

STAFF REPORT
November 10, 2005

No. 05CA039 - Amendment to the Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial

ITEM 8

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 05CA039 - Amendment to the Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial
EXISTING LEGAL DESCRIPTION	A Tract of land located in the NE1/4 SW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: beginning at a point on the east/west 1/4 line of said Section 24 from which the center 1/4 corner of said Section 24 bears S89°48'44"E, a distance of 55.80 feet; thence N89°48'44"W a distance of 451.01 feet; thence S00°10'09"W a distance of 399.73 feet; thence S89°49'51"E a distance of 449.00 feet; thence N00°27'22"E a distance of 399.59 feet to the point of beginning: said Tract containing 4.13 acres more or less
PARCEL ACREAGE	Approximately 4.13 acres
LOCATION	Northeast corner of Kathryn Avenue and Chief Drive and west of Haines Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Mobile Home Residential District
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District (Planned Commercial Development)
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/14/2005
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION:

The Future Land Use Committee recommends that the Amendment to the Comprehensive Plan to change the future land use designation on a Tract of land located in the NE1/4 SW1/4 of

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Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: beginning at a point on the east/west 1/4 line of said Section 24 from which the center 1/4 corner of said Section 24 bears S89°48'44"E, a distance of 55.80 feet; thence N89°48'44"W a distance of 451.01 feet; thence S00°10'09"W a distance of 399.73 feet; thence S89°49'51"E a distance of 449.00 feet; thence N00°27'22"E a distance of 399.59 feet to the point of beginning from Low Density Residential to General Commercial be approved with a Planned Commercial Development.

GENERAL COMMENTS: This undeveloped property contains approximately 4.13 acres and is located at the northeast corner of Kathryn Avenue and Chief Drive and west of Haines Avenue. Land located north of the subject property is zoned Mobile Home Residential District. Land located west of the subject property is zoned Low Density Residential District. Land located south and east of the property is zoned General Commercial District with a Planned Commercial Development. Applications for a Rezoning from Low Density Residential to General Commercial District (05RZ056) and a Planned Development Designation (05PD073) have been submitted in conjunction with the Comprehensive Plan Amendment for the subject property. In addition, a Rezoning from Low Density Residential District to Medium Density Residential District (05RZ055) and an Amendment to the Comprehensive Plan to change the future land use designation from Low Density Residential to Medium Density Residential land uses (05CA040) have been submitted for the adjacent property located west of the subject property.

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 growth along the City's fringe that is linked to both the levels of demand in the market and to the orderly extension and efficient use of public improvements, infrastructure, and services. The objective is to encourage in-fill and full utilization of properties and avoid scattered or strip residential, commercial and industrial development outside the urban areas. The subject property is located within an area that is developing as residential land uses. Properties adjacent to Haines Avenue located south of the subject property are zoned General Commercial District. The property owner plans to develop the property for commercial use to serve the residential area. The addition of water and sewer into the subject area supports the continued development of the area.

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

The subject property is located within an area that has recently been platted for continued development. The property owner plans to develop the property for commercial use to serve the residential area. Water and sewer will be extended to the subject property. Haines Avenue and the platted Kathryn Avenue will provide access for additional development in the area.

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

The subject property is located adjacent to Haines Avenue, a principal arterial street. Land located west of the subject property is zoned Low Density Residential District. Land located south and east of the property is zoned General Commercial District with a Planned Commercial Development. Land located north of the subject property is zoned Mobile Home Residential District. The property owner has indicated that infrastructure will be extended into the area. Due to potential conflicts with existing low levels of development in the area, the Future Land Use Committee recommended that the Comprehensive Plan be approved with a Planned Commercial Development. An application for the Planned Development Designation has been submitted in conjunction with the Comprehensive Plan Amendment.

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

The subject property is located adjacent to Haines Avenue, a principal arterial street. Water and sewer will be extended into the subject property. The Planned Commercial Development will mitigate any significant concerns that may arise relative to the adjacent uses. Additional buffering, screening and care with the layout of the property, access and arrangement with structures, will be required to insure that the commercial uses do not significantly impact the adjacent residential uses. The proposed amendment will not have an adverse effect on the surrounding area.

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

The subject property is located in an area that is continuing to develop. The proposed amendment would change the subject property from residential uses to commercial land uses. Properties adjacent to Haines Avenue located south of the subject property are zoned General Commercial District for a distance of approximately 1,600 feet. The availability of water, sewer and street connections to the subject property will support the commercial development.

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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.*

Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment would have on the surrounding area or on the City based on a Planned Commercial Development being in place and reviewed during the development process. A Planned Development Designation has been submitted.

As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the November 10, 2005 Planning Commission meeting if this requirement has not been met. Staff has received one inquiry regarding the proposed Comprehensive Plan Amendment. An adjacent property owner has concerns with future drainage in the area, as well as the aesthetics of the area as the property is developed. These concerns will be reviewed in conjunction with the Planned Commercial Development – Initial and Final Plan at the time the property is developed.

The Future Land Use Committee recommends that the Amendment to the Comprehensive Plan to change the land use from Low Density Residential to General Commercial with a Planned Commercial Development be approved.