

STAFF REPORT
March 22, 2007

No. 07CA010 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development

ITEM 16

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07CA010 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Commencing at a Point, Said Point Being the Northeast Corner of the Intersection of Spruce Street and Farnwood Avenue; THENCE S78°28'21"E 1307.95' To The POINT OF BEGINNING. THENCE S00°14'24"W 247.21'; THENCE S00°14'24"W 6.68'; THENCE N60°50'50"W 252.30'; THENCE N60°50'50"W 364.08'; THENCE S61°23'38"E 613.20'; THENCE N00°14'32"E 247.21' To The POINT OF BEGINNING, The Whole Enclosing an Area of 00.04 ACRES, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.04 acres
LOCATION	East of Farnwood Avenue
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	General Agriculture District
East:	General Commercial District (Planned Development Designation)
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/23/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

STAFF REPORT
March 22, 2007

No. 07CA010 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development

ITEM 16

RECOMMENDATION:

Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development be approved.

GENERAL COMMENTS:

The applicant has submitted an Amendment to the Adopted Comprehensive Plan to change the future land use designation of a 0.04 acre parcel from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development. In addition, the applicant has submitted a Rezoning request to change the zoning designation of the 0.04 acre parcel from General Agriculture District to General Commercial District. The applicant has also submitted a Planned Development Designation request (#07PD016) for the 0.04 acre parcel. In addition, the applicant has submitted a Preliminary Plat (#07PL038) to subdivide 126.54 acres, including the subject property, into 24 commercial lots and to vacate a 30 foot wide private access easement, to vacate a portion of a section line highway located between Sections 29 and 32, to vacate a portion of a section line highway located between Sections 29 and 30, to vacate a portion of Rapp Street and to vacate a 66 foot wide public access easement. The applicant has also submitted a Variance to the Subdivision Regulations (#07SV013) to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and pavement and to dedicate additional rights-of-way and/or easement(s). In addition, the applicant has submitted a Vacation of Right-of-way request (#07VR002) to vacate a portion of Rapp Street currently located in an H Lot. The applicant has also submitted a Vacation of Right-of-way request (#07VR003) to vacate a portion of Farnwood Avenue, also located within an H Lot. The commercial development is to be known as "Rushmore Crossing".

On August 1, 2005, the City Council approved a Layout Plat (#05PL085) to subdivide a 95.28 acre parcel into 17 commercial lots. The Layout Plat included the subject property.

On February 6, 2006, the City Council approved Tax Increment District #56 for the construction of streets, traffic signals, a regional drainage detention dam, high pressure water main and sanitary sewer main and the relocation of power lines associated with the proposed Rushmore Crossing project.

On October 2, 2006, the City Council approved a Layout Plat (#06PL142) to subdivide a 117.29 acre parcel into 15 commercial lots and two detention pond lots. The Layout Plat included the subject property and was slightly revised from the Layout Plat approved in 2005 by expanding the boundaries and reconfiguring the proposed lot(s).

The property is located between LaCrosse Street and E. North Street on the south side of U.S. Highway I-90 and is currently void of any structural development.

STAFF REPORT
March 22, 2007

No. 07CA010 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development

ITEM 16

STAFF REVIEW:

This undeveloped property contains approximately 0.04 acres and is located south of the eastern terminus of Farnwood Avenue, east of LaCrosse Street and south of Interstate 90. The property is currently zoned General Agriculture District. Land located north and east of the subject property is zoned General Commercial District with a Planned Development Designation. The property located south of the subject property is zoned General Agriculture District. The property located west of the subject property is zoned Medium Density Residential District. 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. In-fill development and full utilization of properties currently served by infrastructure are encouraged. This change is consistent with the intent of the City's Comprehensive Plan to encourage the orderly extension of contiguous growth along the City's fringe.

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

The subject property is currently zoned General Agriculture District as a holding zone. The property located north and east of the subject property is currently zoned General Commercial District with a Planned Development Designation in anticipation of a proposed commercial development. The associated Preliminary Plat to create 24 commercial lots includes the subject property. The continued growth and development in the area constitute the changing conditions that warrant the proposed change in the Comprehensive Plan.

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

As noted above, the property located north and east of the subject property is zoned General Commercial District with a Planned Development Designation. The property located west of the subject property is zoned Medium Density Residential District. The property located south of the subject property is zoned General Agriculture District as a

No. 07CA010 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development

ITEM 16

holding zone. The proposed amendment to change the land use from Medium Density Residential with a Planned Residential District to General Commercial with a Planned Commercial Development appears to be compatible with the existing commercial designation on the adjacent properties. The additional review provided by a Planned Commercial Development process will insure that adequate water and sewer is available to meet the needs of the specific proposed commercial use. In addition, the Planned Commercial Development review will address traffic concerns and drainage concerns specific to the subject property.

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

The existing streets and utilities adjacent to the subject property are designed to serve a General Commercial development. LaCrosse Street, a principal arterial street on the City's Major Street Plan, is located west of the subject property. In addition, E. North Street, a minor arterial street on the City's Major Street Plan, is located east of the subject property. Future street improvements and infrastructure improvements will be completed with the future commercial development of the subject property. As such, the proposed amendment does not appear to have any significant 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.*

The property located north and east of the subject property is currently zoned General Commercial District with a Planned Development Designation in anticipation of a proposed commercial development. In addition, the properties located west of the subject property are currently developed with a mix of commercial uses. The proposed amendment will allow the continuation of commercial development within the City. The proposed change would result in a logical and orderly 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.*

As a part of the associated Preliminary Plat, water and sewer will be extended to serve the subject property and a street connection will be provided between LaCrosse Street and E. North Street. The Initial and Final Planned Commercial Development will serve as a tool to insure that the infrastructure is in place prior to any development of the subject property. In addition, the Initial and Final Planned Commercial Development will help to mitigate any negative effects the development may have on existing or future land uses in the area.

As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the March 22, 2007 Planning Commission meeting if this requirement has not been met.