

STAFF REPORT  
February 9, 2006

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**No. 06CA003 - Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Neighborhood Commercial with a Planned Commercial Development to a Medium Density Residential with a Planned Residential Development**

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**ITEM 24**

GENERAL INFORMATION:

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|-------------------------------|--|
| PETITIONER                    | FMG, Inc. for Belgarde Enterprises   |
| REQUEST                       | <b>No. 06CA003 - Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Neighborhood Commercial with a Planned Commercial Development to a Medium Density Residential with a Planned Residential Development</b>  |
| EXISTING<br>LEGAL DESCRIPTION | That part of the SW1/4 of Section 22, T1N, R7E, of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, that lies within the following description: Commencing at a 5/8" rebar with survey cap marked "FMG Inc. LS SD 1019" at the Center-South-South 1/64 corner of Section 22; Thence N00°08'29"W, along the Section 1/4 Line, a distance of 505.50', more or less, to a point, said point being a 5/8" rebar with survey cap marked "FMG Inc. LS SD 6119", on the south right of way line of Catron Boulevard; Thence Northwesterly, along the south right of way line of Catron Boulevard, on a curve to the left, said curve having a radius of 2230.97' a length of 263.77', a chord bearing of N60°12'09"W and a chord length of 263.62', more or less, to a point, said point being a 5/8" rebar; Thence N63°35'34"W, along the south right of way line of Catron Boulevard, a distance of 665.49', more or less, to the point of beginning; Thence S26°23'14"W a distance of 270.0', more or less, to a point; Thence N63°35'34"W a distance of 400.0', more or less, to a point; Thence N26°23'14"E a distance of 270.0', more or less, to a point; Thence S63°35'34"E, along the south right of way line of Catron Boulevard, a distance of 400.0' to the point of beginning; all located within the SW1/4 of Section 22, T1N, R7E, of the Black Hills Meridian; said parcel containing 2.5 acres more or less. |
| PARCEL ACREAGE                | Approximately 2.5 acres  |
| LOCATION                      | At the southeast corner of the intersection of Catron  |

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|                     | Boulevard and Nugget Gulch Drive   |
| EXISTING ZONING     | General Agriculture District - Medium Density Residential District (Planned Residential Development) |
| SURROUNDING ZONING  |  |
| North:              | Low Density Residential District (Planned Residential Development)                                   |
| South:              | General Agriculture District   |
| East:               | General Agriculture District   |
| West:               | Medium Density Residential District (Planned Residential Development) - General Agriculture District |
| PUBLIC UTILITIES    | City water and sewer   |
| DATE OF APPLICATION | 1/13/2006  |
| REVIEWED BY         | Travis Tegethoff / Bob Dominicak   |

**RECOMMENDATION:**

Staff recommends that the Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Neighborhood Commercial with a Planned Commercial Development to a Medium Density Residential with a Planned Residential Development be approved.

**GENERAL COMMENTS:**

The applicant has submitted a Comprehensive Plan Amendment to the U.S. Highway 16 Neighborhood Area Future Land Use Plan to change the designation of the subject property from a Neighborhood Commercial District with a Planned Commercial Development designation to a Medium Density Residential District with a Planned Residential Development designation with a maximum density of 4.8 dwelling units per acre. The applicant has also submitted a Preliminary Plat to create a 27.497 acre lot. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, and sewer along Catron Boulevard and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the sub-collector street located along the south lot line of the subject property. The applicant has also submitted a Rezoning request to change the zoning designation on a portion of the property from General Agriculture District to Medium Density Residential District. (See companion items #06PL002, 06SV002, and 06RZ001.)

On March 7, 2005, the City Council approved a Layout Plat to create a 21.23 acre lot, including the subject property. On June 22, 2005, the City Council denied without prejudice a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter and sidewalk along Catron Boulevard as it abuts the subject property.

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On February 10, 2005, the Planning Commission approved an Initial Planned Unit Development to allow 255 dwelling units with detached garages, a club house and recreational uses associated with the residential use to be constructed on a 21.23 acre parcel which included most of the subject property.

The subject property is located south of Catron Boulevard east of the future southern extension of Nugget Gulch Drive. The property located to the north of the subject property is currently zoned Low Density Residential. The surrounding properties to the east, south and west are all currently zoned General Agricultural District.

**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 any 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. Full utilization of properties currently served by infrastructure is encouraged. The extension of municipal services to the area and the completion of Catron Boulevard, a significant east-west arterial connection located north of the subject property, have changed conditions within the area to support the proposed residential development. With the completion of Catron Boulevard, it is anticipated that this will be an area of the community that will experience continued growth and development in the immediate and foreseeable future. In addition, the Initial and Final Planned Residential Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the subject property. The Future Land Use Committee has also stated that Comprehensive Plans may be supported when reasonable development plans have been demonstrated. The associated Preliminary Plat identifies a reasonable development plan for the subject property.

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

Several properties along Catron Boulevard between U.S. Highway 16 and Sheridan Lake Road are currently in the process of developing as residential areas. The proposal to

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amend the Comprehensive Plan as proposed is reflective of a continuation of the residential development in the area.

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

As previously indicated, properties along Catron Boulevard between U.S. Highway 16 and Sheridan Lake Road are currently in the process of developing as residential areas. Amending the Comprehensive Plan as proposed will create a node of residential development. In addition, the Initial and Final Planned Residential Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the subject property. The Initial and Final Planned Residential Development will also help mitigate any potential negative impacts the residential use may have on existing and future residential land uses within the area.

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

Catron Boulevard is located north of the subject property and is classified as a principal arterial street on the City's Major Street Plan. In addition, Catron Boulevard has been constructed accordingly. Water services exist to the subject property. Staff has noted that as part of the development of this property the applicant has proposed extending sanitary sewer services along Catron Boulevard that is adjacent to their property by connecting to the existing sanitary sewer services west of the subject property. As such, the proposed amendment does not appear to have an adverse effect on the surrounding properties. In addition, the Initial and Final Planned Residential Development will serve as a tool to mitigate any potential negative impacts the residential use may have on the adjacent properties as identified above.

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

The subject property is located south of Catron Boulevard in an area of existing residential development. The proposed amendment will allow for the continuation of the established residential development pattern.

- 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.*

As a part of the platting of the subject property, infrastructure will be constructed to serve the proposed residential development. In addition, additional residential development is established in the area. Staff has not identified any adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City with the assistance of the Initial and Final Planned Residential Development.

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As of this writing, the required 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 February 9, 2006 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed amendment at the time of this writing.

Staff recommends that the Amendment to the Comprehensive Plan to change the land use from Neighborhood Commercial with a Planned Commercial Development designation to Medium Density Residential with a Planned Residential Development designation be approved.