

STAFF REPORT
November 9, 2006

No. 06CA042 - Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Future Land Use Plan to change the land use designation from Planned Residential Development with 1.5 dwelling units per 2 acres to Low Density Residential

ITEM 68

GENERAL INFORMATION:

PETITIONER

Dream Design International, Inc.

REQUEST

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EXISTING
LEGAL DESCRIPTION

The SE1/4 of the NW 1/4 of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, excepting therefrom Lot A as shown on the plat recorded in Plat Book 17 on Page 167; and Lot 3 (also known as Government Lot 3) of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, excepting therefrom the north 452.58 feet of Lot 3 (also known as Government Lot 3) in the NW ¼, Section 4, T1N, R8E BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of said Lot 3, NW¼, Section 4, T1N, R8E, BHM, Pennington County, South Dakota, said point being coincident with the northwest corner of Lot 2 (also known as Government Lot 2) and also coincident with the northwest corner of Lot H-8 (East Anamosa Street Right-of-Way) in Government Lot 2, Section 4 as shown on the plat recorded in Book 10 of Highway Plats on Page 60, said point being marked by a GLO brass cap; Thence, southerly along the one-quarter section line and along the east line of said Lot 3 and the west line of Lot H-8 and the west line of said Lot 2, S00°05'16"E, a distance of 452.85 feet, more or less, to a point marked by a rebar with survey cap "RW FISK 6565"; Thence, westerly, S89°50'15"W, a distance of 1324.84 feet, more or less, to a point on the west line of said Lot 3, said point being coincident with the east line of Lot 4 (also known as Government Lot 4) and said point being marked by a rebar with survey cap "RW FISK 6565"; Thence, northerly along the west line of said Lot 3 and the east line of said Lot Four 4, N00°00'48"W, a distance of 452.85 feet, more or less, to the northwest corner of said Lot 3, coincident with the northeast corner of said Lot4 and located on the north section line of said Section 4, said point being marked by a rebar with cap number

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"6251"; Thence, easterly along the north line of said Lot 3 and along the north section line of said Section 4, N89°50'15"E, a distance of 1324.26 feet, more or less, to the point of beginning.

PARCEL ACREAGE	Approximately 13.77 acres
LOCATION	At the western terminus of East Anamosa Street
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Low Density Residential District
East:	Light Industrial District - Medium Density Residential District
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	None
DATE OF APPLICATION	9/29/2006
REVIEWED BY	Rodney Proffitt / Emily Fisher

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Future Land Use Plan to change the land use designation from Planned Residential Development with 1.5 dwelling units per two acres to Low Density Residential **be denied without prejudice at the applicant's request.**

GENERAL COMMENTS:

(Update October 28, 2006. All revisions to this report are shown in bold.) This item was continued to the November 9, 2006 Planning Commission meeting to allow the legal notification requirement to be met. Please note the notification requirement has been met.

The subject property is not currently within the City Limits of Rapid City; however, the property is located in the Elk Vale Neighborhood Future Land Use Plan Area. The future land use for the subject property in this plan is Planned Residential Development with 1.5 dwelling units per acre. This request is to change the future land use to Low Density Residential.

The subject property is bounded on the north and west by property in unincorporated

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Pennington County and zoned General Agriculture. The property to the south is zoned Low Density Residential, and the property to the east is zoned Medium Density Residential and Light Industrial. The subject property itself consists of rolling grasslands with significant drainages. There are no roads accessing the property currently. A large Rapid Valley Water District water reservoir tank is located adjacent to the western edge of the property.

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 Plan to remain viable and keep pace with the changing marketplace, periodic adjustments to reflect changing conditions will be required.

Staff has reviewed this proposed Comprehensive Plan Amendment for conformance with the six (6) criteria established in Section 2.60.160(D) of the Rapid City Municipal Code. A summary of Staff findings are outlined:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

The Future Land Use Plan identified this area as appropriate for Planned Residential Development with a maximum density of 1.5 dwelling units per acre. The applicants are requesting an amendment to allow the property to be developed at the Low Density Residential density. The density of development approved as part of this plan was based on the topographic features of the property. Further, the Planned Residential Development was required to ensure the property is developed in a manner, which adequately addresses the unique topographic features, the compatibility with the adjacent industrial uses, and that adequate infrastructure can be extended to the site, including streets, storm drainage, sewer and water. For these reasons staff cannot support any change in the Future Land Use designation that does not include a Planned Development designation.

The Future Land Use Committee has indicated that increased density of development may be allowed when an applicant can demonstrate through a master plan that the density can be achieved in a manner sensitive to the topographic features of the land, with adequate infrastructure. To date, no information has been submitted demonstrating how the property could be developed at higher densities.

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

The surrounding area is experiencing urban growth and development. To date, the applicant has not submitted information that substantiates the land can support the higher densities of development proposed.

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3. *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land.*

The density requested is compatible with nearby existing neighborhoods. With adequate infrastructure, the densities may be appropriate. To date, the applicant has not submitted a master plan to justify the proposed increase in densities. Staff is concerned that any change in land use should include a Planned Development Designation.

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

As previously noted, the property in question may be appropriate for increased residential density. The Future Land Use committee has supported those requests when a master plan has been submitted demonstrating that the land can support the proposed densities. To date, that information has not been submitted.

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

Again, the proposed increase in residential densities may be appropriate. The staff would encourage the applicant to submit a master plan demonstrating that the amendment 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.*

As of this writing, the required sign has been posted, and the receipts from the certified mailings have been returned. The Staff has received no objections regarding the proposed request.