

STAFF REPORT

July 7, 2011

No. 11CA006 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial with a Planned Commercial Development to Medium Density Residential with a Planned Residential Development

ITEM 4

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	SSST, LLC
REQUEST	No. 11CA006 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial with a Planned Commercial Development to Medium Density Residential with a Planned Residential Development
EXISTING LEGAL DESCRIPTION	A portion of the SW ¹ / ₄ of the SW ¹ / ₄ of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the southwesterly corner of Section 16, T1N, R8E, thence, N69°10'45"E, a distance of 1416.06 feet, to a point on the northerly edge of East Minnesota Street right-of-way, and the point of beginning; Thence, first course: N45°27'18"W, along the northerly edge of said East Minnesota Street right-of-way, a distance of 522.14 feet; Thence, second course: northwesterly, along the northerly edge of said East Minnesota Street right-of-way, curving to the left, on a curve with a radius of 3050.00 feet, a delta angle of 07°24'33", a length of 394.41 feet, a chord bearing of N49°09'35"W, and chord distance of 394.14 feet; Thence, third course: N52°51'51"W, along the northerly edge of said East Minnesota Street right-of-way, a distance of 72.61 feet; Thence, fourth course: N07°51'51"W, along the northerly edge of said East Minnesota Street right-of-way, a distance of 35.36 feet, to the easterly edge of Marlin Drive right-of-way; Thence, fifth course: N37°08'09"E, along the easterly edge of said Marlin Drive right-of-way, a distance of 143.34 feet, to a point on the east-west section 1/16th line; Thence, sixth course: S89°56'57"E, along the east-west section 1/16th line, a distance of 647.74 feet, to the SW 1/16th corner of said Section 16; Thence, seventh course: S00°05'15"W, along the north-south section 1/16th line, a distance of 816.57 feet, to the point of beginning
PARCEL ACREAGE	Approximately 7.718 acres

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LOCATION	East corner of Marlin Drive and East Minnesota Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	General Commercial District (Planned Commercial Development)
East:	Medium Density Residential District (Planned Residential Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/14/2011
REVIEWED BY	Kip Harrington/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 General Commercial with a Planned Commercial Development to Medium Density Residential with a Planned Residential Development be approved.

GENERAL COMMENTS: The vacant property is 7.718 acres located at the east corner of East Minnesota Street and Marlin Drive. The property was annexed into the city limits effective April 4, 1988, and zoned General Agriculture. Land located to the south and west has been zoned General Commercial District. Land located to the north and east is zoned Medium Density Residential District. The adjacent properties are currently vacant.

The Southeast Connector Neighborhood Future Land Use Plan identifies the future use of the property as appropriate for General Commercial. The Future Land Use Committee indicated that a land use designation consistent with the existing residential uses adjacent to the property more accurately reflects the intent of the adopted goals identified in the 2008 Plan Overview.

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 plan to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be

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required.

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 the 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 maintain a commitment to neighborhoods by implementing appropriate policies that preserve and improve the quality and character of the community's established neighborhoods. Amending the Comprehensive Plan will help protect the existing stable residential neighborhood north and east of the vacant property by preventing encroachment from adjacent future commercial developments. The proposed change from General Commercial with a Planned Commercial Development to Medium Density Residential with a Planned Residential Development is consistent with the intent of the neighborhood preservation goal within 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 identifies the future use of the property as appropriate for General Commercial land uses. The property is currently vacant with single family residential land uses to the north and east of the property. The access to the property is by East Minnesota Street and Marlin Drive, which extends past the residential homes. The Future Land Use Committee supports the change in the Future Land Use Designation.

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

The property is located adjacent to vacant land. However, the property is bounded on the south and west by roads, separating the commercial uses from the residential uses. The proposed change from General Commercial with a Planned Commercial Development to Medium Density Residential with a Planned Residential Development will provide a buffer between the proposed commercial uses to the south and west and the established single family homes to the north and east of the property. The proposed amendment to change the land use from General Commercial with a Planned Commercial Development to Medium Density Residential with a Planned Residential Development appears to be compatible with the vacant property and the proposed uses on the adjacent properties.

4. *Whether and the extent to which the proposed amendment would adversely affect the*

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environment, services, facilities, and transportation.

The property is currently vacant. The property is served with water and sanitary sewer service through the City of Rapid City. East Minnesota Street and Marlin Drive provide access to the property. The proposed amendment would not appear to result in any significant effects on the surrounding properties.

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 preservation of the community's established neighborhoods. Amending the Comprehensive Plan will help protect the existing neighborhood by preventing encroachment from adjacent commercial 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 property is served with water and sanitary sewer service through the City of Rapid City. The Future Land Use Committee has not identified any significant adverse impacts that the Comprehensive Plan Amendment would have on the surrounding area or on the City.

The required sign has been posted on the property. The white receipts and green cards from the certified mailings have not been submitted to the Growth Management staff. Staff has not received any inquiries regarding the proposed amendment.

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