

STAFF REPORT  
September 20, 2007

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**No. 07CA039 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Agriculture to Low Density Residential II**

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**ITEM 23**

GENERAL INFORMATION:

APPLICANT	OS Development, Inc.
AGENT	Ted Schultz for CETEC Engineering
PROPERTY OWNER	GDS Investments, Inc.
REQUEST	<b>No. 07CA039 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Agriculture to Low Density Residential II</b>
EXISTING LEGAL DESCRIPTION	<p>A tract of land located in the NW1/4 NE1/4 of Section 27, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 27, said point being monumented with a rebar below the surface of the asphalt and having two reference monuments consisting of a brass cap and iron pipe, one bears N41°22'55"W 49.48 feet, the second bears N35°10'06"E 42.14 feet; Thence N34°57'40"W 2433.52 feet to the True Point of Beginning; Thence N39°20'03"E 215.75 feet to a point; Thence N45°00'00"E 192.27 feet to the beginning of a curve concave to the northwest and having a radius of 2000.00 feet; Thence along said curve a distance of 450.67 feet to a point; Thence N32°05'22"E 84.51 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 1200.00 feet and a chord bearing of N59°55'26"W; Thence along said curve a distance of 500.56 feet to a point; Thence S42°01'34"W 646.67 feet to the beginning of a curve concave to the southeast and having a radius of 480.00 feet; Thence along said curve a distance of 184.53 feet to a point; Thence S20°00'00"W 105.33 feet to the beginning of a non-tangent curve concave to the southwest having a radius of 1200.00 feet and a chord bearing of S58°54'00"E; Thence along said curve a distance of 464.96 feet to the True Point of Beginning, from which the Center 1/4 corner of said Section 27 bears S33°29'08"W a distance of 2270.05 feet, said point being monumented with a rebar and aluminum cap stamped C 1/4 LS 6014.</p>

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PARCEL ACREAGE	Approximately 10.73 acres
LOCATION	West of the intersection of Reservoir Road and Southside Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	No Use District
East:	No Use District
West:	No Use District
PUBLIC UTILITIES	To be Extended
DATE OF APPLICATION	8/10/2007
REVIEWED BY	Jonathan Smith / Todd Peckosh

RECOMMENDATION:

**Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Agriculture to Low Density Residential II be continued to the October 4, 2007 Planning Commission meeting to allow it to be considered in conjunction with the rezoning request and to allow the applicant time to submit additional information and revisions to the water system analysis for review and approval.**

GENERAL COMMENTS:

**(Update September 11, 2007. All revised text is shown in bold). On September 5, 2007 the applicant submitted for review and approval a water system analysis for the property to the Growth Management Department. Staff has noted that additional information and revisions to the water system analysis is needed for approval. Staff recommends that this item be continued to the October 4, 2007 Planning Commission meeting to allow the applicant time to submit additional information and revisions to the water system analysis for review and approval.**

The applicant has submitted a Comprehensive Plan Amendment to change the future land use designation from Agriculture to Low Density Residential II. The property consist of 10.73 acres and is located approximately 3,000 feet south of the intersection of South Dakota Highway 44 and Reservoir Road, on the west side of Reservoir Road. The property was annexed (#07AN002) into the City on April 16, 2007. A Layout Plat (#07PL047), which includes the property, was approved by Council on April 16, 2007. Currently the property is zoned No Use District and is void of any structural development. A request to rezone the property from No Use District to Low Density Residential District II (#07RZ061) has been filed in conjunction with this Comprehensive Plan Amendment request.

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The associated Layout Plat indicates that the proposed development identified as "Morningstar Subdivision" will consist of several land uses/zoning classifications including Neighborhood Commercial District, Low Density Residential District, Low Density Residential District II, Medium Density Residential District, and General Agriculture District. The Layout Plat identifies that 388 acres will be subdivided into 734 lots with 910 dwelling units.

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 Future Land Use Committee 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 Future Land Use Committee 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 preserve and enhance the existing economic base of Rapid City to achieve continued and well balanced economic development and employment opportunities. The applicant has submitted a Comprehensive Plan Amendment to change the future land use designation from Agriculture to Low Density Residential II. Currently the land use of the property is agriculture. As noted the property was recently annexed into the City. Upon annexation the property was rezoned No Use District. Since the property is located on the fringe of the urban area and is currently used for agricultural purposes, it likely will be undergoing urbanization in the future due to its location between the developed urban area of the City and the City's Water Reclamation Plant.

2. *Whether the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property.*

Currently, the property is unoccupied. The recent annexation of this property constitutes the changing conditions within the vicinity of the property. Additionally, the Prairiefire development southeast of the site resulted in the extension of sanitary sewer service in the area making it more feasible for utilities to be extended to this site and for the property to be developed.

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 agricultural land uses to the north, south, east, and west. As noted the property was recently annexed into the municipal boundaries of the City of Rapid City. As noted above, the Future Land Use Committee noted the changing conditions

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that are resulting in further urban development in the area.

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

The property is currently undeveloped. The Pennington County Highway Department staff has indicated that the proposed development will exceed the traffic capacity for Reservoir Road. As such staff is recommending that upon the submittal of a Preliminary Plat application the applicant submit a traffic analysis for review and approval.

Water and sewer services will need to be extended to the property as development occurs. Water supply is of particular concern to this development. The consultant is currently completing a water system analysis to determine if water can be provided from the line in South Dakota Highway 44 without negatively impacting the supply of water at the Rapid City Regional Airport. Staff recommends that this Comprehensive Plan Amendment request be continued to allow it to be considered in conjunction with the rezoning request.

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

The location of Low Density Residential II land uses at the intersection of an arterial and collector street would appear to result in a logical development of the property. Low Density Residential II development at this location, when proper buffering is provided and care is taken in the design and location of the buildings and vehicular access. The proposed land use at this location appears to be appropriate based on the long term development of the area. It should be noted that the actual rezoning of the property and resulting development will need to be closely coordinated with the extension of public utilities and roadway infrastructure to ensure that adequate services are available to support the development.

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.*

Changing the land use classification to Low Density Residential II will potentially increase traffic and noise and may put a burden on the local streets. The associated approved Layout Plat indicates that the proposed development identified as "Morningstar Subdivision" will consist of several land uses/zoning classifications including Neighborhood Commercial District, Low Density Residential District, Low Density Residential District II, Medium Density Residential District, and General Agriculture District. While the proposed land use classification appears to be appropriate for ultimate development of this site at build out, care will need to be taken to ensure that adequate infrastructure can be extended to the site at the time development occurs to ensure there are no adverse effects.

**LEGAL NOTIFICATION:**

The proper sign has been posted on the property. The green card receipts from the certified mailing have not been returned as of this writing. Staff will notify the Rapid City Planning

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Commission at its meeting on September 6, 2007 if the receipts have not been returned prior to the meeting. Staff has received no inquiries or objections concerning this Comprehensive Plan Amendment request.