

STAFF REPORT  
July 27, 2006

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**No. 06CA018 - Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to Low Density Residential with a Planned Residential Development**

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**ITEM 31**

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	<b>No. 06CA018 - Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to Low Density Residential with a Planned Residential Development</b>
EXISTING LEGAL DESCRIPTION	The unplatted portion of the E1/2 NE1/4, Section 21, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 80.85
LOCATION	Southeast of Elk Vale Road, northeast of Old Folsom Road and south of Elks Country Estates
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Low Density Residential II District (Planned Residential Development)
South:	Limited Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	6/9/2006
REVIEWED BY	Karen Bulman / Todd Peckosh

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to Low Density Residential with a Planned Residential Development be continued to the **August 10, 2006** Planning Commission meeting at the applicant's request.

GENERAL COMMENTS: **This staff report has been revised as of July 17, 2006. All revised and/or added text is shown in bold print. This item was continued at the July 6, 2006 Planning Commission meeting at the applicant's request.**

This undeveloped property contains approximately 80.85 acres and is located southeast of Elk Vale Road, northeast of Old Folsom Road and south of Elks Country Estates. The

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property is currently zoned General Agriculture District in Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north of the subject property is zoned Low Density Residential II District with a Planned Residential Development. Land located east, west and south of the subject property is zoned Limited Agriculture District by Pennington County. In addition to this Comprehensive Plan Amendment application, the applicant has submitted a Petition of Annexation (06AN002), a Rezoning of the subject property from No Use District to Low Density Residential District (06RZ019), a Planned Development Designation (06PD044), a Preliminary Plat (06PL090), a Variance to the Subdivision Regulations (06SV039) and a SDCL 11-6-19 Review (06SR052).

**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 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 any Future Land Use Plan is to encourage compact and contiguous growth along the City's fringe that is linked to orderly extension and efficient use of public improvements, infrastructure, and services. In-fill development and full utilization of properties currently served by infrastructure are encouraged. Currently, residential land uses are located north of the subject property. The property owner has indicated that this parcel will be developed for residential use. Roads and water and sewer infrastructure will be extended into the area. This change is consistent with the intent of the City's Comprehensive Plan to encourage the orderly extension of contiguous growth along the City's fringe.

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

The property is currently void of any development and is located in an area with continuing residential growth. New residential development is currently located north of the subject property in Elks Country Estates. Minnesota Street will be located adjacent to the property on the northern boundary and Jolly Lane will extend in a north/south line through the property. City water and sewer will be extended into the subject property as development occurs.

3. *Whether and the extent to which the proposed amendment is compatible with existing*

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*and proposed uses surrounding the subject land*

The property is zoned No Use District upon annexation into the City limits. A rezoning application has been submitted to change the zoning from No Use District to Low Density Residential District. The property located north of the subject property is zoned Low Density Residential II District with a Planned Residential Development. The properties located south, east and west of the subject property are zoned Limited Agriculture District by Pennington County. The current Comprehensive Plan indicates that the subject property is appropriate for General Agriculture use. The applicant has indicated that the subject property is to be developed for residential land uses. The proposed amendment is compatible with the residential uses surrounding the subject property.

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

The applicant plans to develop the subject property for residential land uses. City water and sewer will be extended into the property. Minnesota Street, a proposed minor arterial on the City's Major Street Plan, will be adjacent to the property on the north and Jolly Lane, a proposed collector street on the City's Major Street Plan, will be located in a north/south direction through the property. As such, the proposed amendment does not appear to have any significant adverse effect on the surrounding properties.

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

The subject property is located in an undeveloped area that is now ready for development. Road and infrastructure improvements will be extended as development occurs. The proposed amendment will allow the continuation of residential development within the City.

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.*

City water and sewer will be extended into the subject property and road networks will be located on site. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City. The Initial and Final Planned Residential Development will help to mitigate any negative effects the development may have on existing or future land uses in the area.

As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the July 6, 2006 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

Staff recommends that the Amendment to the Comprehensive Plan to change the land use

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designation from General Agriculture to Low Density Residential with a Planned Residential Development be continued to the **August 10, 2006** Planning Commission meeting at the applicant's request.

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**ITEM**