

STAFF REPORT

January 4, 2001

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**CPA #00CA015 - Amendment to the Elk Vale Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 2.5 acre parcel from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential**

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**ITEM 3**

GENERAL INFORMATION:

PETITIONER	Dream Design International for Doyle Estes
REQUEST	<b>CPA #00CA015 - Amendment to the Elk Vale Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 2.5 acre parcel from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential</b>
LEGAL DESCRIPTION	A tract of land located in the SW1/4 of the NW1/4 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the SW1/4 of the NW1/4 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota; Thence, southwesterly to the northeast corner of Tract A of Neff's Subdivision No. 4; Thence, westerly along the north line of Tract A of Neff's Subdivision No. 4, a distance of 164.98 feet, more or less, to a northwesterly corner of said Tract A; Thence N00° 19'35" E, a distance of 346.97 feet, more or less, to a point on the north line of the SW1/4 of the NW1/4 of the SW1/4 of said Section 3; Thence, easterly along the north line of the SW1/4 of the NW1/4 of the SW1/4 of said Section 3, to the point of beginning. Said tract of land contains 2.5 acres, more or less
PARCEL ACREAGE	Approximately 2.5 Acres
LOCATION	At the northern terminus of Race Track Road
EXISTING ZONING	Limited Agriculture District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Suburban Residential District (County)

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East:	Suburban Residential District (County)
West:	No Use District (City)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

**RECOMMENDATION:** Staff recommends that the Amendment to the Elk Vale Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 2.5 acre parcel from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential be approved.

**GENERAL COMMENTS:** The subject property is located approximately 340 feet east of the northern most terminus of Jolly Lane (previously known as Race Track Road). The applicant is seeking to change the future land use designation from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential District. The property is located in Pennington County, outside of the City limits of Rapid City, and is currently zoned Suburban Residential District. The subject property is currently void of any structural development.

On December 4, 2000, the City Council approved an amendment to the Elk Vale Neighborhood Area Future Land Use Plan on the property located directly west of the subject property. The Comprehensive Plan Amendment changed the future land use designation from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential. The Comprehensive Plan Amendment was approved with the stipulation that, prior to City Council approval, a Comprehensive Plan Amendment request be submitted on the subject property as currently being proposed. In addition, the City Council approved a Petition for Annexation, a rezoning request to change the zoning from No Use District to Low Density Residential District with a Planned Development Designation and a Layout Plat to subdivide the adjacent property into two lots.

**STAFF REVIEW:** The Elk Vale Neighborhood Area Future Land Use Plan is a framework within which development and rezoning proposals can be measured and evaluated. The Plan is intended to guide the orderly growth of the community. The Future Land Use Committee anticipates that 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.

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The properties to the north, east and south are located in Pennington County, outside of the City limits of Rapid City. The property to the north is currently zoned Limited Agriculture District and the properties to the east and south are currently zoned Suburban Residential District. The applicant has submitted a Master Plan of the subject property and of additional acreage located directly west of the subject property. The Master Plan identifies residential development along East 39<sup>th</sup> Street with additional residential development at the western terminus of Sweetbriar Street and Avenue A. The balance of the property located between the two areas of residential development is identified as a "drainage easement". The applicant has indicated that the drainage concerns associated with the subject property result in the property being more conducive to limited residential development in lieu of commercial development. Staff concurs that the proposed use of the property would likely promote development which will be compatible with the adjacent residential neighborhood and the Heartland Express as well as the limitations presented by the drainage channel located on the property.

Staff notes that Comprehensive Plan Amendments do not require direct notification of neighboring property owners; however, South Dakota Codified Law requires that plan amendments be advertised in a local newspaper. Planning staff will inform the Planning Commission at their January 4, 2001 meeting if this requirement has not been met.