

STAFF REPORT

June 21, 2007

No. 07CA027 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development

ITEM 20

GENERAL INFORMATION:

PETITIONER enVision Design Inc. for Plum Creek Development, LLC

REQUEST **No. 07CA027 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development**

EXISTING
LEGAL DESCRIPTION

A Tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: beginning at the south one-quarter corner of said Section 16, monumented with a "Brass Cap"; Thence S89°58'32"W along the south line of said SW1/4 of Section 16 a distance of 674.94 feet to a point on a curve from which the radius of said curve bears N00°01'28"W a distance of 500.00 feet; Thence north westerly along the arc of said curve to the right having a radius of 500.00 feet, a central angle of 44°27'22" for a distance of 387.95 feet; Thence departing said curve north 45°34'07" west a distance of 416.97 feet to the east line of the southwest one-quarter of said SW1/4; Thence N00°01'14"W along said east line a distance of 886.44 feet to the south line of the N1/2 of said SW1/4; Thence S89°56'28"W along said south line a distance of 658.08 feet; Thence N37°01'09"E a distance of 332.57 feet; Thence N35°19'22"E a distance of 88.82 feet; Thence S60°47'57"E a distance of 131.75 feet; Thence N56°10'10"E a distance of 406.42 feet; Thence N89°53'34"E a distance of 147.45 feet; Thence S00°06'26"E a distance of 176.99 feet; Thence N89°53'34"E a distance of 52.00 feet; Thence S00°06'26"E a distance of 263.59 feet; Thence S05°40'23"W a distance of 40.49 feet; Thence S11°27'13"W a distance of 200.28 feet; Thence S01°00'22"W a distance of 153.84 feet; Thence N90°00'00"E a distance of 139.82 feet; Thence S00°08'39"E a distance of 488.33 feet; Thence N89°52'38"E a distance of 140.00 feet; Thence S00°07'22"E a distance of 64.71 feet to a point on a curve from which the radius of said curve bears N89°52'38"E a distance of 201.00 feet; Thence south

STAFF REPORT

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No. 07CA027 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development

ITEM 20

easterly along the arc of said curve to the left having a radius of 201.00 feet, a central angle of 90°00'00" for a distance of 315.73 feet; Thence departing said curve N89°52'38"E a distance of 640.71 feet; Thence S00°00'00"W a distance of 237.79 feet to the point of beginning, containing an area of 20 acres more or less

PARCEL ACREAGE	Approximately 20 acres
LOCATION	Southeast of the intersection of Willowbend Road and Elk Vale Road
EXISTING ZONING	Low Density Residential II District - Low Density Residential II District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential II District (Planned Residential Development)
South:	Low Density Residential II District - General Agriculture District
East:	Low Density Residential II District (Planned Residential Development)
West:	General Agriculture District - Low Density Residential II District - General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/25/2007
REVIEWED BY	Karen Bulman / Todd Peckosh

RECOMMENDATION: The Future Land Use Committee recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development be approved.

GENERAL COMMENTS: This property contains approximately 20 acres and is located southeast of the intersection of Elk Vale Road and Willowbend Road. The property is currently zoned Low Density Residential II District. Land located north and east of the subject property is zoned Low Density Residential II District with a Planned Residential Development. Land located south of the subject property is zoned Low Density Residential II District and General Agriculture District. Land located west of the subject property is zoned General Agriculture District, Low Density Residential II District and General

STAFF REPORT
June 21, 2007

No. 07CA027 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development

ITEM 20

Commercial District with a Planned Commercial Development. In addition to this application for an Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development, the applicant has submitted a Rezoning from Low Density Residential II District to Medium Density Residential District (07RZ046). In addition, the applicant has submitted a Comprehensive Plan Amendment to change the land use on two adjacent properties from General Agriculture to General Commercial with a Planned Commercial Development (07CA026) and (07CA025). Two rezoning applications also accompany the Comprehensive Plan Amendments. The applicant requests to rezone one property from Low Density Residential II District to General Commercial District (07RZ045) and one property from General Agriculture District to General Commercial District (07RZ044).

