

STAFF REPORT

April 10, 2008

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**No. 08CA001 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development**

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**ITEM 23**

GENERAL INFORMATION:

APPLICANT	Signature Homes, LLC
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Freeland Meadows, LLC
REQUEST	<b>No. 08CA001 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development</b>

EXISTING  
LEGAL DESCRIPTION

A portion of Government Lot 4, Section 18, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Section Corner common to Sections 13, 18, 19, and 24, and the point of beginning. Thence, first course: N00°07'57"E, a distance of 607.71 feet; Thence, second course: S89°45'23"E, a distance of 348.37 feet; Thence, third course: S45°18'29"E, a distance of 148.27 feet; Thence, fourth course: S41°57'10"E, a distance of 97.30 feet; Thence, fifth course: S60°00'17"E, a distance of 82.33 feet; Thence, sixth course: S74°07'50"E, a distance of 100.83 feet; Thence, seventh course: S89°41'41"E, a distance of 89.82 feet; Thence, eighth course: N85°07'42"E, a distance of 72.62 feet; Thence, ninth course: N74°29'46"E, a distance of 101.06 feet; Thence, tenth course: N56°32'29"E, a distance of 93.59 feet; Thence, eleventh course: S59°22'45"E, a distance of 105.77 feet; Thence, twelfth course: S89°45'23"E, a distance of 54.68 feet; Thence, thirteenth course: S00°14'37"W, a distance of 117.37 feet; Thence, fourteenth course: S89°45'23"E, a distance of 100.00 feet; Thence, fifteenth course: S00°14'37"W, a distance of 40.61 feet; Thence, sixteenth course: S89°37'07"E, a distance of 20.52 feet, to the northwesterly corner of Lot 1 of Mailloux Subdivision in Lot B in the SE ¼ of the SW ¼ of Section 18, T2N, R8E, BHM; Thence, seventeenth course: S00°23'45"W, along the westerly boundary of said Lot 1, a distance of 208.56 feet, to the southwesterly

STAFF REPORT  
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---

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---

**ITEM 23**

corner of said Lot 1; Thence, eighteenth course: S00°23'45"W, a distance of 33.00 feet, to a point on the section line common to Sections 18, and 19; Thence, nineteenth course: N89°35'54"W, along the section line common to Sections 18, and 19, a distance of 1290.05 feet, to the Section Corner common to Sections 13, 18, 19, and 24, and the point of beginning.

PARCEL ACREAGE	Approximately 13.58 acres
LOCATION	North of Country Road, east of Cobalt Avenue and west of 143rd Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District (Pennington County)
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	To be Extended
DATE OF APPLICATION	1/11/2008
REVIEWED BY	Jonathan Smith / Ted Johnson / <b>Vicki L. Fisher</b>

RECOMMENDATION:

**Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development be approved.**

GENERAL COMMENTS:

**(Update: April 1, 2008. All revised and/or added text is shown in bold). The applicant has requested that this item be heard in conjunction with the associated Layout Plat (#07PL180), and associated rezoning request (#08RZ002). Staff has noted that issues related to the Layout Plat have been resolved. Staff recommends the request to the land use designation from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development be approved.**

(Update March 17, 2008. All revised and/or added text is shown in bold). The applicant has requested that this item be continued to the April 10, 2008 Planning Commission meeting to

STAFF REPORT  
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---

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---

**ITEM 23**

be heard in conjunction with the associated Layout Plat (#07PL180) and Rezoning request (#08RZ002).

(Update February 25, 2008. All revised and/ or added text is shown in bold). The applicant has requested that this item be continued to the March 27, 2008 Planning Commission meeting to be heard in conjunction with the associated Layout Plat (#07PL180) and Rezoning request (#08RZ002).

(Update February 12, 2008. All revised text is shown in bold). The applicant has requested that this item be continued to the March 6, 2008 Planning Commission meeting to be heard in conjunction with the associated Layout Plat (#07PL180) and Rezoning request (#08RZ002).

The applicant has submitted a request to change the Future Land Use designation from Low Density Residential with a Planned Residential Development to Medium Density Residential with a Planned Residential Development for 13.58 acres of property. The property is located north of Country Road, east of Cobalt Avenue and west of 143rd Street. An associated rezoning request (#08RZ002) to rezone the property from Low Density Residential District to Medium Density Residential District has been filed in conjunction with this request. The property was annexed (#05AN001) into the municipal boundaries of Rapid City on June 6, 2005. The property was rezoned from No Use District to Low Density Residential District (#05RZ008) on June 6, 2005.

