

STAFF REPORT

May 8, 2008

---

**No. 08CA005 - Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development**

---

**ITEM 8**

GENERAL INFORMATION:

|                            |   |
|----------------------------|---|
| APPLICANT                  | Stoney Creek Development  |
| AGENT                      | Boschee Engineering   |
| PROPERTY OWNER             | J. L. Bendt   |
| REQUEST                    | <b>No. 08CA005 - Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development</b>  |
| EXISTING LEGAL DESCRIPTION | A parcel of land located within the unplatted portion of the NW¼ SW¼ of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: beginning at the northwest lot corner of Lot 3, Block 3 of Stoney Creek South Subdivision; said point is also lying on the easterly right-of-way line of Bendt Drive; Thence northerly along said easterly right-of way line the following two courses: Thence N01°34'53"E, 40.08 feet to a point of curvature; Thence northerly along the arc of said curve to the right whose radius is 174.00 feet and whose central angle is 40°47'10", an arc length of 123.86 feet to a point on said curve; said point also being the southwest lot corner of Tract BD of Stoney Creek South Subdivision; Thence S70°48'41"E, along the southerly lot line of said Tract BD, a distance of 124.47 feet; Thence departing said southerly lot line S19°11'19"W, 116.69 feet to the northeast lot corner of said Lot 3, Block 3; thence S89°21'43"W, along the north lot line of said Lot 3, Block 3, a distance of 125.70 feet to the Point of Beginning, containing 0.426 acres more or less |
| PARCEL ACREAGE             | Approximately 0.426 acres   |
| LOCATION                   | South of Catron Boulevard between Bendt Drive and Nugget Gulch Road   |
| EXISTING ZONING            | Low Density Residential District (Planned Development Designation)  |

STAFF REPORT  
May 8, 2008

---

**No. 08CA005 - Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development**

---

**ITEM 8**

**SURROUNDING ZONING**

|        |  |
|--------|--|
| North: | General Commercial District (Planned Commercial Development)       |
| South: | Low Density Residential District (Planned Development Designation) |
| East:  | Low Density Residential District (Planned Development Designation) |
| West:  | General Commercial District (Planned Development Designation)      |

**PUBLIC UTILITIES** City water and sewer

**DATE OF APPLICATION** 4/1/2008

**REVIEWED BY** Travis Tegethoff / Mary Bosworth

**RECOMMENDATION:**

**The Future Land Use Committee recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development be approved.**

**GENERAL COMMENTS: (Update: April 28, 2008. All revised and/or added text is shown in bold.) This item was continued to the May 8, 2008 Planning Commission meeting to allow the legal notification requirement to be met.** The applicant has submitted this Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development. This undeveloped property contains approximately 0.426 acres and is located southeast of the intersection of Catron Boulevard and Bendt Drive. In addition, the applicant has submitted a Rezoning request (#08RZ006) to change the zoning designation of the property from Low Density Residential District to Office Commercial District. Land located south and east of the property is zoned Low Density Residential District with a Planned Development Designation. Land located north and west of the property is zoned General Commercial District with a Planned Development Designation. The US Highway 16 Neighborhood Area Future Land Use Plan indicates that this property is appropriate for a Planned Residential Development with 4.8 dwelling units per acre.

**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 REPORT  
May 8, 2008

---

**No. 08CA005 - Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development**

---

**ITEM 8**

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. 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 Commercial Development will serve as a tool to address the issues such as water, sewer, traffic and drainage concerns specific to the property. The Future Land Use Committee has found that the proposed change is consistent with the policies and overall intent of the adopted Comprehensive Plan.

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

Staff is unaware of any changing conditions.

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

The Office Commercial Zoning District is intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. The property in question is a transitional area between the general commercial development to the west and the low density residential development to the east and south. The property's location is in a relatively close proximity to a principal arterial street and appears to support the proposed Office Commercial zoning. The Future Land Use Committee determined that the proposed amendment is compatible with the surrounding properties based on the protections provided by the Planned Commercial Development.

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 property and is classified as a principal arterial street on the City's Major Street Plan. The Major Street Plan identifies Bendt

STAFF REPORT  
May 8, 2008

---

**No. 08CA005 - Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development** **ITEM 8**

---

Drive as a sub-collector street which will extend adjacent to the property. Allowing commercial use(s) along a sub-collector street is in compliance with the Major Street Plan. As a part of the platting of the property, infrastructure has been constructed to serve the development of the property. As such, the proposed amendment does not appear to have a significant adverse effect on the surrounding properties. In addition, the Initial and Final Planned Commercial Development will serve as a tool to mitigate any potential negative impacts the commercial 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 Office Commercial land uses with a Planned Development would provide a buffer between the commercial development to the west and to the adjacent residential land uses in the vicinity and a logical and orderly development pattern. The topographic conditions of the site, including the rock outcroppings to the east and south provide a significant buffer to the adjacent areas and physically separate the property from the adjacent areas. The Future Land Use Committee found that the 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.*

The property in question is located in a transitional area between the General Commercial zoning to the west and the Low Density zoning to the south and east. The topographic conditions of the site, including the rock outcroppings to the east and south provide a significant buffer to the adjacent areas and physically separate the property from the adjacent areas. A Planned Development Designation was submitted and approved for the property. The additional review provided by an Initial and Final Planned Commercial Development process will ensure that possible adverse impacts of development are mitigated. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City with the protections provided by the Initial and Final Planned Commercial Development.

**Notification:** 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.

The Future Land Use Committee considered this request and recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from a Planned Residential Development with 4.8 dwelling units per acre to Office Commercial with a Planned Commercial Development be approved.