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 Future Land Use Committee met on March 30, 2007 and April 27, 2007 to discuss previous Amendments to the Comprehensive Plan and Rezoning applications. Those applications were denied without prejudice at the Planning Commission meeting of May 24, 2007 to allow the applicant to revise his master plan and submit future applications.

The applicant is now requesting three Rezoning and three Comprehensive Plan Amendments for the subject property and adjacent properties. The Future Land Use Committee met on June 1, 2007 to review the Comprehensive Plan Amendment as well as the other applications for the surrounding property.

The draft Southeast Connector Future Land Use Plan indicates that the subject property is appropriate for Low Density Residential land uses.

The Future Land Use Committee 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 the Future Land Use Committee 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 maintain a commitment to neighborhoods by implementing appropriate policies that preserve and improve the quality and character of the community's established neighborhoods. The objective is to maintain suitable areas and buffers between low density residential areas and more intensive nonresidential uses and to provide an adequate supply of land for multi-family development

STAFF REPORT
June 21, 2007

No. 07CA027 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development

ITEM 20

in order to protect the character of established neighborhoods with high density residential zoning. The subject property is adjacent to residential property on the north and east, agriculture property on the south and commercial property on the west. The applicant has applied to rezone the property from Low Density Residential II District with a Planned Residential Development to Medium Residential District with a Planned Residential Development to serve as a buffer between the single family residential uses to the east and the proposed general commercial uses to the west. The Future Land Use Committee indicated that the area adjacent to the proposed extension of Minnesota Street is an appropriate location for higher density residential uses as a buffer between the lower density residential uses and the proposed commercial land uses. The Future Land Use Committee recommends that the Comprehensive Plan Amendment to change the land use from General Agriculture to Medium Density Residential with a Planned Residential Development be approved.

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

Currently, the property is unoccupied. No changed condition within the surrounding neighborhood, including the subject property has been identified that warrants the proposed change.

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

The subject property is located adjacent to residential land uses to the north, south, east and west, agriculture land uses to the south and west and general commercial land uses to the west. The Future Land Use Committee indicated that the proposed amendment to change the land use from General Agriculture to Medium Density Residential with a Planned Residential Development appears to be compatible with the surrounding properties as a buffer between the current and future single family residential land uses and the proposed general commercial land uses. The applicant has submitted a Planned Development Designation in conjunction with the Rezoning and Comprehensive Plan Amendment applications.

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

The subject property is currently undeveloped. Water and sewer will need to be extended as development occurs. The lift station for this area is currently near capacity. Minnesota Street is proposed to be extended along the southern boundary of the subject property. The proposed amendment has the potential to have an adverse effect on the surrounding low density residential properties. Care will need to be taken during the design of the subdivision to insure that any adverse effects on the surrounding property are adequately addressed.

STAFF REPORT
June 21, 2007

No. 07CA027 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development

ITEM 20

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

The subject property is located in an undeveloped area. Infrastructure needs and permanent street connections will need to be completed prior to future development. The proposed Minnesota Street located adjacent to the southern boundary of the subject property will serve the medium density residential area. The Future Land Use Committee found that the proposed change will result in a logical and orderly 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.*

Changing the land use to medium density residential will potentially increase traffic and noise and may put a burden on the local streets and sewer system currently in place. However, the Future Land Use Committee found that the Initial and Final Planned Residential Development will serve as a tool to address the issues specific to the subject property and will help mitigate any potential negative impacts the medium density residential use may have on the existing low density residential land uses adjacent to the subject property. The Future Land Use Committee found that the proposed amendment will not adversely affect adjacent established residential areas or any future residential or commercial development in the area based on the provision of the Planned Development Designation.

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 has received several inquiries but no objections regarding the proposed request at the time of this writing.

The Future Land Use Committee recommended that the Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to Medium Density Residential with a Planned Residential Development be approved.