

STAFF REPORT

March 4, 2004

**No. 04CA003 - Amendment to the Comprehensive Plan to change
the Major Street Plan by relocating a Collector Street**

ITEM 25

GENERAL INFORMATION:

PETITIONER

Sperlich Consulting, Inc. for 16 Plus, LLP

REQUEST

**No. 04CA003 - Amendment to the Comprehensive
Plan to change the Major Street Plan by relocating a
Collector Street**

EXISTING

LEGAL DESCRIPTION

A portion of Tract 2 of Pioneer Subdivision, and a portion of the W1/2 of the NE1/4 of Section 34, located in the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; More fully described as follows: Commencing at northwesterly corner of said Tract 2 of Pioneer Subdivision, common to a point on the southerly boundary of Lot 5 of Godfrey Addition, and the Point of Beginning; Thence, first course: N89°52'3"E, along the Section Line common to Sections 27 and 34, common with the northerly boundary of said Tract 2 of Pioneer Subdivision, and common with the southerly boundary of Lot 5 of Godfrey Addition, a distance of 48.99 feet; Thence, second course: southwesterly, curving to the left on a curve with a radius of 960.00 feet, a delta angle of 18°22'16", an arc length of 307.81 feet, a chord bearing of S09°23'33"W, and a chord distance of 306.49 feet, to a point of tangency; Thence, third course: S00°12'25"W, a distance of 108.82 feet; Thence, fourth course: S89°53'10"W, a distance of 80.00 feet; Thence, fifth course: N00°12'25"E, a distance of 109.26 feet; Thence, sixth course: northeasterly, curving to the right on a curve with a radius of 1040.00 feet, a delta angle of 16°53'09", an arc length of 306.50 feet, a chord bearing of N08°38'59"E, and a chord distance of 305.39 feet, to a point on the Section Line common to Sections 27 and 34, common with the southerly boundary of Lot 5 of Godfrey Addition; Thence, seventh course: N89°52'53"E, along the Section Line common to Sections 27 and 34, common with the southerly boundary of Lot 5 of Godfrey Addition, a distance of 35.10 feet to the northwesterly corner of said Tract 2 of Pioneer Subdivision, common to a point on the southerly boundary of Lot 5 of Godfrey Addition, and the Point of Beginning; said parcel 0.764 acres more or less

PROPOSED

LEGAL DESCRIPTION

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PARCEL ACREAGE	Approximately 0.764 acres
LOCATION	Northwest of U.S. Highway 16 and Moon Meadows Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Suburban Residential District/Highway Service (County)
South:	Public District
East:	General Commercial District
West:	Suburban Residential District (County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	02/06/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan to change the Major Street Plan by relocating a Collector Street be approved.

GENERAL COMMENTS:

The applicant has submitted a Comprehensive Plan Amendment to revise the Major Street Plan to relocate a future collector road on the above legally described property. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to improve the collector street and a section line highway as they abut the subject property. (See companion item #04SV004.)

On November 11, 2003, the applicant submitted a Layout, Preliminary and Final Plat to create a 12 acre lot leaving a 5.71 acre non-transferable balance located south of Moon Meadows Drive. On October 23 2003, the City Council approved the Layout Plat and continued the Preliminary and Final Plat to the February 16, 2004 City Council meeting to allow the applicant to submit additional information. On October 9, 2004, the Planning Commission denied a Variance to the Subdivision Regulations request to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement on the east-west section line highway and approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along U.S. Highway 16 with the stipulation that the applicant sign a waiver of right to protest any future assessment project for the improvements. To date the applicant has not signed the waiver of right to protest any future assessment project for the improvements form, and, as such, the City Council has continued the request to the February 16, 2004 City Council meeting. (See companion items #03PL094 and 03SV035.)

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The subject property is located approximately 1,300 feet north of the Moon Meadow Drive/U.S. 16 Highway intersection on the west side of U.S. Highway 16 and is currently void of any structural development.

STAFF REVIEW:

The Major Street Plan currently shows a north-south collector street located in the western half of the subject property. The applicant is proposing to relocate the collector street approximately 300 feet to the west to abut the west lot line of the subject property. On November 18, 2003, the City Council approved a Comprehensive Plan Amendment to the Major Street Plan relocating the collector street to the west lot line of Lot 3, Moon Ridge Subdivision located directly south of the subject property. Relocating the collector street as proposed will improve the alignment with the realigned collector street to the south. In addition, staff has noted that the topography within this area is less severe supporting that the road be relocated as identified. However, the applicant should be aware that relocating the collector street as proposed will require that right-of-way for the street be obtained from the adjacent property, under different ownership than the subject property, or the right-of-way must be dedicated solely from the subject property. Staff will continue to pursue amending the Major Street Plan to relocate the balance of the collector street to improve the alignment north of the subject property.

The applicant is aware that relocating the collector street as identified will require that right-of-way be granted and that the street be improved to City Street Design Standards or that a Variance to the Subdivision Regulations be obtained.

In summary, staff recommends that the Comprehensive Plan Amendment to the Major Street Plan to relocate the collector street to the west lot line of the subject property be approved.