

STAFF REPORT
June 10, 2010

No. 10CA013 - Amendment to the Adopted Comprehensive Plan to change the future land use designation from Medium Density Residential to General Commercial with a Planned Commercial Development

ITEM 4

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Mollers Limited Partnership
REQUEST	No. 10CA013 - Amendment to the Adopted Comprehensive Plan to change the future land use designation from Medium Density Residential to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	A portion of Tract B of the SE¼ of the SW¼, a portion of the S½ of vacated St. Louis Street right-of-way, and a portion of the east 10 feet of vacated Racine Street right-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the southeasterly corner of Tract B of the SE ¼ of the SW ¼ of Section 31, T2N, R8E, BHM, and the point of beginning, Thence first course curving to the left, along, on a curve with a radius of 354.60 feet, a delta angle of 62°52'17", a length of 389.11 feet, a chord bearing of N56°16'05"W, and chord distance of 369.88 feet; Thence second course: N90°00'00"W, a distance of 142.94 feet; Thence third course: N00°02'43"E, a distance of 128.60 feet; Thence fourth course: S89°30'42"E, a distance of 449.43 feet; Thence fifth course: S00°10'47"W, along the easterly boundary of said Tract B, a distance of 330.17feet to the point of beginning
PARCEL ACREAGE	Approximately 1.732 acres
LOCATION	North of East Omaha Street between Racine Street and LaCrosse Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Commercial District
East:	Medium Density Residential District
West:	Medium Density Residential District

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PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/30/2010
REVIEWED BY	Patsy Horton / Ted Johnson

RECOMMENDATION: The Future Land Use Committee recommends that the Amendment to the adopted Comprehensive Plan to change the future land use designation from Medium Density Residential to Office Commercial with a Planned Commercial Development be **approved**.

GENERAL COMMENTS: (Updated June 2, 2010. All revised and/or added text is shown in bold print.) This item was continued to the June 10, 2010 Planning Commission meeting to allow the required publication to be corrected to reflect the correct existing zoning designation.

This property was zoned Medium Density Residential District in 1968. This undeveloped property contains 1.732 acres and is located approximately 410 feet north of East Omaha Street between LaCrosse Street and Racine Street. The property is currently void of any structural development. In addition to this Amendment to the Comprehensive Plan, the applicant has submitted a Rezoning application (#10RZ034) to change the parcel from Medium Density Residential District to General Commercial District.

The applicant has also submitted an associated Comprehensive Plan Amendment application (#10CA014) to change the land use designation on the adjacent parcel to the south from Mobile Home Park to General Commercial with a Planned Commercial Development. The Rezoning application (#10RZ034) includes the property in this Amendment application plus the adjacent portion to the south.

The applicant has also submitted an associated Comprehensive Plan Amendment application for the adjoining property to the west to change the land use designation from Medium Density Residential and Mobile Home Park to Office Commercial with a Planned Commercial Development (#10CA015 and #10CA016). The companion Rezoning application (#10RZ035) proposes to change the zoning from Medium Density Residential District to Office Commercial District.

The applicant has also submitted a Preliminary Plat application (#10PL027) to realign the parcel lot lines and previously vacated right-of-way into two lots. Additionally, the applicant has submitted an application for a Vacation of Right-of-Way (#10VR002) to vacate approximately 253 feet of the Racine Street Right-of-way, located north of Omaha Street and west of LaCrosse Street. The right-of-way to be vacated extends north to south between Waterloo Street and LaCrosse Street, approximately 270 feet

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north of Omaha Street.

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.

On May 20, 2010, the Future Land Use Committee 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 encourage compact and contiguous growth that is linked to both the levels of demand in the market and to the orderly extension and efficient use of public improvements, infrastructure and services. The objective is to encourage in-fill and full utilization of properties currently served by, or in close proximity to, infrastructure. The Future Land Use Committee identified that this vacant property is located adjacent to residential land uses. The natural terrain would buffer the proposed heavier commercial uses from the adjacent residential uses and encourage in-fill development. The Future Land Use Committee indicated that the proposed change to general commercial land uses with a planned commercial development would help provide a buffer between the two land uses thus meeting 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 North Rapid Neighborhood Future Land Use Plan identifies the property as appropriate for residential land uses. The property is adjacent to commercial uses to the east. The remaining adjacent properties are void of development. Numerous mobile homes were removed from the property approximately four years ago and the property has been vacant since. The Future Land Use Committee cited the need for infill development as the condition warranting the proposed change.

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 near areas that support both residential and commercial

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land uses. Land located north, east and west of the property is zoned Medium Density Residential District. Land located south of the property is zoned General Commercial District. The proposed Planned Commercial Development overlay will help mitigate any significant negative impacts between the residential uses to the north and the proposed commercial uses. An Initial and Final Planned Commercial Development will be needed for any expansion or change in use on the property.

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

The property included in the proposed change is currently vacant. LaCrosse Street, a principal arterial street, is located adjacent to the property on the east. The Future Land Use Committee found that general commercial uses on the property would potentially create traffic concerns on Omaha Street based on access onto Omaha Street at Racine Street, but those concerns could be addressed at the time a specific development proposal was submitted.

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

The Future Land Use Committee found that the general commercial uses would impact the adjacent land uses; however, the planned development overlay could mitigate negative impacts. The proposed amendment to allow general commercial land uses on this property could enhance the neighborhood, including the single family homes located within close proximity to the property, through the redevelopment of the property. The Future Land Use Committee found the proposed change will result in a logical and orderly development pattern especially with a planned development designation to serve as a tool to ensure compatibility between the 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 Future Land Use Committee has identified that general commercial land uses when utilizing the planned development overlay can be buffered from the adjacent residential area and would not have significant adverse effects on the surrounding area, the adjacent residential uses, and on the City. The applicant has indicated that a Planned Development Designation is appropriate for the property, and the Future Land Use Committee determined that the potential adverse effects to the residential uses to the north could be mitigated with the planned commercial development overlay.

The required sign has been posted on the property. The receipts from the certified

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mailing have not yet been returned. Staff will notify the Planning Commission at the June 10, 2010 Planning Commission meeting if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

The Comprehensive Plan identifies the property as appropriate for medium density residential land uses. On May 20, 2010, the Future Land Use Committee met to review the proposal. The Committee recommended approval of an Amendment to the Comprehensive Plan to change the land use on the property from Medium Density Residential to General Commercial with a Planned Commercial Development. Designating a planned development will ensure that the potential commercial land uses are compatible with adjacent residential land uses in the area.