

STAFF REPORT
December 4, 2008

No. 08CA038 - Amendment to the Adopted Comprehensive Plan to change the Future Land Use designation from a Planned Residential Development with one dwelling unit per acre to General Commercial with a Planned Commercial Development

ITEM 7

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Saint Patrick, LLC
REQUEST	No. 08CA038 - Amendment to the Adopted Comprehensive Plan to change the Future Land Use designation from a Planned Residential Development with one dwelling unit per acre to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Tract AR2 of Needles Subdivision, Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.76 acres
LOCATION	1700 Catron Boulevard
EXISTING ZONING	Low Density Residential District (Planned Residential Development)
SURROUNDING ZONING	
North:	Low Density Residential District (Planned Residential Development) - Medium Density Residential District (Planned Residential Development)
South:	General Commercial District (Planned Commercial Development) - Medium Density Residential District (Planned Residential Development)
East:	Low Density Residential District (Planned Residential Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/10/2008
REVIEWED BY	Karen Bulman / Ted Johnson

RECOMMENDATION: The Future Land Use Committee recommends that the Amendment to

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the Adopted Comprehensive Plan to change the future land use designation from Planned Residential Development with one dwelling unit per acre to General Commercial with a Planned Commercial Development be approved for the following revised legal description:

Commencing at northwesterly corner of Tract AR2 of Needles Subdivision, common to the northeasterly corner of Tract B of Needles Subdivision, and common to the southwesterly corner of Tract A of Tucker Subdivision, and the point of beginning.

Thence, first course: N89°56'00"E, along the northerly boundary of said Tract AR2, common to the southerly boundary of said Tract A, a distance of 331.61 feet, to the southeasterly corner of said Tract A;

Thence, second course: S62°44'53"E, a distance of 593.67 feet, to a point on the southerly boundary of said Tract AR2, common to a point on the northerly edge of Catron Boulevard right-of-way;

Thence, third course: southwesterly, curving to the right, along the southerly boundary of said Tract AR2, common to the northerly edge of said Catron Boulevard right-of-way, on a curve with a radius of 743.51 feet, a delta angle of 74°57'16", a length of 972.66 feet, a chord bearing of S59°59'16"W, and chord distance of 904.77 feet;

Thence, fourth course: N82°32'06"W, along the southerly boundary of said Tract AR2, common to the northerly edge of said Catron Boulevard right-of-way, a distance of 79.87 feet, to the southwesterly corner of said Tract AR2, common to the southeasterly corner of said Tract B;

Thence, fifth course: N00°15'46"E, along the westerly boundary of said Tract AR2, common to the easterly boundary of said Tract B, a distance of 713.64 feet, to the northwesterly corner of said Tract AR2, common to the northeasterly corner of said Tract B, and common to the southwesterly corner of said Tract A, and the point of beginning.

GENERAL COMMENTS: (Update, November 12, 2008. All revised and/or added text is shown in bold print.) This item was to be heard at the November 6, 2008 Planning Commission Meeting. However, due to inclement weather, the Planning Commission was unable to meet. Staff is recommending that this item be approved with the legal description as noted above. This property contains approximately 12.76 acres and is located at 1700 Catron Boulevard east of U.S. Highway 16. The property is currently zoned Low Density Residential District with a Planned Residential Development. Land located north of the property is zoned Low Density Residential District with a Planned Residential Development and Medium Density Residential District with a Planned Residential Development. Land located south of the property is zoned General Commercial District with a Planned Commercial Development and Medium Density Residential District with a Planned Residential Development. Land located east of the property is zoned Low Density Residential District with a Planned Residential Development. Land located west of the

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property is zoned General Commercial District with a Planned Commercial Development. Until recently, the property was developed for residential use. The residence has since been removed and the land is in the process of being cleared.

The Highway 16 Future Land Use Plan indicates that this property is appropriate for Planned Residential Development with one dwelling unit per acre land use. An application to rezone the property from Low Density Residential District to General Commercial District (#08RZ042) has been submitted in conjunction with this Comprehensive Plan Amendment. A Planned Development Designation (#01PD057) is in place on the property and will remain with any change in zoning. In addition, the applicant has submitted a Comprehensive Plan Amendment for adjacent property to change the land use designation from Planned Residential Development with one dwelling unit per acre to General Commercial with a Planned Commercial Development (#08CA039) and an application to rezone adjacent property from Low Density Residential District to General Commercial District (#08RZ043).

