

STAFF REPORT
December 9, 2004

No. 04CA044 - Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.26 acre parcel from General Commercial with a Planned Commercial Development to Public

ITEM 22

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 04CA044 - Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.26 acre parcel from General Commercial with a Planned Commercial Development to Public
EXISTING LEGAL DESCRIPTION	Starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N64°54'42"E a distance of 2092.35 feet to the point of beginning; thence N66°07'09" e a distance of 35.13 feet; thence along the arc of a curve to the left whose radius point bears N23°52'51"W, having a radius of 500.00 feet, a central angle of 23°20'19" and an arc length of 203.67 feet; thence N42°46'50"E a distance of 135.90 feet; thence along the arc of a curve to the right whose radius point bears S33°40'19"W, having a radius of 912.83 feet, a central angle of 9°23'00" and an arc length of 149.50 feet; thence S42°55'22"W a distance of 232.95 feet; thence along the arc of a curve to the right whose radius point bears N47°04'38"W, having a radius of 400.00 feet, a central angle of 15°13'51" and an arc length of 106.33 feet; thence N59°06'14"W a distance of 192.96 feet to the point of beginning, containing an area of 1.26 acres, all located in the SE1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.26 acres
LOCATION	Northwest of Fifth Street and Catron Boulevard
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District

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PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	11/12/2004
REVIEWED BY	Karen Bulman / Curt Huus

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.26 acre parcel from General Commercial with a Planned Commercial Development to Public be approved with one stipulation:

1. Prior to City Council approval, the applicant must obtain an approach permit for a full intersection onto Catron Boulevard west of 5th Street.

GENERAL COMMENTS: This undeveloped property contains approximately 1.26 acres and is located at the northwest corner of Fifth Street and Catron Boulevard. The property was annexed in 1993 and zoned General Agriculture District. The property located north, south, east and west of the subject property is zoned General Agriculture District.

The subject property is a portion of a larger parcel that is proposed to be developed for residential and commercial uses. The applicant has submitted a request to rezone the subject property from General Agriculture District to Public (04RZ055) in conjunction with this Amendment to the Comprehensive Plan. In addition to this application for a Comprehensive Plan Amendment, the applicant has submitted sixteen additional requests for a Comprehensive Plan Amendment to change the future land use designation on related properties, eight Rezoning requests and six Planned Development Designations.

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.

The Future Land Use Committee met on November 5, 2004 to review this application and based on the conceptual plan submitted, recommended approval.

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.*

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One of the goals of any Future Land Use Plan is to encourage compact and contiguous growth along the City's fringe 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 subject property is located within an area served by the recently extended 5th Street improvements and proposed to change in the near future. As part of future development of the area, storm water runoff and drainage must be addressed. A Master Plan indicating the development of the area has been submitted by the applicant identifying this parcel as a portion of that drainage system.

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

The subject property is located in an area that is proposed for development in the future. Several rezoning and Comprehensive Plan Amendment applications accompany this request. The property has been zoned General Agriculture as a holding zone pending any future development of the area. The applicant has indicated that the property is now ready for development due to the location and visibility of the property.

This undeveloped property is generally located at the northwest corner of 5th Street and Catron Boulevard. The property owner has indicated that this parcel is to be Office Commercial with a Planned Commercial Development and is included in a larger parcel that is shown on the conceptual plan to be commercial and residential land uses. Sewer and water are now available within 5th Street adjacent to the subject property. The extension of sewer and water into the subject property will allow continued development of the area and constitutes a further change in conditions of the area requiring rezoning of the property. Rapid City continues to grow in a southerly direction and contiguous development is encouraged.

However, the most significant changing condition is that the Department of Transportation has indicated support for an additional street intersection on Catron Boulevard west of 5th Street. Based on the provision of another full turning movement intersection, the Future Land Use Committee felt additional commercial development is appropriate. As the justification for the proposed modification in land uses relies on the approval of the approach permit authorizing the new intersection, staff recommends that the applicant obtain approval of the approach permit prior to the approval of the rezoning by City Council.

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

The property is currently zoned General Agriculture District, a holding district. The properties located north, south, east and west of the subject property are also zoned

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General Agriculture District. This request is part of a layer plan that the Future Land Use Committee found to be compatible with the existing and proposed uses surrounding the site.

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

The proposed increase in land use intensity will require a traffic study prior to approval of any proposed development as outlined on the Master Plan. Storm water run-off within the proposed development will require mitigation when development occurs. With the future infrastructure in place to accommodate additional development, the impacts of the anticipated development can be adequately addressed. A proposed Public area to mitigate any storm water runoff or drainage will be beneficial to the overall development of the area.

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

The subject property is an undeveloped portion of a larger area that is now ready for development. The future extension of water, sewer and roads through the subject property will encourage continued development of the area. The proposed amendment will allow the continuation of the in-fill development within the proposed area at the northwest corner of Catron Boulevard and 5th Street.

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 extension of water, sewer and road networks are available for the proposed area. The proposed change in land use will enhance the development of the area and provide mitigation of any possible drainage concerns. Staff has not identified any significant adverse effects that the proposed Comprehensive Plan Amendment will have on the surrounding area or on the City.

As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the December 9, 2004 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

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