

STAFF REPORT
August 22, 2013

No. 13CA012 - Amendment to the Comprehensive Plan to change the land use designation from Public to Residential **ITEM 4**

GENERAL INFORMATION:

APPLICANT	Shane Geidel
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Richard G and Cindy Wulf
REQUEST	No. 13CA012 - Amendment to the Comprehensive Plan to change the land use designation from Public to Residential
EXISTING LEGAL DESCRIPTION	A portion of the SE1/4 of the NE1/4, Section 20, T2N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the NE 1/16th Section Corner of Section 20, T2N, R8E, BHM, thence N 89°52'15"E, a distance of 228.46' to the point of beginning; Thence, first course: N 89°52'15" E a distance 170.00'; Thence, second course: S 00°00'26" W a distance 416.00; Thence third course: S 89°52'15" W a distance 170.00'; Thence, fourth course: N 00°00'26" E a distance of 416.00, to the point of beginning
PARCEL ACREAGE	Approximately 1.62 acres
LOCATION	3775 Dyess Avenue
EXISTING ZONING	General Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION	Public
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County) - Suburban Residential District (Pennington County)
South:	General Agricultural District (Pennington County)
East:	Light Industrial District
West:	General Agricultural District (Pennington County) - Limited Agricultural District (Pennington County)
PUBLIC UTILITIES	Private well and on-site septic system
DATE OF APPLICATION	July 26, 2013
REVIEWED BY	Kip Harrington / Brandon Quiett

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RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from Public to Residential be approved.

GENERAL COMMENTS: The property contains approximately 1.62 acres and is located on the west side of Dyess Avenue, south of Country Road. The property is currently zoned General Agricultural District by Pennington County. A single family dwelling, a detached garage, and a shed are currently located on the property. Land located to the north of the property is zoned General Agricultural District and Suburban Residential District by Pennington County. Land located to the south of the property is zoned General Agricultural District by Pennington County. Land located to the west of the property is zoned General Agricultural District and Limited Agricultural District by Pennington County. Land located to the east of the property is zoned Light Industrial District. The Rapid City Area Future Land Use Plan identifies the future use of the property as appropriate for Public use. Previously, the Northeast Area Neighborhood Future Land Use Plan identified the property as appropriate for Public use, with an alternate use of Low Density Residential. In addition to this Amendment to the Comprehensive Plan, the applicant has submitted a Petition for Annexation (#13AN003), a rezone application (#13RZ020) to rezone the property from No Use District to Low Density Residential District, and a Development Engineering Plan for the property.

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 the Future Land Use Plan is to concentrate new growth in the Rapid City urban area and protect existing rural areas from urban sprawl through planned development. The proposed change from Public to Residential land use will limit the subdivision of land for non-farm related residential development outside the urban area to low density projects that will not create negative economic impacts on local governments for the provision of public services and facilities. The proposed change appears to be consistent with the intent of the Comprehensive Plan.

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

The property is currently zoned General Agricultural District by Pennington County. A Petition for Annexation (#13AN003) has been submitted for a larger portion of this property. If the Petition for Annexation is approved, the property will then be zoned No

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Use District. An application to change the zoning from No Use District to Low Density Residential District (#13RZ020) has also been submitted in conjunction with these applications. The proposed annexation of the property into the Rapid City city limits constitutes a changed condition related to the subject property.

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

The property is currently developed with a single family residence, a detached garage, and a shed located on the site. The Rapid City Area Future Land Use Plan identifies the proposed uses of the surrounding properties. Land located to the north of the property is identified as Residential and Public land use. Land located to the south and west of the property is identified as Public land use. Land located to the east of the property is identified as Residential land use. By amending the Future Land Use on this property from Public to Residential, the subject property will complement the existing and proposed residential land use in the vicinity of the site.

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

The property is currently served by a private well and an on-site waste water system with a septic tank and drain field. City sanitary sewer service is not available in this area. A City water main is located in the Dyess Avenue right-of-way, and the applicant has submitted construction plans identifying the extension of City water to serve the property as a part of the Development Engineering Plan currently under review for the property. The property takes access from Dyess Avenue, which is classified as a Minor Arterial street on the City's Major Street Plan. The proposed amendment would not appear to result in any significant detrimental effects on the adjacent transportation and services network.

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

The proposed amendment will add to the nearby existing and proposed residential land uses in the area. However, recent industrial development has taken place to the east across Dyess Avenue. Further industrial development or more densely developed residential use may result in conflicting land uses in the area.

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.*

The property is located adjacent to a Minor Arterial street on the City's on the Major Street Plan and is proposed to be served by City water. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment would have on the surrounding area or on the City.

Notification Requirement: As of this writing, the white receipts from the certified mailings have

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been returned. The required sign has been picked up, but staff has not confirmed that it has been posted on the property. Staff will notify the Planning Commission at the August 22, 2013 meeting if these requirements have not been met.

Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation from Public to Residential be approved.