

STAFF REPORT

June 10, 2004

No. 04CA026 - Amendment to the Comprehensive Plan to change the future land use designation on a 0.78 acre parcel from Park Forest to Low Density Residential II with a Planned Residential Development

ITEM 28

GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for Web Real Estate Holdings Company, LLC
REQUEST	No. 04CA026 - Amendment to the Comprehensive Plan to change the future land use designation on a 0.78 acre parcel from Park Forest to Low Density Residential II with a Planned Residential Development
EXISTING LEGAL DESCRIPTION	Commencing at the SW corner of the NW1/4 of the SE 1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota: thence travel 588.52 feet at a bearing N00°21'00" East to the Point of Beginning; travel 330.47 feet at a bearing N00°21'00" East to a point; thence travel 151.09 feet at a bearing S41°05'15" East to a point; thence travel 14.84 feet at a bearing S00°21'00" West to a point; thence travel 239.65 feet at a bearing S10°42'07" East to a point on a curve; thence travel 65.70 feet along a 74.00 foot radius Concave Northerly curve with a chord bearing N80°16'49" West to a point on a curve; thence travel 77.31 feet along a 126.00 foot radius Concave Southerly curve with a chord bearing N72°25'20" West to a point; thence travel 7.41 feet at a bearing N89°51'16" West to the Point of Beginning; said area described contains approximately 0.78 Acres more or less
PARCEL ACREAGE	Approximately 0.78 acres
LOCATION	West of the western terminus of Fairmont Boulevard along Tower Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential II District w/PDD
East:	Low Density Residential II District w/PDD
West:	Park Forest District
PUBLIC UTILITIES	To be extended

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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 a 0.78 acre parcel from Park Forest to Low Density Residential II with a Planned Residential Development be approved.

GENERAL COMMENTS: This undeveloped property contains approximately .78 acres and is located west of the western terminus of Fairmont Boulevard and along Tower Road. The property is zoned Park Forest District. The properties located south and east of the subject property are zoned Low Density Residential II District with a Planned Development Designation. The property located north and west of the subject property is zoned Park Forest District.

The subject property is located within the Skyline Pines East Subdivision, an area proposed for development as residential, office commercial and general commercial land uses. The subject property is a portion of a larger parcel that is to be developed for Low Density Residential II uses. The applicant has submitted a request to rezone the subject property from Park Forest District to Low Density Residential II District (04RZ023) 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 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 small piece of property is part of a larger area that the applicant proposes to develop as residential, office commercial and general commercial land uses. The property is currently

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undeveloped. The property owner has identified this small portion of property as part of an area best suited for low density residential 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 Park Forest land uses. The property owner has indicated that this small parcel will not be used for park forest use and has proposed to include this parcel into a larger parcel suited for low density residential land uses. This Amendment to the Comprehensive Plan will revise the Plan to indicate that the subject property is appropriate for Low Density Residential II 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 proposed that this parcel be developed as low density residential II land uses. The applicant has included a request to rezone the subject property from Park Forest District to Low Density Residential II 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 Park Forest District. The property located south and east of the subject property is zoned Low Density Residential II District with a Planned Development Designation. The property located north and west of the subject property is zoned Park Forest District. The Comprehensive Plan indicates that the subject property is appropriate for Park Forest land use. The subject property is an undeveloped portion of property that the applicant indicates will be included in a low density residential II parcel. The Comprehensive Plan Amendment would change the land use from Park Forest to Low Density Residential II with a Planned Residential 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 use 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 are located in Pevans Parkway and can be extended to the proposed area. Access to the property will be made from an extension of Pevans Parkway. With the infrastructure in place to accommodate additional development, the proposed amendment does not appear to have a significant

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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 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.