

STAFF REPORT

July 6, 2006

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**No. 06CA016 - Amendment to the Comprehensive Plan by revising the Comprehensive Plan from Residential to General Commercial**

**ITEM 17**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 06CA016 - Amendment to the Comprehensive Plan by revising the Comprehensive Plan from Residential to General Commercial</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in Section 24, T2N, R7E, more particularly described as follows: Commencing at the center of Section 24, travel a distance of 506.81 feet at a bearing of N89°48'44"W; Thence S00°10'09"W a distance of 399.73 feet to a point of beginning; Thence S89°49'51"E a distance of 173.34 feet; Thence S81°56'08"W a distance of 120.55 feet; Thence south a distance of 912.15 feet; Thence N89°46'02"W a distance of 56.73 feet; Thence N00°10'09"E a distance of 929.35 feet to the true point of beginning
PARCEL ACREAGE	Approximately 1.2 acres
LOCATION	West of Haines Avenue and south of Kathryn Avenue
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Residential Development)
East:	General Commercial District (Planned Residential Development)
West:	Low Density Residential District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	6/2/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan by revising the Comprehensive Plan from Residential to General Commercial be **approved**.

GENERAL COMMENTS: (Update June 23, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 22, 2006 Planning Commission meeting to allow the application to be legally advertised. The legal advertising has

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**now been published. No other changes have been made in this staff report. (Revised 6-23-06)**

This undeveloped property contains approximately 1.2 acres and is located west of Haines Avenue and south of Kathryn Avenue. Land located north of the subject property is zoned General Commercial District. Land located south and east of the property is zoned General Commercial District with a Planned Development Designation. Land located west of the subject property is zoned Low Density Residential District. In addition to this Comprehensive Plan Amendment application, the applicant has submitted a Rezoning of the subject property from Low Density Residential District to General Commercial District (06RZ016) and a Planned Development Designation (06PD037).

STAFF REVIEW: Staff has noted that the legal description was not properly advertised for this application. The applicant has been notified of the error in the legal description submitted for publication. As such, staff is recommending that this item be continued to the July 6, 2006 Planning Commission meeting to allow the application to be legally advertised.

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. In-fill development and full utilization of properties currently served by infrastructure are encouraged. Currently, general commercial land uses are located north, south and east of this narrow strip of property. As the property is surrounded by general commercial land uses, the applicant plans to include this narrow strip of property in the general commercial development of the area. 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 subject property is located within an area that is proposed for development in the future. Water and sewer will be extended into the subject property. The property is currently void of any development. However, future plans for commercial development have been indicated as the property is visibly located adjacent to Haines Avenue, a major arterial street on the

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City's Major Street Plan. The applicant has included a request to rezone the subject property from Low Density Residential District to General Commercial District. This narrow strip of property appears to be surrounded by general commercial land uses. The changing conditions in the area through the future 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 Low Density Residential District. The property located north of the subject property is zoned General Commercial District. The properties located south and east of the subject property are zoned General Commercial District with a Planned Commercial Development. The property located west of the subject property is zoned Low Density Residential District. The Comprehensive Plan indicates that the subject property is appropriate for residential land uses. The applicant has indicated that the subject property is to be developed as commercial land use. The applicant has submitted a Planned Development Designation in conjunction with the Rezone and Comprehensive Plan Amendment applications. The proposed amendment is compatible with the commercial 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 applicant plans to develop the subject property for commercial uses. City sewer and water will be extended into the area. Haines Avenue, a major arterial street, is located east of the subject property. The Initial and Final Planned Commercial Development will address any negative issues that may have an impact on surrounding properties as development occurs. As such, 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 area that is now ready for development. The infrastructure to handle the additional commercial development will be in place prior to development. The proposed amendment will allow the continuation of commercial in-fill development within the City. The applicant has also submitted a rezone application for the property located west of the subject property to change the zoning from Low Density Residential District to Medium Density Residential District to be a buffer between the commercial land uses and the low density residential land uses.

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 Initial and Final Planned Commercial Development will serve as a tool to address the issues specific to the subject property and will help mitigate any potential negative impacts

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the commercial use may have on existing and future land uses within the area. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City.

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

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June 22, 2006

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**No. 06CA016 - Amendment to the Comprehensive Plan by revising  
the Long Range Transportation Plan from Residential to General  
Commercial**

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**ITEM**