

STAFF REPORT
September 25, 2008

No. 08CA032 - Amendment to the Adopted Comprehensive Plan to change the Future Land Use Designation from Medium Density Residential to General Commercial with a Planned Commercial Development

ITEM 7

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	HDRK Properties LLC
REQUEST	No. 08CA032 - Amendment to the Adopted Comprehensive Plan to change the Future Land Use Designation from Medium Density Residential to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	<p>Tract A and 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 northwesterly corner of Tract B of Rushmore Center, common to the northeasterly corner of Tract A of Rushmore Center, and common to a point on the southerly boundary of Tract G of Rushmore Crossing, and the point of beginning; Thence, first 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 36.69 feet; Thence, second course: S27°50'29"E, a distance of 175.08 feet; Thence, third course: S00°01'19"E, a distance of 909.25 feet; Thence, fourth course: S89°52'30"W, a distance of 121.62, to a point on the westerly boundary of said Tract B, common to a point on the easterly boundary of Lot A of Lot 5R of Meridian Subdivision; Thence, fifth course: N00°09'06"E, along the westerly boundary of said Tract B, common to the easterly boundary of said Lot A of Lot 5R, a distance of 583.94 feet, to the northeasterly corner of said Lot A of Lot 5R, common to the southeasterly corner of said Tract A, and common to a point on the westerly boundary of said Tract B; Thence, sixth course: N00°09'06"E, along the westerly boundary of said Tract B, common to the easterly boundary of said Tract A, a distance of 480.53 feet, to the northwesterly corner of said Tract B, common to the northeasterly corner of said Tract A, common to a point on the southerly boundary of said Tract G, and the point of beginning</p>

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PARCEL ACREAGE	Approximately 2.787 acres
LOCATION	Southwest of the intersection of Eglin Street and Luna Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Medium Density Residential District (Planned Residential Development) - General Commercial District (Planned Commercial Development)
East:	General Agriculture District
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/28/2008
REVIEWED BY	Karen Bulman / Ted Johnson

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 to General Commercial with a Planned Commercial Development be approved.

GENERAL COMMENTS: This undeveloped property contains approximately 2.787 acres and is located at the southwest corner of the intersection of Eglin Street and Luna Avenue. The property is currently zoned Medium Density Residential District. Land located north and west of the property is zoned General Commercial District with a Planned Commercial Development. Land located south of the property is zoned General Commercial District with a Planned Commercial Development and Medium Density Residential District with a Planned Residential Development. Land located east of the property is zoned General Agriculture 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 land uses. Applications to rezone the property from Medium Density Residential District to General Commercial District (#08RZ032) and 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

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designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development (#08CA031) and an application to rezone adjacent property from General Agriculture District to General Commercial District (#08RZ031).

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 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 east of the property. Water and sewer services will be extended to serve the area. Eglin Street is located north of the property and E. Anamosa Street is located south of the property. 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 Medium Density Residential District. Two applications to change the zoning from Medium Density Residential District to General Commercial District (#08RZ032 and #08RZ033) have 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.

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Land located north and west of the property is zoned General Commercial District with a Planned Commercial Development. Land located south of the property is zoned General Commercial District with a Planned Commercial Development and Medium Density Residential District with a Planned Residential Development. Land located east of the property is zoned General Agriculture District as a holding zone. The proposed amendment to change the land use from Medium Density Residential 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 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 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 to General

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Commercial with a Planned Commercial Development be approved.