

STAFF REPORT
May 8, 2008

No. 08CA013 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential to Office Commercial with a Planned Commercial Development

ITEM 15

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	DTH, LLC
REQUEST	No. 08CA013 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential to Office Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	A portion of Tract A of F&N Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northeasterly of Tract B of Neff's Subdivision No. 4, common to a corner on the westerly boundary of Tract A of F & N Subdivision, and the point of beginning, Thence, first course: S89°44'04"E, along the westerly boundary of said Tract A, a distance of 112.99 feet, to a corner on the westerly boundary of said Tract A; Thence, second course: S13°51'21"E, a distance of 205.16 feet, to the northwesterly corner of Block 1 of Neff's Subdivision V, common to a point on the southerly boundary of said Tract A; Thence, third course: S00°07'01"W, along the southerly boundary of said Tract A, common to the westerly boundary of said Block 1, a distance of 148.23 feet, to a point on the southerly boundary of said Tract A; Thence, fourth course: N89°39'33"W, along the southerly boundary of said Tract A, a distance of 164.80 feet, to the southwesterly corner of said Tract A, common to the easterly boundary of said Tract B; Thence, fifth course: N00°29'28"E, along the westerly boundary of said Tract A, common to the easterly boundary of said Tract B, a distance of 346.97 feet, to the northeasterly of Tract B of Neff's Subdivision No. 4, common to a corner on the westerly boundary of Tract A of F & N Subdivision, and the point of beginning
PARCEL ACREAGE	Approximately 1.191 acres
LOCATION	East of the northern terminus of Jolly Lane and west of Sweetbriar Street

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EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Suburban Residential District (Pennington County)
East:	Low Density Residential District
West:	Office Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	Rapid Valley Sanitary District Water/Sewer
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Jared Ball / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Low Density Residential to Office Commercial with a Planned Commercial Development be continued to the **May 22, 2008** Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

(Update: April 24, 2008. All revised and/or added text is shown in bold.) This item was continued to the May 8, 2008 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff recommends that this item be continued to the May 22, 2008 Planning Commission meeting.

The applicant has submitted a request to amend the Comprehensive Plan to change 1.191 acres from Low Density Residential to Office Commercial with a Planned Commercial Development. This undeveloped property is located east of Jolly Lane, west of Sweetbriar Street and South of Homestead Street. The property to the north is currently zoned General Agricultural District. The property to the south is currently zoned Suburban Residential District in Pennington County. The property to the east is currently zoned Low Density Residential District. The property to the west is currently zoned Office Commercial District with a Planned Commercial Development.

An associated Rezone (# 08RZ010) to change the zoning designation from Low Density Residential District to Office Commercial District and a Preliminary Plat (#08PL030) have been filed in conjunction with this request.

STAFF REVIEW:

On April 1, 2008, staff met with the applicant to discuss the proposed design and service boundaries of the sanitary sewer system for the development since the southern portion of the property is located within the Rapid Valley Sanitary District service area and the northern

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portion of the property is located within the City of Rapid City's service area. Staff is recommending that the Preliminary Plat be continued to the May 8, 2008 Planning Commission meeting with the applicant's concurrence to allow the service area issue to be addressed. Staff is also recommending that this item be continued to the May 8, 2008 Planning Commission meeting to allow it to be heard in conjunction with the associated Preliminary Plat. In addition, the Future Land Use Committee will consider this request at their April 17, 2008 Future Land Use Committee meeting. **The Future Land Use Committee reviewed this request at their April 17, 2008 meeting and indicated that they concur with the request contingent upon the applicant demonstrating an adequate sanitary sewer system to serve the property.**

Notification:

As of this writing, the required sign has been posted on the property, and the receipts from the certified mailing have been returned. Staff has received some inquiries, but no objections regarding the proposed request at the time of this writing.