On June 6, 2005, the City Council approved a Layout Plat (#05PL022) to subdivide the property into 425 residential lots, to be known as "Freeland Meadows Subdivision. On July 5, 2005, the City Council approved a Variance to the Subdivision Regulations (#05SV012) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Country Road and W. Nike Road with the stipulation that the applicant sign a waiver of right to protest any future assessment for the improvements. The waiver of right to protest document has been signed and recorded at the Register of Deed's Office.

A revised Layout Plat (#07PL180) identifying the property as "Prairie Meadows Subdivision" to subdivide a 146.8 acre parcel into 273 lots has yet to be approved by Planning Commission as of this writing. In addition, the applicant has submitted a Comprehensive Plan Amendment to the Major Street Plan (#07CA062) to relocate LaCrosse Street as it extends through the parcel. An associated rezoning request (#07RZ002) to rezone the property from Low Density Residential District to Medium Density Residential District has been filed in conjunction with this request.

Currently the property is void of any structural development. The property is zoned Low Density Residential District. Property located to the north is zoned Low Density Residential District. Property located to the south is zoned General Agricultural District by Pennington County. Property located to the east and west is zoned Low Density Residential District.

STAFF REPORT  
April 10, 2008

---

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---

**ITEM 23**

STAFF REVIEW:

Changing the Future Land Use designation on the property from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development will result in an increase in density. Staff has noted that adequate water and sewer service must be provided to this proposed residential development to avoid potential adverse effects to the property and the surrounding area. A majority of the property, or that portion located below 3,300 feet, is located within the low level pressure water service area. Currently, the low level pressure water system has not been extended into this area. The high level pressure water system is located west of the property. However, due to the elevation of this property, pressure reducing valves must be utilized in order to serve the property from the high pressure water service system. In addition, an Exception must be obtained to allow the property to be served from the high pressure water service system in lieu of the low pressure water service system. Until an Exception is granted and the applicant demonstrates that there is capacity within the proposed water distribution system, it is unclear how water service will be provided to the development.

This request and the associated (#08RZ002) Rezoning Request were reviewed by the Future Land Use Committee on January 31, 2008. The Future Land Use Committee noted that this may be an appropriate land use if adequate utilities and access are provided.

Staff recommends that this item be continued to the February 21, 2008 to allow the applicant time to submit additional water service information.

The Future Land Use Committee reviewed the 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 as well as to provide orderly development of residential land uses. The applicant has submitted a Comprehensive Plan Amendment to change the future land use designation from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development. The Future Land Use Committee has found that the proposed change is consistent with the policies and overall intent of the adopted Comprehensive Plan.

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

STAFF REPORT  
April 10, 2008

---

**No. 08CA001 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development**

---

**ITEM 23**

Staff is unaware of any changing condition.

- 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. Agriculture and single family land uses are located south of the property. Large lot residential land uses are located east of the property. Agriculture and large lot residential land uses are located west of the property. The Future Land Use Committee has noted that this is an area of increasing urbanization. The Future Land Use committee determined that the proposed amendment is compatible with the uses of the surrounding property based on the development plan presented and with the protections provided by the Planned Residential Development.

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

The property is currently undeveloped. As development occurs, adequate water, sewer, street networking, and storm drainage improvements will need to be provided. Care will need to be taken to insure that any adverse effects are addressed through the platting process.

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

The location of Medium Density Residential land uses at the intersection of a minor arterial and a principal arterial street would appear to result in a logical development of the property. Medium Density Residential development at this location, when proper buffering is provided and care is taken in the design and location of the buildings and vehicular access, appears to be appropriate for this area. 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. The Future Land Use Committee found that the proposed change 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.*

Changing the land use classification to Medium Density Residential with a Planned Residential Development will potentially increase traffic. While the proposed land use classification appears to be appropriate for ultimate development of this site, future development of the property through the Planned Development process will ensure that

STAFF REPORT  
April 10, 2008

---

**No. 08CA001 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential District with a Planned Residential Development to Medium Density Residential District with a Planned Residential Development**

---

**ITEM 23**

adequate site design, adequate ingress egress and adequate infrastructure is extended to the site to ensure there are no significant adverse effects.

**NOTIFICATION:**

The proper sign has been posted on the property. The green card receipts from the certified mailing have been returned.