

STAFF REPORT

November 20, 2003

No. 03CA037 - Amendment to the Comprehensive Plan to change the future land use designation on an 8.22 acre parcel of land from General Agriculture to General Commercial with a Planned Commercial Development

ITEM 14

GENERAL INFORMATION:

PETITIONER	Renner & Sperlich Engineering Company for 16 Plus, LLP
REQUEST	No. 03CA037 - Amendment to the Comprehensive Plan to change the future land use designation on an 8.22 acre parcel of land from General Agriculture to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	A portion of Tract 2 of Pioneer Subdivision, located in the NE1/4 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at a point on the section line highway between Sections 27 and 34, common to northeasterly corner of said Tract 2 of Pioneer Subdivision, and the Point of Beginning; thence, first course: S00°00'00E, along the easterly boundary of said Tract 2 of Pioneer Subdivision, common with the westerly edge of the statutory section line right-of-way, and common with the westerly edge of U.S. Highway 16 right-of-way, a distance of 109.69 feet, to an angle point; thence, second course: S07°20'00"W, along the easterly boundary of said Tract 2, common with the westerly edge of the right-of-way of U.S. Highway 16, a distance of 303.97 feet, to the northeasterly corner of Lot 3 of Moon Ridge Subdivision; thence, third course: S89°53'10"W, along the northerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 1247.37 feet, to a point on the westerly boundary of said Tract 2, common with the northwesterly corner of said Lot 3 of Moon Ridge Subdivision; thence, fourth course: N00°11'53"E, along the westerly boundary of said Tract 2, a distance of 411.10 feet, to a point on the section line common to Section 27 and 34, common to a point the southerly boundary of Lot 5 of Godfrey Addition, and common to the northwesterly corner of said Tract 2; thence fifth course: N89°52'53"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 4 and 5 of said Godfrey Addition, a

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distance of 796.18 feet, to an angle point; thence, sixth course: N89°50'57"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 3 and 4 of said Godfrey Addition, a distance of 466.12 feet, to an angle point; thence, seventh course: S89°10'40"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, a distance of 22.45 feet, to the northeasterly corner of said Tract 2, and the Point of Beginning; less the east 400 feet, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, said parcel contains 8.22 acres more or less

PARCEL ACREAGE	Approximately 8.22 acres
LOCATION	Northwest of the U.S. Highway 16 and Moon Meadows Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Suburban Residential District/Highway Service (County)
South:	Public District
East:	No Use District
West:	Suburban Residential District (County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	10/24/2003
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation on an 8.22 acre parcel of land from General Agriculture to General Commercial with a Planned Commercial Development be continued to the December 4, 2003 Planning Commission meeting.

GENERAL COMMENTS: The applicant is requesting to rezone approximately 12 acres of property located north of the intersection of U.S. Highway 16 and Moon Meadows Road. The property was annexed into the City limits in July 2000 and is zoned No Use District. The property located to the west is zoned Suburban Residential District by Pennington

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County. The property located to the north is zoned Suburban Residential District and Highway Service District by Pennington County. The property located to the east is zoned General Commercial District. The property located to the south is zoned Public District. U.S. Highway 16 lies adjacent to the eastern boundary of the property. Applications for a rezoning from General Agriculture to General Commercial (03RZ038) and a Planned Development Designation (03PD056) have been submitted in conjunction with this Amendment to the Comprehensive Plan.

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.

The Comprehensive Plan identifies the subject property as appropriate for agricultural land use(s). The properties to the north and west of the subject property are identified as appropriate for agricultural land uses. The property to the south of the subject property is identified as appropriate for public land uses(s). The subject property is currently void of development. A request to rezone this property from No Use District to General Commercial District (03RZ038) and a request for a Planned Development Designation (03PD056) have been submitted in conjunction with this Amendment to the Comprehensive Plan. The applicant had requested a meeting with the Future Land Use Committee to consider the change in land use from General Agriculture land use to General Commercial land use and the requested rezoning of the property from No Use District to General Commercial District. The Future Land Use Committee met with the applicant on October 16, 2003. The Future Land Use Committee felt that the General Commercial land use for this property is appropriate with a Planned Commercial Development to coincide with the General Commercial land use with a Planned Commercial Development located east of this property and adjacent to U.S. Highway 16. This application was advertised with an incorrect legal description. Therefore, staff recommends that the Amendment to the Comprehensive Plan be continued until December 4, 2003 to allow the application to be advertised with the correct legal description.

As of this writing, the sign has been posted on the property, but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the December 4, 2003 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request.