

STAFF REPORT
November 9, 2006

No. 06CA040 - Amendment to the Comprehensive Plan by revising the U.S. Highway 16 Area Future Land Use Plan to change the land use designation from a Planned Residential Development with 1 dwelling unit per acre to Office Commercial with a Planned Unit Development

ITEM 37

GENERAL INFORMATION:

PETITIONER	CETEC Engineering Services, Inc. for Generations, Inc.
REQUEST	No. 06CA040 - Amendment to the Comprehensive Plan by revising the U.S. Highway 16 Area Future Land Use Plan to change the land use designation from a Planned Residential Development with 1 dwelling unit per acre to Office Commercial with a Planned Unit Development
EXISTING LEGAL DESCRIPTION	The unplatted west half of the south 495 feet of the NE1/4 SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 7.35 acres
LOCATION	Located adjacent to Golden Eagle Drive between Catron Boulevard and U.S. Highway 16
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Park Forest District - Medium Density Residential District (Planned Development Designation)
South:	General Agriculture District
East:	General Commercial District - Office Commercial District - Public District - Business Park District
West:	Public District - General Agriculture District - Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/29/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan by revising the U.S. Highway 16 Area Future Land Use Plan to change the land use designation from a Planned Residential Development with 1 dwelling unit per acre to Office Commercial with a Planned Unit Development be continued to allow the legal notification requirement to be met.

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GENERAL COMMENTS:

(Update October 28, 2006. All revisions to this report are shown in bold.) This item was continued to the November 9, 2006 Planning Commission meeting to allow the legal notification requirement to be met. Please note that the notification requirement has been met.

The applicant has submitted a Comprehensive Plan Amendment to the US Highway 16 Area Future Land Use Plan to change the land use designation from a Planned Residential Development with a maximum density of one dwelling unit per acre to Office Commercial with a Planned Unit Development on approximately 7.35 acres of the subject property, a Comprehensive Plan Amendment to the US Highway 16 Area Future Land Use Plan to change the land use designation from a Planned Residential Development with a maximum density of four dwelling units per acre to Office Commercial with a Planned Unit Development on approximately 20 acres of the subject property, and a Comprehensive Plan Amendment to the US Highway 16 Area Future Land Use Plan to change the land use designation from Low Density Residential District with a Planned Residential Development with a maximum density of four dwelling units per acre to Office Commercial with a Planned Unit Development on approximately 26.36 acres of the subject property. The applicant has also submitted a Layout Plat to subdivide the subject property creating 67 townhome lots and six larger lots. In addition, the applicant has submitted a Comprehensive Plan Amendment to the Major Street Plan to relocate a portion of Golden Eagle Drive, a collector street, as it abuts the southern portion of the subject property. The applicant has also submitted a Rezoning request to change the zoning designation of the subject property from General Agriculture District to Office Commercial District. (See companion items #06RZ055, 06PL160, 06CA037, 06CA038 and 06CA039.)

The applicant has indicated that the subject property will be constructed with a combination of townhome and independent and assisted living units.

The property is located in the northwest corner of the intersection of Golden Eagle Drive and Promise Road. Currently, the property is void of any structural development. **The property located north of the subject property is currently zoned Park Forest District with a Planned Residential Development and Medium Density Residential District with a Planned Residential Development. The property has been developed with a mix of single family and multi-family development. The property located east of the subject property is currently zoned Office Commercial District and General Commercial Development, respectively. City Fire Station #6 is located on a portion of the adjacent property located east of the subject property with the balance being void of any structural development. The property located south of the subject property is zoned General Agriculture District with existing agricultural use(s). The property located west of the subject property is zoned Public District and Limited Agriculture District with a Planned Development Designation, respectively. Currently, a police officer**

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recreation facility is located on a portion of the property located west of the subject property. The City Council has also recently approved a Preliminary Plat to allow a single family residential development to be located north of the police officer recreation facility.

STAFF REVIEW:

The Rapid City Journal staff has notified City staff that the legal notification for the Comprehensive Plan Amendment was not published in the newspaper ten days prior to the Planning Commission meeting as required. As such, staff is recommending that this item be continued to allow the legal notification requirement to be met.

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 within the City 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. The purpose of the Office Commercial District as stated in the Zoning Ordinance is to "...provide for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods". The subject property is located north of an arterial street and adjacent to a residential area. In addition, the Initial and Final Planned Unit Development will serve as a tool to address concerns specific to the subject property and to mitigate any potential negative impacts the office commercial use may have on the adjacent properties. The Future Land Use Committee has also stated that Comprehensive Plans may be supported when reasonable development plans have been demonstrated. The associated Layout Plat 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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On October 2, 2006, the City Council approved Tax Increment District #61 to assist in the development of Vinyard Lane, a public street located east of the subject property, Golden Eagle Drive and Promise Road. In addition, the Tax Increment District will assist in the extension of water, sewer, sidewalks, storm sewer, detention cell(s) and sewer lift station(s). The proposed extension of public streets as well as the extension of municipal services to the property will change conditions within the area to support the extension of office commercial development. In addition, Catron Boulevard, a significant east-west arterial connection, is located south of the subject property and Golden Eagle Drive, a collector street, will be extended through the subject property. It is anticipated that this will be an area of the community that will experience continued growth.

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

As previously indicated, there is a mix of commercial and residential use(s) surrounding the subject property. The Office Commercial District allows office commercial use(s) and residential uses which is compatible with the existing and proposed uses within the area. In addition, the Initial and Final Planned Unit 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 Unit Development will also help mitigate any potential negative impacts the office commercial 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.*

Catron Boulevard is located south of the subject property and is classified as a principal arterial street on the City's Major Street Plan. In addition, Catron Boulevard has been constructed accordingly. Promise Road is located east of the subject property and is classified as a commercial street. The northern portion of the street has been constructed accordingly. In addition, Golden Eagle Drive, a collector street, will be extended through the subject property upon any future subdivision. As such, staff has not identified any significant adverse impacts that will result from the requested rezoning. The additional review provided by the Initial and Final Planned Unit Development process will insure that any possible adverse impacts of development and/or redevelopment are adequately mitigated. In particular, the Initial and Final Planned Unit Development will serve as a tool to insure that any development of the property does not negatively impact the Fire Station located east of the subject property and/or the existing and proposed residential development within the area.

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

The subject property is located directly west of a property currently zoned Office Commercial District. The proposed amendment will allow for the continuation of the established office commercial 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.

The Major Street Plan identifies Golden Eagle Drive as a collector street. Allowing office commercial use(s) along a collector street is in compliance with the Major Street Plan. City sewer and water will be extended through the subject property in compliance with the community facilities plan. Staff has not identified any adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City with the assistance of the Initial and Final Planned Unit Development.

Notification Requirement: As of this writing, the receipts from the certified mailings have been returned and the sign has been posted on the property. Staff has received two telephone calls of inquiry. Neither caller voiced opposition to the request.