
| <b>Author:</b>                      | Elizabeth Black                                     |

**PURPOSE OF REPORT**

1. The purpose of this report is to recommend that the Council give its decision on this private plan change (Plan Change 20) to the City Plan and take the subsequent steps to make the change operative. The Council may decline or approve the change with reasons.

**EXECUTIVE SUMMARY**

2. Planning consultants Planit lodged a plan change request to rezone 250 Cranford Street and 215 Innes Road (subject sites) from Living 1 to Business 2. This will double the current size of the existing business centre from approximately 1246m<sup>2</sup> to 2727m<sup>2</sup>. The reasons for the plan change are to allow for:
  - future flexibility and opportunity to redevelop the site to allow for suitable on-site parking; and
  - residential cohesion
3. It should be noted that car parking is a significant issue for the existing Business 1 zone. Currently there are 'no parking' restrictions immediately outside the business zone due to its location on the corner of a fairly busy intersection. This situation is likely to worsen if future improvements to the roading network includes a four-lane Cranford Street. The proposed rezoning will enable this situation to be improved.
4. At its meeting on 20 September 2007 the Council resolved to publicly notify this private plan change (Plan Change 20) to the City Plan. A copy of the change is attached to this report. The change seeks to change the zoning of the properties at 250 Cranford Street and 215 Innes Road, St Albans from Living 1 to Business 1.
5. The plan change was publicly notified in the Star (12 October 2007), the Christchurch Press (13 October 2007), and neighbours were informed by letter. The submission period ran from 13 October 2007 to 12 November 2007. No submissions were received.
6. The request conforms with the Council's policy on applications for plan changes in that:
  - the costs incurred by the Council in processing the application will be recovered from the applicant
  - the application does not involve an important strategic or policy issue
  - the proposed rezoning does not affect a significant area of land that would pre-empt options for urban growth
  - the sites are not within a Priority 1 Area Plan
7. The Plan Change and Section 32 analysis are attached to this report.
8. The officers recommendation is that the Private Plan Change be approved, as the change is consistent with the Council's desire to continue to update and improve the City Plan, will create a more integrated and complete business zoning in the locality, and provide an opportunity to resolve existing car parking difficulties in the locality.

**FINANCIAL IMPLICATIONS**

9. As the plan change is private, the property owner has funded the preparation of the Plan Change. This includes the public notification, reviewing of the plan change and Council reports, therefore there has been minimal cost to Council. Approval of the plan change would have no ongoing costs to Council.

10. There may be costs incurred to Council if it declines the Plan Change and the applicant chooses to challenge Council's decision in the Environment Court.

**Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

11. The recommendation will have no cost to the Council and therefore will not impact on the LTCCP or planned budgets.

**LEGAL CONSIDERATIONS**

12. After considering the plan change, the Council may decline or approve the plan change and provide reasons for its decision.
13. Under the Resource Management Act 1991 (RMA) schedule 1, clause 29 (6) the requester may appeal the decision to the Environment Court.
14. If Council approves the private plan change this will result in the plan change coming into effect.

**Have you considered the legal implications of the issue under consideration?**

15. A Council decision to decline this plan change can be challenged by the applicant in the Environment Court.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

16. City Development - ongoing programme of improvements (page 145 of the LTCCP) to enhance the planning documents of the City, to ensure an attractive built environment and minimise adverse effects on the environment.

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

17. Yes

**ALIGNMENT WITH STRATEGIES**

18. The plan change is consistent with the UDS objective to enhance business and employment opportunities close to residential areas.

**Do the recommendations align with the Council's strategies?**

19. Yes

**CONSULTATION FULFILMENT**

20. The plan change was publicly notified in the Star on 12 October 2007 and the Christchurch Press on 13 October 2007. The St Albans Residents Association and neighbours were informed by letter. The submission period ran from 13 October to 12 November 2007. No submissions were received.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Pursuant to 29 (4) of the First Schedule to the Resource Management Act 1991, approve the Private Plan change 20 for the reasons set out in the explanation to the change (shown at attachment 1 to this report).
- (b) Delegate to the General Manager Strategy and Planning the authority to determine the date on which the provision becomes operative.

## **BACKGROUND & DISCUSSION**

### **The Application**

21. This application seeks to rezone 250 Cranford Street and 215 Innes Road (subject sites) from Living 1 to Business 1. These sites adjoin an existing Business 1 zoned area located at the corner of Innes Road and Cranford Street.

### **Resource Management Act Timeframes**

22. The application was received in full on 7 May 2007. The Council, after consideration of the Shirley/Papanui Community Board support for the private plan change, made a decision to publicly notify the change. Public notification was from 13 October until 12 November. No submissions were received.

