

STAFF REPORT

October 4, 2001

**No. 01CA020 - Amendment to the Future Land Use Designation in the ITEM 29
South Robbinsdale Neighborhood Area Future Land Use
Plan, an element of the Comprehensive Plan**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 01CA020 - Amendment to the Future Land Use Designation in the South Robbinsdale Neighborhood Area Future Land Use Plan, an element of the Comprehensive Plan
LEGAL DESCRIPTION	<p>From Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development on a parcel of land located in the NE1/4 of Section 24, T1N, R7E, BHM, being more particularly described as follows: Beginning at the east one-quarter corner of said Section 24, Thence N01°24'21"E, along the east line of said Section 24, 75.00 feet to a point lying on the northerly right-of-way line of Catron Boulevard; Thence N88°35'39"W along said northerly right of way line, 50.86 feet to the true point of beginning; Thence N88°35'39"W along said northerly right-of-way line, 350 feet; Thence departing said right of way N1°24'21"E 275 feet; Thence S88°35'39"E 346.06 feet to where said line intersects the westerly right of way of proposed Fifth Street; Thence S00°45'07"W 274.85 feet more or less to the point of beginning containing 2.20 acres more or less; From Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development on a parcel of land located in the NE1/4 of Section 24, T1N, R7E, BHM, being more particularly described as follows: Beginning at the east one-quarter corner of said Section 24, Thence N01°24'21"E, along the east line of said Section 24, 75.00 feet to a point lying on the northerly right-of-way line of Catron Boulevard; Thence N88°35'39"W along the northerly right of way of said Catron Boulevard 400.86 feet this being the point of beginning; Thence N88°35'39"W along said northerly right of way 919.13 feet; Thence departing said northerly right of way line N1°24'21"E 275 feet; Thence S88°35'39"E 919.13 feet; Thence S1°24'21"W 275 feet to the point of beginning containing 5.80 acres more or less; From Planned Residential Development with a maximum density of 6.7 dwelling units per acre to General Commercial with a Planned Commercial Development on a parcel of land</p>

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located in the NE1/4 of Section 24, T1N, R7E, BHM, being more particularly described as follows: Beginning at the east one-quarter corner of said Section 24, Thence N01°24'21"E, along the east line of said Section 24, 75.00 feet to a point lying on the northerly right-of-way line of Catron Boulevard; Thence N88°35'39"W along the northerly right of way of said Catron Boulevard 1320 feet to where said right of way meets the north south 1/16 line of the SE1/4 of said Section 24 this being the true point of beginning; thence along the said right of way N88°35'39"W 439.87 feet; Thence departing the north right of way N01°24'21"E 1245 feet to a point lying on the east west 1/16 line; Thence S88°35'39"E along said 1/16 line 677.62 feet; Thence departing said 1/16 line S02°11'17"W 154.18 feet; Thence S82°36'49"E 303.17 feet; Thence S43°24'30"E 405.16 feet; Thence S49°37'01"E 52.92 feet to a point on a curve with a radius of 567 feet; thence along said curve to the right an arc length of 258.44 feet with a chord bearing of S30°36'54"E 256.21 feet Thence S1°24'21"W 244.35 feet; Thence N88°35'39"W 919.13 feet to a point on the north south 1/16 line; Thence S01°24'21"W 275 feet along said 1/16 line to the point of beginning containing 28.28 acres more or less; and, From Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development on a parcel of land located in the NE1/4 of Section 24, T1N, R7E, BHM, being more particularly described as follows: Beginning at the east one-quarter corner of said Section 24, Thence N01°24'21"E, along the east line of said Section 24, 75.00 feet to a point lying on the northerly right-of-way line of Catron Boulevard; Thence N00°45'07"E 274.85 feet this being the true point of beginning; Thence N88°35'39"W 348.88 feet; Thence N1°24'21"E 244.35 feet to where it intersects a curve with a radius of 567 feet; thence along said curve to the left an arc length of 258.44 feet and a chord bearing of N30°36'54"W 256.21 feet; Thence N49°37'01"E 350.36 feet to where said line intersects the south westerly right of way of proposed Fifth Street a curve with a radius of 917 feet; Thence along said curve to the right an arc length of 438 feet with a chord bearing of S28°44'00"E 433.85 feet; Thence S00°45'07"W along said proposed Fifth Street right of way 319.88 feet to the point of beginning containing 5.03 acres more or less.