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 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's 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. This property is adjacent to General Commercial zoning to the west and south. Catron Boulevard, a principal arterial on the City's Major Street Plan, is located adjacent to the property. City water is located in Catron Blvd adjacent to the property and will be extended to serve the area. City sewer services exist in Catron Boulevard with limited capacity available today. However, a proposed sewer main is projected to be constructed along Catron Boulevard from US Highway 16 to Fifth Street to allow increased capacity for future development. The South Dakota Department of Transportation has proposed to widen Catron Boulevard in the near future including a proposed signalized intersection adjacent to the property.

Another goal 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

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community's established neighborhoods. The objective is to protect stable neighborhoods, prevent encroachment by incompatible commercial uses and maintain suitable buffers between low density residential areas and more intensive nonresidential uses. The Future Land Use Committee indicated that the northeast portion of the property was located adjacent to a residentially developed area and as such, indicated that this portion of the property was not appropriate for General Commercial land uses. The applicant has agreed to this change in the request and has submitted a revised legal description to remove this portion of the property from the request. This will reduce the amount of land requesting rezoning from 12.76 acres to 10.765 acres.

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

There is no proposed change at this time to warrant the additional commercial activity in the area. This property is currently zoned Low Density Residential District with a Planned Residential Development. An application to change the zoning from Low Density Residential District to General Commercial District (#08RZ042) has been submitted in conjunction with this application. This property is located adjacent to General Commercial property to the west and to the south.

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

This property is located adjacent to an area that supports general commercial land uses. Land located west and south of the property is zoned General Commercial District with a Planned Commercial Development. Land located north of the property is zoned Low Density Residential District with a Planned Residential Development. Land located east of the property is zoned Medium Density Residential District with a Planned Residential Development. Catron Boulevard is proposed to be widened with a signalized intersection adjacent to this property to accommodate commercial activity located south and west of the property. The proposed amendment to change the land use from Planned Residential Development with one dwelling unit per acre to General Commercial with a Planned Commercial Development on a portion of the property appears to be compatible with the commercial uses adjacent to the property.

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

Residential structures were located on the property, but are currently being cleared for future development. Catron Boulevard, a principal arterial street on the City's Major Street Plan is located adjacent and south of the property. High density usage may have significant impact on traffic flow and the level of service of the existing street. The South Dakota Department of Transportation has included widening Catron Boulevard on their future construction calendar for the year 2012. City water and sewer will be extended in

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conjunction with any future development. Care will need to be taken to coordinate the timing of any development of the property with the construction of the required infrastructure. The Planned Development Designation should provide the tool to insure such coordination occurs.

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

The proposed amendment will allow the continuation of in-fill development within the City. The existing and future commercial development in the area and the existence of infrastructure adjacent to the property indicate that the proposed change would 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.*

Sanitary sewer service is adjacent to the property and adequate water is available through an extension of City services from the adjacent property. The road network is located adjacent to the property. As previously stated, the South Dakota Department of Transportation has included widening Catron Boulevard on their future construction calendar for the year 2012. Care will need to be taken to coordinate the timing of any development of the property with the construction of the required infrastructure. The Planned Commercial Development should provide the tool to insure such coordination occurs as well as help to mitigate any negative effects the development may have on future land uses in the area. By revising the legal description and removing a portion of the property from the rezoning request, the Future Land Use Committee 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.

The Future Land Use Committee recommends that the Amendment to the Comprehensive Plan to change the land use designation from Planned Residential Development with one dwelling unit per acre to General Commercial with a Planned Commercial Development for the revised legal description be approved.

Notification Requirement: City staff mailed new notification letters to the surrounding property owners as required notifying them of the change in hearing date and republished the public hearing notice. As of this writing, staff has not received any calls of inquiry regarding this item.

STAFF REPORT
November 6, 2008

No. «Filenumber» - «Action»

ITEM
