

STAFF REPORT

December 6, 2001

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**No. 01CA034 - Amendment to the Comprehensive Plan amending the Elk Vale Neighborhood Area Future Land Plan to change the future land use designation on a 4.98 acre tract from General Commercial to Heavy Industrial**

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**ITEM 8**

GENERAL INFORMATION:

PETITIONER	Jeffrey Devine
REQUEST	<b>No. 01CA034 - Amendment to the Comprehensive Plan amending the Elk Vale Neighborhood Area Future Land Plan to change the future land use designation on a 4.98 acre tract from General Commercial to Heavy Industrial</b>
LEGAL DESCRIPTION	Tract B of SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.98 acres
LOCATION	262 Cambell Street
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Light Industrial District - General Commercial District
South:	General Commercial District (PCD)/No Use District
East:	General Commercial District
West:	No Use District
PUBLIC UTILITIES	None
REPORT BY	Blaise Emerson/Marcia Elkins

RECOMMENDATION:

**Staff recommends that the Amendment to the Comprehensive Plan amending the Elk Vale Neighborhood Area Future Land Plan to change the future land use designation on a 4.98 acre tract from General Commercial to Heavy Industrial be continued to the January 10, 2002 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 4.98 acres located south of Philadelphia Street and east of Cambell Street. The Elk Vale neighborhood Future Land Use Plan identifies the subject property as appropriate for General Commercial uses. The property is the location of J&J Truck and Auto Body.

The City Council approved an annexation that included the subject property on September

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17, 2001. All land is placed in the No Use Zoning District upon annexation. 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 body repair shop, would be a permitted use. However, the applicant has indicated that part of the business involves an automotive salvage business which would be 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 the Heavy Industrial Zoning District. Heavy Industrial Zoning District is the only district that allows an automotive salvage operation, and it is a Use On Review in the Heavy Industrial Zoning District. The automotive body repair shop would be a permitted use in the Heavy Industrial Zoning District.

**Staff had recommended that this item be continued to the December 6, 2001 Planning Commission meeting to allow the applicant time to discuss the proposed change with the Future Land Use Committee; however, due to a scheduling conflict the applicant could not meet with the Future Land Use Committee on November 29, 2001.**