

STAFF REPORT

June 20, 2013

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**No. 13CA008 - Amendment to the Comprehensive Plan to change the land use designation from Public to Residential** **ITEM 9**

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GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Yasmeen Dream LLC
REQUEST	<b>No. 13CA008 - Amendment to the Comprehensive Plan to change the land use designation from Public to Residential</b>

EXISTING  
LEGAL DESCRIPTION

A portion of the W1/2 of the SE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the E1/16th corner, common to Sections 9 and 16, T1N, R8E, BHM, and the point of beginning. Thence, first course: N 89°58'30" W, along the Section line common to said Sections 9 and 16, a distance of 345.13', to the easterly most corner of Lot H1 of W1/2 SE1/4; Thence, second course: N 52°21'37" W, along the northerly boundary of said Lot H1, a distance of 52.29'; Thence, third course: N 80°17'33" W, along the northerly boundary of said Lot H1, a distance of 88.04'; Thence, fourth course N 65°53'11" W, along the northerly boundary of said Lot H1, a distance of 33.25'; Thence, fifth course: N 40°12'59" W, along the northerly boundary of said Lot H1, a distance of 55.98'; Thence, sixth course: N 26°43'45" W, along the northerly boundary of said Lot H1, a distance of 85.86'; Thence, seventh course: N 41°35'51" W, along the northerly boundary of said Lot H1, a distance of 30.81'; Thence, eighth course: N 60°06'38" W, along the northerly boundary of said Lot H1, a distance of 40.41'; Thence, ninth course: N 04°34'19" W, a distance of 342.02'; Thence, tenth course: N 00°00'00" E, a distance of 600.00'; Thence, eleventh course: N 90°00'00" W, a distance of 152.00'; Thence, twelfth course: N 00°00'00" E, a distance of 99.00'; Thence, thirteenth course: N 90°00'00" W, a distance of 176.00'; Thence, fourteenth course: N 01°01'01" E, a distance of 169.03'; Thence, fifteenth course: N 90°00'00" E a distance of 516.00'; Thence, sixteenth course: N 00°00'00" W a distance of 784.32'; Thence, seventeenth course: S 89°53'48" E a distance of 474.18', to a point on the easterly north-south section 1/16th line,; Thence, eighteenth course: S 00°06'12" W,

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	along the said section 1/16th line, a distance of 2215.53', to the said point of beginning.
PARCEL ACREAGE	Approximately 31.079 acres
LOCATION	South of SD Highway 44 and east of Elk Vale Road
EXISTING ZONING	General Agricultural District
FUTURE LAND USE DESIGNATION	Public
SURROUNDING ZONING	
North:	General Agricultural District
South:	General Agricultural District
East:	General Agricultural District
West:	General Agricultural District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	May 24, 2013
REVIEWED BY	Kip Harrington / Ted Johnson

**RECOMMENDATION:** Staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from Public to Residential be approved.

**GENERAL COMMENTS:** The property contains approximately 31.079 acres and is located on the south side of SD Highway 44, east of Elk Vale Road. The property is void of any structural development. The property is currently zoned General Agricultural District. Land located to the north, south, east, and west of the property is zoned General Agricultural District.

The Rapid City Area Future Land Use Plan identifies the future use of the property as appropriate for Public use, based on the East Greenway Master Plan. The applicant's proposed master plan for the property incorporates many of the open space features of the East Greenway Master Plan. In addition to this Amendment to the Comprehensive Plan, the applicant has submitted a rezone application (#13RZ015) to rezone the property from General Agricultural District to Low Density Residential District.

**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.

Staff has reviewed this proposed Comprehensive Plan Amendment for conformance with

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the six criteria for review of Comprehensive Plan Amendments established in Section 2.60.160(D). A summary of Staff 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 the Future Land Use Plan is to encourage compact and contiguous growth along the city's fringe that is linked to both the levels of demand in the market and to the orderly extension and efficient use of public improvements, infrastructure, and services. The proposed change from Public to Residential land use will avoid scattered or strip residential development outside of the urban area and direct the use into an existing location where adequate services are available, including major street access and proper water and sewer systems. The proposed change appears to be consistent with the 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 property is currently zoned General Agricultural District. An application to change the zoning from General Agricultural District to Low Density Residential District (#13RZ015) has been submitted in conjunction with this application. Staff has not identified any changed conditions within the surrounding neighborhood.

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 near areas that support residential land use. The Rapid City Area Future Land Use Plan identifies the proposed uses of the surrounding properties. Land located to the north of the property is identified as Public and Commercial land use. Land located to the south of the property is identified as Residential and Flood Hazard land use. Land located to the east of the property is identified as Residential land use. Land located to the west of the property is identified as Public land use. By amending the Future Land Use on this property from Public to Residential, the subject property will complement the existing residential land use in the vicinity of the site.

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

The currently undeveloped property is within the Rapid Valley Sanitary District, and no utilities exist upon the site. The property is located near SD Highway 44 and Elk Vale Road, both of which are classified as principal arterial streets on the Major Street Plan. The proposed amendment would not appear to result in any significant detrimental effects on the adjacent transportation and services network, assuming future development is in compliance with the Infrastructure Design Criteria Manual and meets with the approval of Rapid Valley Sanitary District and the South Dakota Department of Transportation.

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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 amendment will add to the nearby existing residential land uses in the area, resulting 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 property is located near two principal arterial streets and can be served by the Rapid Valley Sanitary District. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment would have on the surrounding area or on the City.

Notification Requirement: The required sign has been posted on the property. The proof of notification mailing has not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the June 20, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into this request.

Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation from Public to Residential be approved.