

STAFF REPORT
October 4, 2007

No. 07CA044 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Planned Residential Development with a maximum density of one dwelling unit per acre to a Planned Residential Development with a maximum density of four dwelling units per acre

ITEM 19

GENERAL INFORMATION:

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| APPLICANT | Signature Development |
| AGENT | Doug Sperlich for Sperlich Consulting, Inc. |
| PROPERTY OWNER | Arlene Ham |
| REQUEST | No. 07CA044 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Planned Residential Development with a maximum density of one dwelling unit per acre to a Planned Residential Development with a maximum density of four dwelling units per acre |

EXISTING
LEGAL DESCRIPTION

A portion of the SW1/4 of the NW1/4 of the SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. More fully described as follows: Commencing at the center-west-southeast 1/64 section corner of Section 22, T1N, R7E, BHM, common with the southwest corner of Lot 1 of Block 2 of The Villaggio at Golden Eagle, and common with the northwest corner of the dedicated right-of-way of Golden Eagle Drive, and the Point of Beginning; Thence, first course: N26°45'22"W, a distance of 393.31 feet; Thence, second course: N61°38'29"E, a distance of 200.00 feet, to the northwesterly corner of Lot 4 of Block 2 of The Villaggio at Golden Eagle common to the southwesterly corner of Lot 5 of Block 2, of The Villaggio at Golden Eagle; Thence, third course: S00°08'13"E, along the westerly boundary of said Lot 4 of Block 2, a distance of 94.58 feet, to the southwest corner of said Lot 4 of Block 2, common with the northwest corner of Lot 3 of Block 2 of The Villaggio at Golden Eagle; Thence, fourth course: S00°08'13"E, along the westerly boundary of said Lot 3 of Block 2, a distance of 95.35 feet, to the southwest corner of said Lot 3 of Block 2, common with the northwest corner of Lot 2 of Block 2 of The Villaggio at Golden Eagle; Thence, fifth course: S00°08'13"E, along the westerly boundary of said Lot 2 of Block 2, a distance of 110.67 feet, to the southwest corner of said Lot 2 of Block 2, common with the northwest corner of Lot 1 of

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Block 2 of The Villaggio at Golden Eagle; Thence, sixth course: S00°08'13"E, along the westerly boundary of said Lot 1 of Block 2, a distance of 145.60 feet, to the southwest corner of said Lot 1 of Block 2 of The Villaggio at Golden Eagle, and common with the northwest corner of the dedicated right-of-way of Golden Eagle Drive, and the Point of Beginning

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|---------------------|----------------------------------|
| PARCEL ACREAGE | Approximately .903 |
| LOCATION | 5617 Villaggio Lane |
| EXISTING ZONING | General Agriculture District |
| SURROUNDING ZONING | |
| North: | General Agriculture District |
| South: | General Agriculture District |
| East: | Low Density Residential District |
| West: | General Agriculture District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 9/6/2007 |
| REVIEWED BY | Vicki L. Fisher / Todd Peckosh |

RECOMMENDATION:

Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Planned Residential Development with a maximum density of one dwelling unit per acre to a Planned Residential Development with a maximum density of four dwelling units per acre be approved.

GENERAL COMMENTS:

The applicant has submitted a Comprehensive Plan Amendment to the Future Land Use Plan to change the land use designation of the property from a Planned Residential Development with a maximum density of one dwelling unit per acre to a Planned Residential Development with a maximum density of four dwelling units per acre. In addition, the applicant has submitted a Rezoning request (File #07RZ067) to change the zoning designation of the property from General Agriculture District to Low Density Residential District. The applicant has also submitted a Planned Development Designation application (File #07PD078) for the property.

The property is located north of Golden Eagle Drive, directly west of the Villaggio at Golden

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Eagle residential development. Currently, the property is void of any structural development. The applicant has indicated that the property is being rezoned as identified in order to expand four of the lots located within the Villaggio at Golden Eagle to create more desirable building envelopes.

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. In-fill development and full utilization of properties currently served by infrastructure are encouraged. As noted above, the property is located adjacent to a residential development known as the Villaggio at Golden Eagle. Municipal services have been extended into the area as a result of the development of the residential development. 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 property, as well as the properties located north, south and west of this site, are currently zoned General Agriculture District which has served as a holding zone. In 2006, the City Council approved a Rezoning request to rezone the Villaggio at Golden Eagle residential development, located directly east of the property, from General Agriculture District to Low Density Residential District in conjunction with an Initial and Final Residential Development Plan. The extension of municipal services to the area and the extension of Golden Eagle Drive from Catron Boulevard to the property have changed conditions in the area to support the proposed rezoning request. 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*

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and proposed uses surrounding the subject land

As noted above, the properties located north, south and west of this site, are currently zoned General Agriculture District which serves as a holding zone. The property located directly east of this site is currently zoned Low Density Residential District with a Residential Development Plan. The proposed amendment to change the land use from a Planned Residential Development with a maximum density of one dwelling unit per acre to a Planned Residential Development with a maximum density of four dwelling units per acre appears to be compatible with the existing residential development on the adjacent property. The additional review provided by a Planned Residential Development process will insure that adequate water and sewer is available to meet the needs of the specific proposed residential use. In addition, the Planned Residential Development review will address access concerns and drainage concerns specific to the property.

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

The development of the Villaggio at Golden Eagle has resulted in the extension of City water to this area. A lift station is also being constructed to provide sewer service to the area. Golden Eagle Drive, a collector street, has been extended north from Catron Boulevard to serve this area. As such, the proposed amendment does not appear to have any significant adverse effect on the surrounding properties if adequate infrastructure is extended in conjunction with the development of the property.

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

In 2006, the City Council approved a Rezoning request to rezone the Villaggio at Golden Eagle residential development, located directly east of the property, from General Agriculture District to Low Density Residential District in conjunction with an Initial and Final Residential Development Plan. The extension of municipal services to the area and the extension of Golden Eagle Drive from Catron Boulevard to the property create 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.*

Development issues, including drainage, access, landscape buffers, utilities, and any other issues, will be addressed as a part of the Planned Residential Development Review. In addition, the development of the Villaggio at Golden Eagle has resulted in the extension of city water to this area. A lift station is also being constructed to provide sewer service to the area. Golden Eagle Drive, a collector street, has been extended north from Catron Boulevard to serve this area. Staff has not identified any significant adverse affects that would result by rezoning the subject property from General Agriculture District to Low Density Residential District if adequate infrastructure is extended in conjunction with the development of the property. In addition, the Initial and Final Residential Development Plan

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will serve as a tool to address concerns specific to the property and to mitigate any potential negative impacts the low density residential use may have on the adjacent properties.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the October 4, 2007 Planning Commission meeting if these requirements have not been met.