

STAFF REPORT
November 5, 2009

No. 09CA027 - Amendment to the adopted Comprehensive Plan to change the land use designation from Public to Low Density Residential

ITEM 14

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Linda and Dwight Peterson
REQUEST	No. 09CA027 - Amendment to the adopted Comprehensive Plan to change the land use designation from Public to Low Density Residential
EXISTING LEGAL DESCRIPTION	Lot A of Lot 5, Lot 7 and a portion of Lots 5 and 6 of the SW1/4 NW1/4, all located in Section 9, T1N, R8E, BHM, Rapid City, Pennington
PARCEL ACREAGE	Approximately 10.10 acres
LOCATION	2819 and 2826 Garden Lane
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	No Use District
East:	Suburban Residential District (Pennington County)
West:	No Use District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	10/9/2009
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Amendment to the adopted Comprehensive Plan to change the land use designation from Public to Low Density Residential be approved.

GENERAL COMMENTS: This developed property contains approximately 10.10 acres and is located east of South Valley Drive and south of S.D. Highway 44. The property was annexed into the City limits (#08AN011) effective June 4, 2009 and subsequently zoned No Use District. Land located north and east of the property is zoned Suburban Residential District by Pennington County. Land located west and south of the property is zoned No Use District.

The Southeast Connector Neighborhood Future Land Use Plan currently identifies the future

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use of the property as appropriate for Public land uses. An application to rezone the property from No Use District to Low Density Residential District (#09RZ047) has been submitted in conjunction with this application.

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.*

A 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 community's established neighborhoods. The objective is to protect stable neighborhoods, prevent encroachment by incompatible industrial and commercial uses and maintain suitable buffers between low density residential areas and more intensive nonresidential uses. The property is currently developed for three single family residential uses. Residential structures are located south and west of the property. Surrounding undeveloped property located north and east of the property are zoned Suburban Residential District by Pennington County. The Future Land Use Committee indicated that this property was appropriate for Low Density Residential land uses and meets the overall intent of the comprehensive plan.

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

The Southeast Connector Neighborhood Future Land Use Plan currently identifies the use of the property as appropriate for Public land uses. Prior to annexation, the property was zoned Suburban Residential District by Pennington County. The property is currently developed for residential land uses. The Future Land Use Committee indicated that the current land use plan does not accurately identify the land use for this property. As such, this condition warrants the proposed comprehensive change in land use from Public to Low Density Residential. In addition to this Comprehensive Plan Amendment, the City has submitted a rezoning request from No Use District to Low Density Residential District (#09RZ047).

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

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This property is located adjacent to an area that supports residential land uses. Land located north and east of the property is zoned Suburban Residential District by Pennington County. Land located west and south of the property is zoned No Use District but is the location of residential structures. The Southeast Connector Neighborhood Future Land Use Plan indicates that Low Density Residential land uses are appropriate for the adjacent properties to the south and west. The proposed amendment to change the land use from Public to Low Density Residential appears to be compatible with the residential uses located 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, garages and outbuildings are located on the property. The property is located within the Rapid Valley Sanitary District. Garden Lane is located south of the property and South Valley Drive, a principal arterial street, is located west of the property. The residential uses on the property will not adversely affect the surrounding area or the adjacent residential neighborhood.

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

As previously noted this property is located east of South Valley Drive and is adjacent to property identified as Low Density Residential on the Southeast Connector Neighborhood Future Land Use Plan. The Future Land Use Committee found that the proposed change is compatible with the adjacent properties and 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 Future Land Use Committee has identified that residential land uses adjacent to a residential area will continue to preserve the character of the established neighborhood and will not have significant adverse effects on the surrounding area or on the City.

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 November 5, 2009 Planning Commission meeting if this requirement has not been met. At the time of this writing, staff has not received any calls or comments regarding this request.

The Future Land Use Committee recommends that the Amendment to the Comprehensive Plan to change the land use designation from Public to Low Density Residential be approved.