### **Description of proposal and site**

23. The subject sites are located adjoining the existing Business 1 zone at the intersection of Cranford Street and Innes Road (minor arterial roads). 215 Innes Road is located between a non-residential use (doctors surgery) and Business 1 zone. 250 Cranford Street is located directly across the road from a non-residential site (orthodontist) and next to a residential dwelling. 212A Knowles Street, a residential dwelling, adjoins the rear of both sites. Other non-residential uses within the immediate vicinity includes an accountant at 249 Cranford Street.
24. Residential dwellings and associated buildings are currently located on the sites. The combined area of both sites is 1481m<sup>2</sup>. The total area for the entire Business 1 site would increase from approximately 1246m<sup>2</sup> to 2727m<sup>2</sup>.
25. The purpose of this plan change is to allow the flexibility of comprehensively redeveloping the entire Business 1 zone with the anticipation that visitors car parking would be able to be provided on site. Currently the Business 1 zone has no on-site visitor car parking (only staff car parking) and little convenient on-street car parking. There are 'no parking' yellow dashed lines along the shop frontage on Cranford Street due to the shops location at the intersection of Innes/Cranford Street.

### **Description of Issues**

26. Issues include traffic generation, current lack of car parking, noise and loss of residential amenity.
27. A traffic assessment (see attached application) has concluded that additional traffic generation will be minimal due to most vehicle trips to the expanded Business 1 area being pass-by and diverted trips. The expansion of the zone proposes to rectify the current situation in which vehicles are parking illegally along Cranford Street (yellow dashed lines) by providing visitors with parking on site. Council traffic consultants have assessed that if a full redevelopment of the site did occur a resource consent would most likely be required and that mitigation measures to stop right-hand turns from Cranford Street/Innes Road into the site would be addressed.
28. The Council's Environmental Effects Team has concluded that any increase in noise is likely to be minor given that traffic noise is already generated by Innes Road and Cranford Street.
29. The Business 1 rules in the City Plan currently control the height, setback from neighbours and continuous building length. The aim of these rules is to limit development so that it is compatible with surrounding residential amenity. The increased Business 1 area will be consistent in size and location (located on street corners and are approx 2500m<sup>2</sup>) to other Business 1 zones throughout the city.
30. Council's urban design consultant has assessed the potential effects of the plan change. The consultant is of an opinion that the current Business 1 zoned building is of a good urban design standard as it addresses the street frontage and is of a size and scale that fits into the surrounding residential area. Concern has been raised by the urban designer that the increased site area of the Business 1 area and potential redevelopment may not keep these good design elements. However, this is a concern that is not limited to this plan change but to all Business 1 areas.

## Processing of Private Plan Changes

31. The processing of private plan changes is set out in Clauses 21-29 of the 1st Schedule to the RMA. In summary this provides:
- Clause 21 Any person may make an application for a change to an operative district plan. The City Plan is operative.
  - Clause 22 Request to be in writing, with reasons, Assessment of Environmental Effects and assessment under section 32 of the RMA.
  - Clause 23 Further information may be required. Council has done this in this case.
  - Clause 24 Council may modify the proposal but only with the consent of the applicant.
  - Clause 25 Council must consider the request, and make a decision to either
    - “accept” it and proceed to public notification, or
    - “adopt” it as if it were its own proposal, and publicly notify it, or
    - treat it as if it were a resource consent or
    - reject it.
  - Clause 26 Where Council accepts the change it must publicly notify it within 4 months
  - Clause 27 The applicant may appeal the decision under clause 26.
  - Clause 28 Applications may be withdrawn
  - Clause 29 Unless rejected, the application is put through the standard process of public notification, submission, hearing, decision, and appeal (if any).
  - Clause 29 (4) Council decides whether to decline, approve, or approve with modifications, the plan or change, and shall give reasons for its decision.

### THE OPTIONS

32. The Council's options for this plan change are to:

- (a) Decline
- (b) Approve

### THE PREFERRED OPTION

33. The preferred option is Option (b), to approve the plan change. There is no status quo, ie do nothing option. The application must be considered and either declined or approved. There are a number of reasons for choosing option (b) as the preferred option. These are as follows:
- **Lack of parking:** Lack of convenient car parking is an issue for the existing centre as customers find it difficult to park due to “no parking” yellow dashed lines outside the business zone on Cranford Street. The Plan Change will allow for the opportunity for convenient off-street car parking for visitors.
  - **Redevelopment potential:** The Plan Change will potentially allow for the comprehensive redevelopment of the Business 1 area. If the area is redeveloped this may allow for better integrated management of traffic generated by the shops and the functioning of the surrounding road network.
  - **Residential cohesion:** The subject site at 215 Innes Road is sandwiched between the existing Business 1 zone and a medical centre. It is noted that the residential coherence rule of the Plan seeks to avoid this circumstance. The surrounding environment of the site is therefore not particularly conducive to residential living, and this rezoning seeks to rationalise the zoning to group commercial activities together, thus reducing adverse effects on residential amenity.
  - **Future-proof the business 1 Area:** There is a high possibility that Cranford Street may be expanded to four lanes in the future. This may further reduce on-street car parking along Cranford Street and increase the need for off-street parking.
  - **No Submissions received: No submissions were received against the proposal.**