

STAFF REPORT
September 21, 2006

No. 06CA027 - Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to allow a Planned Residential Development with a maximum of 1.27 dwelling units per acre in lieu of a Planned Residential Development with a maximum of one dwelling unit per acre

ITEM 15

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Schriener Investments, LLC
REQUEST	No. 06CA027 - Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to allow a Planned Residential Development with a maximum of 1.27 dwelling units per acre in lieu of a Planned Residential Development with a maximum of one dwelling unit per acre
EXISTING LEGAL DESCRIPTION	An unplatted parcel of land located in the SE1/4 NE1/4 NE1/4; NE1/4 SE1/4 NE1/4; excepting Tract B of Medicine Ridge, located in the NE1/4 NE1/4, SE1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.03 acres
LOCATION	At the western terminus of Stumer Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District
East:	Low Density Residential District (Planned Residential Development)
West:	General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/25/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to allow a Planned Residential Development with a maximum of 1.27 dwelling units per acre in lieu of a Planned Residential Development with a maximum of one dwelling unit per acre be approved with the following stipulation:

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1. Prior to approval by the City Council, a Planned Development Designation application shall be submitted and approved for the subject property.

GENERAL COMMENTS:

The applicant is requesting a Comprehensive Plan Amendment to the U.S. Highway 16 Neighborhood Area Future Land Use Plan to change the designation of the subject property from a Planned Residential Development with a maximum of one dwelling unit per acre to a Planned Residential Development with a maximum of 1.27 dwelling units per acre. In addition, the applicant has requested that the subject property be rezoned from General Agricultural District to Low Density Residential District (06RZ032).

On September 5, 2006, the City Council approved a Layout Plat (06PL126) with the following stipulations for the subject property:

1. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;
3. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the South Robbinsdale Drainage Basin Design Plan shall be submitted for review and approval. In particular, the drainage plan shall include calculations demonstrating that developed flows from the site do not exceed pre-developed flows. In addition, the plat document shall be revised to provide drainage easements as necessary;
5. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval;
6. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall also be revised to provide utility easements as needed;
7. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed;
8. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway located along the east lot line of the subject property shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated. The adjacent property owner(s)

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- shall sign the petition(s) to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;
9. Upon submittal of a Preliminary Plat, road construction plans for Twin Drive shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 10. Upon submittal of a Preliminary Plat application, road construction plans for the 66 foot wide access and utility easement shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 49 foot wide right-of-way or an Exception shall be obtained to allow an easement to serve as access to more than four lots. In addition, the street shall be constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the easement shall be vacated. The adjacent property owner(s) shall sign the application to vacate the access and utility easement;
 11. Upon submittal of a Preliminary Plat application, road construction plans for the 40 foot wide access and utility easement shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 49 foot wide right-of-way or an Exception shall be obtained to allow an easement to serve as access to more than four lots. In addition, the street shall be constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the easement shall be vacated;
 12. Upon submittal of a Preliminary Plat application, the plat document shall maintain an access street to the north lot line. If the 66 foot wide access and utility easement and the 40 foot wide access and utility easement are vacated, then an alternate street connection to the north lot line shall be provided. In particular, the street shall be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the location of the street shall be coordinated with the adjacent property owner;
 13. Upon submittal of the Preliminary Plat application, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained. In addition, the International Fire Code shall be continually met;
 14. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 15. Prior to Preliminary Plat approval by the City Council, a Comprehensive Plan Amendment to the U.S. Highway 16 Future Land Use Plan to allow a Planned Residential Development with a maximum of 1.27 dwelling units per acre in lieu of a Planned Residential Development with a maximum of one dwelling unit per acre or the

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- plat document shall be revised accordingly;
16. Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
 17. Prior to submittal of a Final Plat application, that portion of Twin Drive located on the adjacent property shall be recorded as right-of-way or the plat document shall be revised to include this portion of the right-of-way;
 18. Prior to submittal of a Final Plat application, the applicant shall submit street names for the access easements and a different street name for "Twin Drive" to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names; and,
 19. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

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 orderly extension and efficient use of public improvements, infrastructure, and services. Full utilization of properties currently served by infrastructure is encouraged. With the extension of sewer and water utility services to the area, it is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future. In addition, the required Initial and Final Planned Residential Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the subject property. The Future Land Use Committee has also stated that Comprehensive Plans may be supported when reasonable development plans have been demonstrated. The recently approved Layout Plat (06PL26) identifies a reasonable development plan for the subject property.

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

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Several properties north of Catron Boulevard between U.S. Highway 16 and Fifth Street are currently in the process of developing as residential areas. The proposal to amend the Comprehensive Plan as proposed is reflective of a continuation of the residential 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.*

As previously indicated, properties north of Catron Boulevard between U.S. Highway 16 and Fifth Street are currently in the process of developing as residential areas. Amending the Comprehensive Plan as proposed will create a node of residential development. In addition, the required Initial and Final Planned Residential Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the subject property. The Initial and Final Planned Residential Development will also help mitigate any potential negative impacts the residential use may have on existing and future residential land uses within the area.

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

As a part of the platting of the subject property, infrastructure will be constructed to serve the proposed residential development. Water pressure appears to be adequate to serve the elevations as shown on the layout plat and detailed water and sewer information is required as part of the Preliminary Plat application. As such, the proposed amendment does not appear to have an adverse effect on the surrounding properties. In addition, the required Initial and Final Planned Residential Development will serve as a tool to mitigate any potential negative impacts the residential use may have on the adjacent properties as identified above.

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

The subject property is located north of Catron Boulevard and west of Fifth Street in an area of increasing residential development. The proposed amendment will 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.*

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as part of the Preliminary Plat application. In addition, additional residential development is established in the area. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City.

As of this writing, the required sign has been posted on the property; however the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 21, 2006 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed amendment at the time of this writing.

Staff recommends that the Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to allow a Planned Residential Development with a maximum of 1.27 dwelling units per acre in lieu of a Planned Residential Development with a maximum of one dwelling unit per acre be approved with one stipulation.