

STAFF REPORT

July 10, 2008

No. 08CA014 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to Low Density Residential

ITEM 9

GENERAL INFORMATION:

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| APPLICANT/AGENT | Dream Design International, Inc. |
| PROPERTY OWNER | DTH, LLC |
| REQUEST | No. 08CA014 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to Low Density Residential |
| 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 northwesterly corner of Lot 6 of Block 1 of Neff's Subdivision No. 2, and the point of beginning, Thence, first course: S89°55'24"W, a distance of 30.00 feet; Thence, second course: N00°04'43"E, a distance of 8.38 feet; Thence, third course: curving to the left, on a curve with a radius of 288.00 feet, a delta angle of 20°19'59", a length of 102.21 feet, a chord bearing of N10°05'17"W, and chord distance of 101.67 feet; Thence, fourth course: N20°15'16"W, a distance of 5.25 feet; Thence, fifth course: N69°44'43"E, a distance of 50.69 feet; Thence sixth course: curving to the right, on a curve with a radius of 400.00 feet, a delta angle of 20°23'26", a length of 142.35feet, a chord bearing of N79°56'27"E, and chord distance of 141.60 feet; Thence, seventh course: S89°51'50"E, a distance of 98.10 feet, to a point on the section 1/16th line; Thence, eighth course: S00°06'38"W, along the section 1/16th line, a distance of 155.91 feet, to a point on the northerly boundary of Block 1 of Neff's Subdivision No. 2; Thence, ninth course: N89°52'44"W, along the northerly boundary of said Block 1 of Neff's Subdivision No. 2, a distance of 235.17 feet, to the northwesterly corner of said Lot 6 of Block 1 of Neff's Subdivision No. 2, and the point of beginning |
| PARCEL ACREAGE | Approximately 0.921 acres |
| LOCATION | Southwest of the intersection of Big Sky Drive and Degeest Drive and east of Elk Vale Road |
| EXISTING ZONING | General Agriculture District |

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SURROUNDING ZONING

North: Office Commercial District (Planned Development Designation) - Medium Density Residential District (Planned Residential Development)
South: Suburban Residential District (Pennington County)
East: Suburban Residential District (Pennington County)
West: Suburban Residential District (Pennington County)

PUBLIC UTILITIES City and 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 Office Commercial with a Planned Commercial Development to Low Density Residential be continued to the **July 24, 2008** Planning Commission meeting.

GENERAL COMMENTS:

(Update: June 27, 2008. All revised and/or added text is shown in bold.) This item was continued to the July 10, 2008 Planning Commission meeting to allow the applicant to submit required information. To date, the information has not been submitted for review and approval. As such, staff recommends that this item be continued to the July 24, 2008 Planning Commission meeting.

The applicant has submitted a request to amend the Comprehensive Plan to change 0.921 acres from Office Commercial with a Planned Commercial Development to Low Density Residential. This undeveloped property is located west Degeest Drive, east of Sweetbriar Street and south of Big Sky Drive. The properties to the north are currently zoned Office Commercial with a Planned Development Designation and Medium Density Residential with a Planned Residential Development. The properties to the south, east and west are currently zoned Suburban Residential District in Pennington County.

An associated Rezone (# 08RZ012) to change the Future Land Use designation from General Agricultural District to Low Density Residential 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 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

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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 18, 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.