

STAFF REPORT
December 7, 2006

No. 06CA050 - Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Future Land Use Plan by changing the land use designation from Planned Residential Development with a maximum density of 1.5 dwelling units per acre to Low Density Residential with a Planned Residential Development

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GENERAL INFORMATION:

PETITIONER

Dream Design International, Inc.

REQUEST

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EXISTING
LEGAL DESCRIPTION

A parcel of land located in Government Lot 3 and the SE1/4 of the NW1/4, Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the northeast corner of said Lot 3, said point being coincident with the north one-quarter corner of said Section 4, T1N, R8E, BHM, Pennington County, South Dakota, said corner being marked by a brass cap; thence, southerly along the one-quarter section line, S00°05'16"E, a distance of 512.09 feet, more or less, to the point of beginning; thence, continuing southerly along the one-quarter section line, S00°05'16"E, a distance of 1914.86 feet, more or less, said point being marked by an iron pin; thence, continuing southerly along the one-quarter section line, S00°05'03"E, a distance of 246.18 feet, more or less to the center one-quarter corner of said Section 4, said point being marked by a rebar with a surveyor cap number 6565; thence, westerly along the one-quarter section line, S89°48'42"W, a distance of 1328.91 feet, more or less to the southwest corner of the SE1/4 NW1/4 of said Section 4, said point being marked by a rebar with a surveyor cap number 6565; thence, northerly along the one-sixteenth section line, N00°02'44"E, a distance of 1048.69 feet, more or less to the southwest corner of Lot A of the SE1/4 NW1/4 of said Section 4, T1N, R8E, BHM, Pennington County, South Dakota, as shown on the plat recorded in Plat Book 17 on Page 167, said point being marked by a 5/8 inch rebar; thence, easterly along the south line of said Lot A, N89°59'59"E, a distance of 145.15 feet, more or less to the southeast

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corner of said Lot A, said point being marked by a 5/8 inch rebar; thence, northerly along the east line of said Lot A, N00°02'52"E, a distance of 110.12 feet, more or less, to the northeast corner of said Lot A, said point being marked by a 5/8 inch rebar; thence, westerly along the north line of said Lot A, S89°53'30"W, a distance of 145.14 feet, more or less, to the northwest corner of said Lot A and the one-sixteenth section line, said point being marked by a 5/8 inch rebar; thence, northerly along the one-sixteenth section line N00°00'48"W, a distance of 995.00 feet, more or less; thence, N89°53'30"E, a distance of 151.98 feet, more or less; thence, curving to the right on a curve with a radius of 226.00 feet, an arc length of 2.79 feet, a delta of 00°42'26", and a chord bearing of S00°22'01"E with a chord distance of 2.79 feet; thence, S00°00'48"E, a distance of 181.83 feet, more or less; thence, N89°50'20"E, a distance of 968.82 feet, more or less; thence, N00°03'34"W, a distance of 108.52 feet, more or less; thence, curving to the right on a curve with a radius of 326.00 feet, an arc length of 85.64 feet, a delta of 15°03'07", and a chord bearing of N07°28'00"E with a chord distance of 85.40 feet; thence, N89°54'44"E, a distance of 193.07 feet, more or less, to the point of beginning

PARCEL ACREAGE	Approximately 61.13 acres
LOCATION	At the western terminus of East Anamosa Street
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Low Density Residential District
East:	Light Industrial District - Medium Density Residential District
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	Not Applicable
DATE OF APPLICATION	11/18/2006
REVIEWED BY	Rodney Proffitt / Todd Peckosh

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RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Future Land Use Plan by changing the land use designation from Planned Residential Development with a maximum density of 1.5 dwelling units per acre to Low Density Residential with a Planned Residential Development be approved.

GENERAL COMMENTS:

The subject property is not currently located within the City Limits of Rapid City. The property in question is located within the Elk Vale Neighborhood Future Land Use Plan Area. The future land use for the subject property is currently identified as Planned Residential Development with 1.5 dwelling units per acre. This request is to change the future land use designation to Low Density Residential District with a Planned Residential Development Designation.

The subject property is bounded on the north and west by property in unincorporated Pennington County, and zoned Limited Agriculture District. The property located south of the property in question is zoned Low Density Residential District, and the property located to the east is zoned Medium Density Residential District and Light Industrial District. The subject property was part of a previous application for an Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Future Land Use Plan to change the land use designation from Planned Residential Development with 1.5 dwelling units per acre to Low Density Residential (06CA042). The application was denied without prejudice at the request of the applicant.

This application is accompanied by another application, 06CA051, for an Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Future Land Use Plan by changing the land use designation from a Planned Residential Development with a maximum density of 1.5 dwelling units per acre to Medium Density Residential with a Planned Residential Development. In addition, the applicant has submitted additional applications now pending before the Planning Commission, including a request for a Layout Plat approval (06PL177), and a Subdivision Variance Request (06SV070).

STAFF REVIEW:

The adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The Comprehensive Plan is intended to guide orderly growth of the community. In order for the Comprehensive Plan to remain viable and on pace with a changing marketplace, periodic adjustments reflecting changed conditions will be required.

Staff has reviewed this proposed Comprehensive Plan Amendment for conformance with the six (6) criteria established in Section 2.60.160(D) of the Rapid City Municipal Code. A

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summary of Staff findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

The Elk Vale Neighborhood Future Land Use Plan identified this area as appropriate for Planned Residential Development with a maximum density of 1.5 dwelling units per acre. The applicant is requesting an amendment to allow the subject property to be developed as Medium Density Residential with a Planned Residential Development Designation. The density of development was based on a number of factors, including the topography of the subject property, compatibility with adjacent industrial uses, and the need for adequate infrastructure to be extended to serve this property. The Future Land Use Committee has indicated that increased density of development may be allowed when an applicant can demonstrate through a master plan that the density can be achieved in a manner sensitive to the topographic features of the land, with adequate infrastructure. The Major Street Plan provides for the extension of major arterials, and an extensive amount of planning for storm drainage, sewer and water has been completed. The proposed development appears to be consistent with 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 surrounding area is experiencing urban growth and development. The areas south and east of the subject property are built-out as residential development, while the area east of the subject property is being developed. Only the area north of the property remains undeveloped at the present time.

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

The density requested is compatible with nearby existing neighborhoods. With adequate infrastructure, the proposed densities appear to be appropriate. Staff believes that the Planned Development process is a very important component that will ensure that the land use is compatible with the development of the surrounding property.

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

As previously noted, the property in question may be appropriate for increased residential density. The Future Land Use Committee has supported those requests when a master plan has been submitted demonstrating that the land can support the proposed densities.

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

The proposed density of development appears to will result in a logical and orderly development pattern.

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 Staff has not identified any significant adverse effects that will result from the proposed amendment.

The required sign has been posted on the property, but the receipts from the certified mailing have not been returned at the time of this writing. The Staff will notify the Planning Commission if these requirements have not been met at the meeting on December 7, 2006. Staff has not received any inquires or objections as of this writing.

Staff recommends approval of the requested amendment to the Comprehensive Plan.