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PARCEL ACREAGE Approximately 42.5 acres

LOCATION North of Catron Boulevard lying adjacent to the future right-of-way line of Fifth Street and Parkview Drive

EXISTING ZONING General Agriculture District

SURROUNDING ZONING

 North: General Agriculture District

 South: General Agriculture District (County)

 East: General Agriculture District

 West: General Agriculture District

PUBLIC UTILITIES To be extended

REPORT BY Vicki L. Fisher

RECOMMENDATION: The Future Land Use Committee recommends that the Amendment to the Future Land Use Designation in the South Robbinsdale Neighborhood Area Future Land Plan be denied without prejudice to allow the applicant to submit a revised legal description to be advertised.

GENERAL COMMENTS: This item has been continued since the July 26, 2001 Planning Commission meeting to allow the applicant to meet with the Future Land Use Committee to discuss potential amendments. This Staff Report has been revised as of October 1, 2001. All revised or added text is shown in bold print. The applicant is seeking to change the future land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development on 2.20 acres more or less; from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development on 5.80 acres more or less; from Planned Residential Development with a maximum density of 6.7 dwelling units per acre to General Commercial with a Planned Commercial Development on 28.28 acres more or less; and, from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development on 5.03 acres more or less.

The applicant has also submitted a rezoning request to rezone 49.57 acres of the subject property from General Agriculture District to General Commercial with a Planned Development Designation. (See companion items #01RZ042 and 01PD042.)

The property is located north of Catron Boulevard lying adjacent to the future Fifth Street and Parkview Drive locations. The property is currently void of any structural development.

STAFF REVIEW: The Future Land Use Committee has met several times with the

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applicant since July 27, 2001 to discuss the proposed Comprehensive Plan Amendment. The Future Land Use Committee has recommended approval of the revised plan submitted by the applicant. The modified Comprehensive Plan Amendment allows for an approximately 22.6 acres for General Commercial land use with a Planned Commercial Development to be located at the northwest corner of Catron Boulevard and the future right-of-way for Fifth Street. In addition, two areas for Office Commercial land use with a Planned Commercial Development are identified along Catron Boulevard and Fifth Street, respectively. Each area will be approximately 17 acres in size. Approximately 15.6 acres located directly west of the proposed Office Commercial with a Planned Commercial Development along Catron Boulevard, is identified as appropriate for Medium Density Residential land use with a Planned Residential Development. The balance of the property, approximately ten acres, located along the future right-of-way for Fifth Street is identified as appropriate for drainage. (See the attached revised Comprehensive Plan Amendment Site Plan.) The Future Land Use Committee has recommended approval of the proposed Comprehensive Plan Amendment as modified by the applicant. However, the modified plan is significantly changed from the previously submitted proposal. As such, this item must be denied without prejudice and readvertised.

Over the past several months the Future Land Use Committee has also reviewed a proposed Comprehensive Plan Amendment on adjacent properties owned by the Lazy P-6 Properties, LLC. The Future Land Use Committee concurred in part and opposed in part the proposed Comprehensive Plan Amendment by the Lazy P-6 Properties, LLC. The Future Land Use Committee has recommended that a Comprehensive Plan Amendment as processed for the revisions to the plan for the Lazy P-6 Property. In addition, the Future Land Use Committee is requesting that the Planning Commission public hearing on these items be held in the evening and that all property owners within the district be notified of the meeting and invited to attend.