

STAFF REPORT

October 4, 2001

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**No. 01CA031 - Amendment to the Comprehensive Plan revising the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on a 37.20 acre parcel from General Commercial to Heavy Industrial**

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**ITEM 15**

GENERAL INFORMATION:

PETITIONER	Theresa Bennington
REQUEST	<b>No. 01CA031 - Amendment to the Comprehensive Plan revising the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on a 37.20 acre parcel from General Commercial to Heavy Industrial</b>
LEGAL DESCRIPTION	NW1/4 SE1/4 SW1/4 Section 32, T2N, R8E; east 613 feet of the north 511 feet of the SW1/4 SW1/4 Section 32, T2N, R8E; E1/2 SE1/4 SW1/4 Section 32, T2N, R8E all located in BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 37.20 acres
LOCATION	At the western terminus of East Philadelphia Street
EXISTING ZONING	No Use
SURROUNDING ZONING	
North:	No Use/ General Agriculture
South:	General Commercial District (PCD)/Medium Density Residential District
East:	Medium Density Residential
West:	No Use
PUBLIC UTILITIES	NA
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan revising the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on a 37.20 acre parcel from General Commercial to Heavy Industrial be continued to the October 25, 2001 Planning Commission to allow the Future Land Use Committee to review the proposed amendment.

GENERAL COMMENTS: The applicant is proposing to change the land use designation on 37.2 acres located at the east end of Philadelphia Street. The Elk Vale neighborhood Future Land Use Plan identifies the subject property as appropriate for General Commercial uses. The western seventeen acres is the current location of B&B Auto Salvage. The eastern twenty acres is currently vacant.

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The City Council approved an annexation that included the subject property on September 17, 2001. All land upon annexation is placed in the No Use Zoning District. A study is completed to determine the appropriate zoning classification for that property. The guiding tool in establishing the zoning is the adopted land use plan, which in this case identifies that a General Commercial Zoning District would be appropriate for the subject property. The current business, an automotive salvage business, would become a legal non-conforming use in the General Commercial Zoning District. The applicant is requesting that the plan be amended to Heavy Industrial land use to allow for a future rezoning to Heavy Industrial. Heavy Industrial is the only district that an automotive salvage operation would be allowed, and it is a Use On Review in the Heavy Industrial Zoning District.

The applicant is meeting with the Future Land Use Committee on Thursday September 27, 2001 to discuss the proposed changes to the Elk Vale Neighborhood Future Land Use Plan. Staff is recommending that this item be continued to the October 25, 2001 Planning Commission meeting to allow the applicant time to discuss the proposed change with the Future Land Use Committee. The applicant has concurred with the recommendation to continue this request.