

STAFF REPORT

June 10, 2004

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**No. 04CA021 - Amendment to the Comprehensive Plan to change the future land use designation on an 11.22 acre parcel from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development**

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**ITEM 18**

GENERAL INFORMATION:

|                            |   |
|----------------------------|---|
| PETITIONER                 | Wyss Associates, Inc. for Web Real Estate Holdings Company, LLC   |
| REQUEST                    | <b>No. 04CA021 - Amendment to the Comprehensive Plan to change the future land use designation on an 11.22 acre parcel from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development</b>  |
| EXISTING LEGAL DESCRIPTION | Commencing at the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota: thence travel 597.31 feet at a bearing S89°27'22" East to a point; Thence travel 2.02 feet at a bearing N00°32'38" East the Point of Beginning; travel 504.33 feet at a bearing N 62°30'29" East to a point; thence travel 154.61 feet at a bearing North to a point; thence travel 78.60 feet at a bearing N24°43'12" East to a point; thence travel 117.84 feet at a bearing N07°03'57" West to a point; thence travel 11.61 feet at a bearing N30°35'10" West to a point; thence travel 303.21 feet at a bearing N50°52'56" East to a point; thence travel 129.80 feet at a bearing North to a point; thence travel 424.41 feet at a bearing S45°00'00" East to a point on a curve; thence travel 258.58 feet along a 190.00 foot radius Concave Southeasterly curve with a chord bearing S05°49'05" East to a point; thence travel 61.40 feet at a bearing S44°48'23" East to a point; thence travel 340.35 feet at a bearing S22°02'42" East to a point; thence travel 1192.20 feet at a bearing N89°38'58" West to the Point of Beginning; said area described contains approximately 11.22 acres more or less |
| PARCEL ACREAGE             | Approximately 11.22 acres   |
| LOCATION                   | West of the western terminus of Fairmont Boulevard along Tower Road   |
| EXISTING ZONING            | Medium Density Residential District w/PDD   |

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**SURROUNDING ZONING**

North: Office Commercial District w/PDD  
South: General Agriculture District  
East: Office Commercial District w/PDD - General Commercial District w/PDD  
West: Low Density Residential District w/PDD

**PUBLIC UTILITIES** To be extended

**DATE OF APPLICATION** 05/14/2004

**REVIEWED BY** Karen Bulman / Curt Huus

**RECOMMENDATION:** Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation on an 11.22 acre parcel from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development be approved.

**GENERAL COMMENTS:** This undeveloped property contains approximately 11.22 acres and is located west of the western terminus of Fairmont Boulevard and along Tower Road. The property is zoned Medium Density Residential District with a Planned Development Designation. The property located north of the subject property is zoned Office Commercial District with a Planned Development Designation. The property located west of the subject property is zoned Low Density Residential II with a Planned Development Designation. The property located east of the subject property is zoned General Commercial District with a Planned Development Designation and Office Commercial District with a Planned Development Designation. The property located south of the subject property is zoned General Agriculture District.

The subject property is located within the Skyline Pines East Subdivision and is proposed for development as residential, office commercial and general commercial land uses. The applicant has submitted a request to rezone the subject property from Medium Density Residential District to Office Commercial District (04RZ027) in conjunction with this Amendment to the Comprehensive Plan.

**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

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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 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. The subject property is located within an area that is changing and under development. Several rezoning and land use changes have taken place as the property owner evaluates the best use of the property. This piece of property is a part of a larger area that includes residential, office commercial and general commercial land uses. The property is currently undeveloped. The property owner has identified this property as best suited for office commercial uses. The property is located east of a recently approved area of development that included the extension of water and sewer along Pevans Parkway. The Comprehensive Plan indicates that the property is appropriate for Medium Density Residential with a Planned Residential Development land uses. This Amendment to the Comprehensive Plan will revise the Plan to indicate that the subject property is appropriate for Office Commercial land uses. This change is consistent with the intent of the City's Comprehensive Plan to encourage in-fill development within the City limits.

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

The Skyline Pines East Subdivision is evolving into residential, office commercial and general commercial land uses. The subject property is void of any development. The applicant has indicated that this property is best suited for office commercial land uses. The applicant has included a request to rezone the subject property from Medium Density Residential District to Office Commercial District. Changing the conditions in the area through the extension of water and sewer increases the potential development of the 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 zoned Medium Density Residential District with a Planned Development Designation. The property located north of the subject property is zoned Office Commercial District with a Planned Development Designation. The property located west of the subject property is zoned Low Density Residential II District with a Planned Development Designation. The property located east of the subject property is zoned Office Commercial District with a Planned Development Designation and General Commercial

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District with a Planned Development Designation. The property located south of the subject property is zoned General Agriculture District. The Comprehensive Plan indicates that the subject property is appropriate for Medium Density Residential with a Planned Residential Development land use. The subject property is an undeveloped portion of property that is proposed to be best used for office commercial land use. The Comprehensive Plan Amendment would change the land use from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development. The development of this property is a continuation of the evolving development of an area that includes residential and commercial land uses. The proposed amendment will be compatible with the proposed uses surrounding the subject property.

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

The proposed increase in density of land use will require a re-evaluation of the drainage and may require on-site detention. The existing sewer and water services located in Pevans Parkway can be extended to the proposed area. With the infrastructure in place to accommodate additional development, the proposed amendment does not appear to have an 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 an undeveloped portion of a larger area that is now ready for development. The extension of water and sewer within Pevans Parkway adjacent to the subject property will allow development to continue. The proposed amendment will allow the continuation of the in-fill development within the proposed area north of Tower Road and west of Fairmont Boulevard.

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 infrastructure is located in Pevans Parkway and water and sewer may be extended to the proposed area. The proposed change in land use will require a re-evaluation of the drainage in the area based on the increased density of land use and may require on-site detention. Staff has not identified any significant adverse effects that the proposed 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 June 10, 2004 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.

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