

STAFF REPORT

June 26, 2003

No. 03CA015 - Amendment to the Comprehensive Plan to change the future land use designation on a 12.89 acre parcel of land from Residential to General Commercial with a Planned Commercial Development

ITEM 25

GENERAL INFORMATION:

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| PETITIONER | DLK Engineering for DTJ, LLC |
| REQUEST | No. 03CA015 - Amendment to the Comprehensive Plan to change the future land use designation on a 12.89 acre parcel of land from Residential to General Commercial with a Planned Commercial Development |
| EXISTING LEGAL DESCRIPTION | Beginning at the SE Section Corner of Section 7, T1N, R8E, BHM; thence N89°32'15"W a distance of 639.26 feet more or less; thence N00°00'35"W a distance of 50' more or less to the True Point of Beginning; this point is the common corner of the South East corner of Lot 2 Fellowship Addition and the South West corner of the remaining balance of Lot 2 Superpumper Addition; thence N00°00'35"W a distance of 610.83 feet more or less; thence N89°29'15"W a distance of 22.78 feet more or less; thence N00°02'07"E a distance of 330.81 feet more or less; thence S89°37'12"E a distance of 611.89 feet more or less; thence S00°01'35"W a distance of 742.35 feet more or less; thence N09°32'15"W a distance of 200.00 feet more or less; thence S00°01'35"W a distance of 200.00 feet more or less; thence N89°32'15"W a distance of 389.26 feet to the True Point of Beginning |
| PARCEL ACREAGE | Approximately 12.8986 acres |
| LOCATION | North of East Fairmont Boulevard and west of South Highway 79 |
| EXISTING ZONING | Medium Density Residential District/General Commercial District |
| SURROUNDING ZONING | |
| North: | Medium Density Residential District/General Commercial District |
| South: | Light Industrial District |
| East: | Heavy Industrial District |
| West: | Medium Density Residential District |

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ITEM 25

PUBLIC UTILITIES To be extended

DATE OF APPLICATION 05/12/2003

REPORT BY Karen Bulman

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation on a 12.89 acre parcel of land from Residential to General Commercial with a Planned Commercial Development be approved.

GENERAL COMMENTS: This property is located north of Fairmont Boulevard and east of South Dakota Highway 79. The property was annexed into the City limits in 1947. It is currently zoned Medium Density Residential District on the west half of the property and General Commercial District on the east half of the property along SD Highway 79. The Comprehensive Plan for this area indicates the property is appropriate for residential land use(s). The Future Land Use Committee reviewed this proposal on May 1, 2003 and recommended approval of rezoning the property from Medium Density Residential to General Commercial with a Planned Development Designation. An application for a Planned Development Designation (03PD026) and a Rezoning from Medium Density Residential District to General Commercial District (03RZ015) has been submitted in conjunction with this Amendment to the Comprehensive Plan to change this property from Residential land use(s) to General Commercial land use(s) with a Planned Commercial Development.

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 property is currently zoned Medium Density Residential District. The property to the north is currently zoned Medium Density Residential District and General Commercial District. The property to the west is zoned Medium Density Residential District. The property to the south is zoned Light Industrial District. The property to the east is zoned Heavy Industrial District. S.D. Highway 79 is adjacent and east of the property and Fairmont Boulevard is adjacent and south of the property.

The Future Land Use Committee met on May 1, 2003 to review this proposal. The Committee had concerns about the additional traffic that could be created by additional general commercial land uses. However, the Committee felt that the designation of additional general commercial land use at this location could assist in upgrading the quality of development along S.D. Highway 79 in this vicinity. The Committee felt the location of

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ITEM 25

the property between S.D. Highway 79 and Fairmont Boulevard, a major and minor arterial respectively, indicated that commercial development at this intersection was appropriate. For these reasons the Committee supported the requested amendment with the provision that the entire parcel be designated as General Commercial with a Planned Commercial Development. The proposed Planned Development Designation will serve as a tool to mitigate any negative impact the commercial development may create and to address the topographic and drainage concerns specific to the subject property. An application for a Planned Development Designation (03PD026) and a Rezoning from Medium Density Residential District to General Commercial District (03RZ015) has been submitted in conjunction with this Amendment to the Comprehensive Plan.

As of this writing, the sign has been posted on the property, but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 26, 2003 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request.