

STAFF REPORT
May 10, 2007

No. 07CA011 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development

ITEM 17

GENERAL INFORMATION:

PETITIONER enVision Design, Inc. for Plum Creek Development LLC

REQUEST **No. 07CA011 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development**

EXISTING LEGAL DESCRIPTION A tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County South Dakota. more particularly described as follows: Commencing at the west one-quarter corner of said SW1/4 of Section 16; Thence S00°02'47"E a distance of 520.56 feet to the true point of beginning; Thence S64°12'46"E a distance of 216.53 feet; Thence S37°01'44"W a distance of 323.28 feet; Thence N00°02'47"W a distance of 352.28 feet to the true point of beginning containing an area of 1 acre, more or less.

PARCEL ACREAGE Approximately 1 acre

LOCATION Southwest of the intersection of Elk Vale Road and Willowbend Road

EXISTING ZONING General Commercial District (Planned Commercial Development)

SURROUNDING ZONING
North: Office Commercial District (Planned Commercial Development)
South: General Commercial District (Planned Commercial Development)
East: General Commercial District (Planned Commercial Development)
West: Limited Agriculture District (Pennington County)

PUBLIC UTILITIES City water and sewer

DATE OF APPLICATION 3/9/2007

REVIEWED BY Karen Bulman / Todd Peckosh

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RECOMMENDATION: The Future Land Use Committee recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development be approved.

GENERAL COMMENTS: **This staff report has been revised as of May 1, 2007. All revised and/or added text is shown in bold print. This application was continued at the April 26, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the requested Comprehensive Plan Amendment.** This property contains approximately one acre and is located southwest of the intersection of Elk Vale Road and Willowbend Road. The property is currently zoned General Commercial District with a Planned Commercial Development. Land located north of the subject property is zoned Office Commercial District with a Planned Commercial Development. Land located west of the subject property is zoned Limited Agriculture District by Pennington County. Land located south and east of the subject property is zoned General Commercial District with a Planned Commercial Development. In addition to this application for an Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development, the applicant has submitted a Rezoning from General Commercial District to Office Commercial District (07RZ016). In addition, the applicant has submitted three additional Comprehensive Plan Amendments to change the Comprehensive Plan from General Agriculture to General Commercial with a Planned Commercial Development (07CA012, 07CA013, and 07CA017). Three rezoning applications also accompany the Comprehensive Plan Amendments. The applicant requests to rezone one property from General Agriculture District to General Commercial District (07RZ017), one property from Office Commercial District to General Commercial District (07RZ018), and one property from Low Density Residential II District to General Commercial District (07RZ028).

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 applicant has requested four Rezoning and four Comprehensive Plan Amendments for the subject property and adjacent properties. The Future Land Use Committee has scheduled a meeting March 30, 2007 to review the Comprehensive Plan Amendment as well as the other applications for the surrounding property. As such, staff recommends that this application be continued to the April 26, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the request and provide the Planning Commission with a recommendation. The Future Land Use Committee met on March 30, 2007 and will review this application again on April 27, 2007. As such, Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the requested Comprehensive Plan Amendment.

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(Revised April 16, 2007) The Future Land Use Committee met on April 27, 2007 and reviewed this Amendment to the Comprehensive Plan.

The Future Land Use Committee 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. Another goal is to preserve and enhance the existing economic base of Rapid City by ensuring that there are adequate areas zoned for commercial uses and to provide for the location of employment areas at sites which are convenient to existing and proposed residential areas and accessible from the existing or proposed transportation system. The subject property is adjacent to property that has been zoned for Office Commercial uses and is adjacent to Elk Vale Road, a principal arterial street and South Valley Drive, a collector street. This change is consistent with the intent of the City's Comprehensive Plan to encourage the orderly extension of contiguous growth and enhance the economic base of Rapid City.

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 Commercial District with a Planned Commercial Development. An application to change the zoning from General Commercial District to Office Commercial District (07RZ016) has been submitted by the applicant. Currently, the property is unoccupied. The construction of Elk Vale Road has traversed through the surrounding area and separated out a portion of property from a larger parcel. The separated property is zoned Office Commercial District, with the exception of this small portion. The construction and subsequent separation of a portion of land from a larger area constitutes the changed condition warranting the change in land use.

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

The property located north of the subject property is zoned Office Commercial District with a Planned Commercial Development. The property located south and east of the subject property is zoned General Commercial District with a Planned Commercial Development. The property located west of the subject property is zoned Limited Agriculture District by Pennington County. The proposed amendment to

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change the land use from General Agriculture to Office Commercial with a Planned Commercial Development appears to be compatible with the commercial uses adjacent to the subject property and will allow the separated property to be developed as a continuation of Office Commercial land uses in the area.

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

The existing streets near the subject property are designed to serve an office commercial development. Elk Vale Road is located east of the subject property and South Valley Drive is located west of the subject property, providing adequate access to the property. Water and sewer will be extended as development occurs. 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 subject property is located in an undeveloped area. Infrastructure and street improvements will be extended as future development occurs. 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.*

Street networks are located adjacent to the subject property. Water and sanitary sewer service will be extended to support office commercial development. 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. 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 and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

The Future Land Use Committee met on April 27, 2007 and recommended that the Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development be approved. (Revised May 1, 2007)