

STAFF REPORT
September 25, 2008

No. 08CA031 - Amendment to the Adopted Comprehensive Plan to change the future land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development

ITEM 6

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	HDRK Properties, LLC
REQUEST	No. 08CA031 - Amendment to the Adopted Comprehensive Plan to change the future land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	<p>A portion of Tract B of Rushmore Center, located in the SE¼, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northeasterly corner of Tract B of Rushmore Center, common to the southeasterly corner of Tract G of Rushmore Crossing, common to a point on the westerly edge of right-of-way of Luna Avenue, and the point of beginning. Thence, first course curving to the right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 464.00 feet, a delta angle of 17°00'58", a length of 137.80 feet, a chord bearing of S11°46'03"E, and chord distance of 137.30 feet, to a corner of said Tract B, common to a corner on the westerly edge of said Luna Avenue right-of-way; Thence, second course: N86°44'26"E, along the easterly boundary of said Tract B, common to the westerly edge of right-of-way of said Luna Avenue right-of-way, a distance of 12.00 feet, to a corner of said Tract B, common to a corner on the westerly edge of said Luna Avenue right-of-way; Thence, third course curving to the right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 476.00 feet, a delta angle of 03°25'22", a length of 28.44 feet, a chord bearing of S01°32'53"E, and chord distance of 28.43 feet; Thence, fourth course: S00°09'48"W, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, a distance of 816.29 feet; Thence, fifth</p>

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course curving to the right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 1970.00 feet, a delta angle of 01°48'09", a length of 61.97 feet, a chord bearing of S01°03'52"W, and chord distance of 61.97 feet; Thence, sixth course: S01°57'56"W, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, a distance of 23.04 feet; Thence, seventh course: N89°53'25"W, a distance of 192.65 feet; Thence, eighth course: N00°01'19"W, a distance of 909.25 feet; Thence, ninth course: N27°50'29"W, a distance of 175.08 feet to a point on the northerly boundary of said Tract B, common to a point on the southerly boundary of said Tract G; Thence, tenth course: S89°45'36"E, along the northerly boundary of said Tract B, common to the southerly boundary of said Tract G, a distance of 238.28 feet to the northeasterly corner of said Tract B, common to the southeasterly corner of said Tract G, common to a point on the westerly edge of right-of-way of said Luna Avenue, and the point of beginning

PARCEL ACREAGE	Approximately 4.858 acres
LOCATION	At the northwest corner of the intersection of East Anamosa Street and Luna Avenue
EXISTING ZONING	Medium Density Residential District (Planned Residential Development) – General Agriculture District - General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	General Agriculture District
East:	General Agriculture District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/28/2008
REVIEWED BY	Karen Bulman / Ted Johnson

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

GENERAL COMMENTS: This undeveloped property contains approximately 4.858 acres and is located at the northwest corner of the intersection of East Anamosa Street and Luna Avenue. The property is currently zoned General Agriculture District, Medium Density Residential District with a Planned Residential Development, and General Commercial District with a Planned Commercial Development. Land located north of the property is zoned General Commercial District with a Planned Commercial Development. Land located south and east of the property is zoned General Agriculture District. Land located west of the property is zoned Medium Density Residential District. Currently, the property is void of any structural development.

The North Rapid Future Land Use Plan indicates that this property is appropriate for Medium Density Residential with a Planned Residential Development land uses. Applications to rezone the property from General Agriculture District to General Commercial District (#08RZ031) and from Medium Density Residential District to General Commercial District (#08RZ033) have been submitted in conjunction with this Comprehensive Plan Amendment. A Planned Development Designation (#08PD049) has also been submitted. In addition, the applicant has submitted a Comprehensive Plan Amendment for adjacent property to change the land use designation from Medium Density Residential to General Commercial with a Planned Commercial Development (#08CA032) and an application to rezone adjacent property from Medium Density Residential District to General Commercial District (#08RZ032).

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 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 the Future Land Use Committee's 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

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properties currently served by infrastructure are encouraged. This property was platted on July 29, 2008 (#08PL110) for development. The extension of Luna Avenue is located adjacent and east of the property. Water and sewer services are located at the northeast corner of the property and will be extended to serve the area. This change is consistent with the intent of the City's Comprehensive Plan goal to encourage the orderly extension of contiguous growth.

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

The majority of this property is currently zoned General Agriculture District as a holding zone. An application to change the zoning from General Agriculture District to General Commercial District (#08RZ031) has been submitted. The location of this undeveloped property, south of Interstate 90, north of E. Anamosa Street, and east of LaCrosse Street, is in an area that has extensive commercial development. The proposed change is warranted by the extension of Luna Avenue to E. Anamosa Street and the commercial activity in the area.

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

This property is located in an area that supports motels and general commercial land uses. Land located north of the property is zoned General Commercial District with a Planned Commercial Development. Land located south and east of the property is zoned General Agriculture District as a holding zone. Land located west of the property is zoned Medium Density Residential District. The proposed amendment to change the land use from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development appears to be compatible with the commercial uses adjacent to the property.

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

The property is currently undeveloped. Luna Avenue, a proposed collector street connecting Eglin Street and E. Anamosa Street on the City's Major Street Plan is located adjacent and east of the property. City water and sewer will be extended in conjunction with any future development. 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 proposed amendment will allow the continuation of in-fill development within the City. The existing commercial development in the area and the existence of infrastructure

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adjacent to the property indicate that 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.*

Sanitary sewer service is adjacent to the property and adequate water is available through an extension of City services from the adjacent property. The road network will be located adjacent to the property. In addition, the Planned Commercial Development will help to mitigate any negative effects the development may have on future land uses in the area. The Future Land Use Committee 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 not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 25, 2008 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

The Future Land Use Committee recommends that the Amendment to the 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.