

STAFF REPORT

February 19, 2004

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**No. 03CA041 - Amendment to the Comprehensive Plan to change the future land use designation on a 1.792 acre parcel of land from Park Forest to Medium Density Residential with a Planned Residential Development**

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**ITEM 11**

GENERAL INFORMATION:

PETITIONER

Franklin Simpson

REQUEST

**No. 03CA041 - Amendment to the Comprehensive Plan to change the future land use designation on a 1.792 acre parcel of land from Park Forest to Medium Density Residential with a Planned Residential Development**

EXISTING  
LEGAL DESCRIPTION

A parcel of land described by metes and bounds as beginning at the southwesterly corner of Tract H of the Wesleyan Christian Center, Thence first course: N76°34'25"E a distance of 263.55 feet to the SE corner of said Tract H; Thence second course: N69°06'06"E a distance of 98.75 feet to the westerly right-of-way line of Sunny Springs Road; Thence third course: S17°49'19"E a distance of 195.45 feet to an angle point of Sunny Springs Road right-of-way; Thence fourth course: S27°11'30"W a distance of 14.14 feet to the north right-of-way line of Harmony Heights Lane; Thence fifth course: S72°12'18"W a distance of 256.21 feet to a point of curvature on the north line of Harmony Heights Lane; Thence sixth course: along an arc to the right, which radius is 170.00 feet an arc distance of 110.36 feet to a point of tangency on the north line of Harmony Heights Lane; Thence seventh course: N70°21'42"W a distance of 53.48 feet to the east right-of-way line of Plaza Boulevard; Thence eighth course: along the east right-of-way line of Plaza Boulevard, on an arc to the left, which radius is 333.35 feet an arc distance of 162.41 feet, and the chord bearing of N00°31'03"E a distance of 160.81 feet, to the point of beginning, said parcel of land containing 1.792 acres more or less, all lying in the NE1/4 SE1/4 of Section 27 and in the NW1/4 SW1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE

Approximately 1.792 acres

LOCATION

Along Harmony Heights Lane

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EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	Office Commercial District
South:	General Agriculture District
East:	Medium Density Residential District
West:	Office Commercial District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	11/07/2003
REPORT BY	Karen Bulman

**RECOMMENDATION:** Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation on a 1.792 acre parcel of land from Park Forest to Medium Density Residential with a Planned Residential Development be **denied without prejudice**.

**GENERAL COMMENTS:** **This item was continued at the December 4, 2003 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of February 9, 2004. All added and/or revised text is shown in bold print.** The property is located at the northeast corner of Plaza Boulevard and Harmony Heights Lane and is currently zoned General Agriculture District. Sunny Springs Road is located adjacent to the east boundary of the property. The properties located north and west of the subject property are zoned Office Commercial District. The property located to the east is zoned Medium Density Residential District. The property located to the south is zoned General Agriculture District. An application for a Planned Development Designation (03PD058), a Rezoning from General Agriculture District to Medium Density Residential District (03RZ049) and a Preliminary and Final Plat (03PL112) have been submitted in conjunction with this Amendment to the Comprehensive Plan.

**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 Comprehensive Plan identifies the subject property and surrounding properties as appropriate for Park Forest land use(s). The subject property is currently void of development. The properties east of the subject property are used for multi-family residential uses. The properties north and west of the subject property are used for office commercial uses. Changing the Comprehensive Plan from Park Forest to either Medium

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Density Residential or Office Commercial would be appropriate based on the uses of adjacent properties. There have been several apartment complexes constructed east of the subject property, all taking access from Harmony Heights Lane. Staff has concerns over drainage and the potential impacts of additional residential units in the area. The Planned Development Designation will address concerns over intensity of use and drainage issues.

Staff recommends the Amendment to the Comprehensive Plan to change the land use designation from Park Forest to Medium Density Residential with a Planned Residential Development be continued to the February 19, 2004 Planning Commission meeting to be considered in conjunction with the Preliminary and Final Plat.

As of this writing, the sign has been posted on the property, and the receipts from the certified mailing have been returned. Staff has received one inquiry but no objections regarding this request.

**This item has been continued several times since the December 4, 2003 Planning Commission meeting. The additional information needed for the Preliminary and Final Plat application has not been submitted. As such, staff is recommending that the Preliminary and Final Plat be denied without prejudice. This application for an Amendment to the Comprehensive Plan was to be considered in conjunction with the Preliminary and Final Plat application, and as such, staff also recommends the Amendment to the Comprehensive Plan to change the land use designation from Park Forest to Medium Density Residential with a Planned Residential Development be denied without prejudice. The applicant has been notified that staff is recommending that this item be denied without prejudice. The applicant has indicated that he will submit subsequent applications once the plans needed for the Preliminary and Final Plat have been completed.**