

STAFF REPORT
September 9, 2004

No. 04CA037 - Amendment to the Comprehensive Plan by changing the future land use designation on an approximate 29,977 square foot parcel from Office Commercial with a Planned Commercial Development to Low Density Residential - II with a Planned Residential Development

ITEM 13

GENERAL INFORMATION:

PETITIONER	Wyss Associates for WEB Land Holdings
REQUEST	No. 04CA037 - Amendment to the Comprehensive Plan by changing the future land use designation on an approximate 29,977 square foot parcel from Office Commercial with a Planned Commercial Development to Low Density Residential - II with a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Described by metes and bounds commencing at the NW corner of the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Thence travel 613.93 feet at a bearing S00°31'58" West to a point; Thence travel 876.61 feet at a bearing S89°28'02" East to the Point of Beginning; Travel 202.91 feet at a bearing N34°33'20" East to a point; Travel 244.00 feet at a bearing N00°21'00" East to a point; Travel 14.61 feet at a bearing N34°39'32" East to a point; Travel 90.92 feet at a bearing S89°39'00" East to a point; Travel 145.77 feet at a bearing S00°21'00" West to a point; Travel 231.88 feet at a bearing S34°33'20" West to a point; Travel 99.70 feet at a bearing S30°35'10" East to a point; Travel 134.13 feet at a bearing S90°00'00" West to the point of beginning. The area described contains approximately 29,977 square feet more or less
PARCEL ACREAGE	Approximately 29,977 Square Feet
LOCATION	West of the western terminus of Fairmont Boulevard along Tower Road
EXISTING ZONING	Office Commercial District (PD)
SURROUNDING ZONING	
North:	Office Commercial District (PD)
South:	Low Density Residential - II District (PD)
East:	Office Commercial District (PD)
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/30/2004

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REVIEWED BY

Vicki L. Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan by changing the future land use designation on an approximate 29,977 square foot parcel from Office Commercial with a Planned Commercial Development to Low Density Residential - II with a Planned Residential Development be approved.

GENERAL COMMENTS:

The applicant has submitted a Comprehensive Plan Amendment to change the future land use designation on the property from Office Commercial with a Planned Commercial Development to Low Density Residential II with a Planned Residential Development. The applicant has also submitted a Rezoning request to change the zoning designation of the subject property from Office Commercial to Low Density Residential II District. (See companion item #04RZ043.)

Currently, an Initial Planned Commercial Development has been approved to allow a mix of multi-family and office commercial development to be located on the subject property and an adjoining parcel. In addition, a separate Initial Planned Residential Development has been approved to allow a single family and townhome development on property located directly east of the subject property. The applicant has adjusted the boundaries between the two developments to follow the terrain and, as such, has subsequently submitted two separate Rezoning requests and two associated Comprehensive Plan Amendment requests to coincide with the adjusted boundaries.

The subject property is located at the eastern terminus of Pevans Parkway and is part of the Skyline Pines East Development. Currently, the subject property is void of any structural development.

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 changing market place, periodic adjustments to reflect changing conditions will be required.

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 any Future Land Use Plan is to encourage compact and contiguous

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growth within the City that is linked to orderly extension and efficient use of public improvements, infrastructure, and services. In-fill development and full utilization of properties currently served by infrastructure are encouraged. The development of property located to the west of the subject property, along Pevans Parkway, has brought the extension of water and sewer to the area. Low Density Residential II zoning is intended to allow a slightly higher population density, but with basic restrictions similar to Low Density Residential District. The additional review provided by the Planned Residential Development process will insure unique and desirable residential home configurations that take into account the topographic concerns associated with the property. This Amendment to the Comprehensive Plan will revise the Plan to indicate that the subject property is appropriate for single family and/or townhome uses. This change is consistent with the intent of the comprehensive plan to encourage infill development within the residential area.

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

The property is currently void of any structural development but is located in a developing area. The recent development of property located to the west of the subject property, along Pevans Parkway, has brought the extension of water and sewer to the area. The proximity of water and sewer constitutes a substantial change in the condition of the area and increases the potential development of the subject property as well as the surrounding area.

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

The property located directly east of the subject property is currently zoned Office Commercial with a Planned Development Designation. The property located directly south of the subject property is currently zoned Low Density Residential District II with a Planned Development Designation. All of the surrounding properties are either zoned Low Density Residential II with a Planned Development Designation or Office Commercial District with a Planned Development Designation. As previously indicated, the applicant is proposing to adjust the boundaries between the two Planned Developments in order to minimize topographic issues between the two sites. The development of this property is a continuation of single family and/or townhome development in an area already approved for the use; therefore, this change will be compatible with the existing and proposed uses surrounding the subject property.

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

Currently, Sandstone Lane and Pevans Parkway serve as legal access to the property. Sewer and water services are located in Pevans Parkway. With the infrastructure in

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place to accommodate additional development, the proposed amendment does not appear to have 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.*

Properties along Pevans Parkway and further east along Fairmont Boulevard are currently developed with residential and commercial uses, respectively. The extension of water, sewer and street connections along Pevans Parkway allow for the continuation of the established residential development pattern.

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.*

Staff has not identified any significant adverse impacts that will result from the proposed rezoning. The additional review provided by the Planned Residential Development process will insure that any possible adverse impacts are adequately mitigated as a part of the development of the site. As such, the proposed amendment should not have a significant affect on any of the surrounding land uses or on public infrastructure.

Legal Notification: The receipts from the certified mailings have been returned. Staff has not received any inquiries or objections regarding the proposed request at the time of this writing.

Staff is recommending that the Amendment to the Comprehensive Plan to change the future land use designation on an approximate .69 acre parcel of land from Office Commercial with a Planned Commercial Development to Low Density Residential - II with a Planned Residential Development be approved.