

STAFF REPORT

January 10, 2002

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

ITEM 18

GENERAL INFORMATION:

PETITIONER	Jeffrey Devine
REQUEST	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
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
DATE OF APPLICATION	10/24/2001
REPORT BY	Blaise Emerson/Marcia Elkins

RECOMMENDATION:

The Future Land Use Plan Committee 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 approved for the east 318.2 feet of Tract B of SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM with the alternate designation of General Commercial being identified and be denied for the balance of the property.

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

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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 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.

The Future Land Use Committee met with the applicant and reviewed his request on December 14, 2001. The applicant expressed concern with the impact that the General Commercial Land Use designation and resulting zoning would have on his existing automotive salvage business. The applicant indicated that the western 363 feet of the property fronts on Campbell Street and is not currently utilized as part of the salvage business. He was in agreement that this portion of the site should remain designated as appropriate for General Commercial land uses. The Future Land Use Committee recommended that the eastern 318.2 feet of the property, fronting on East Philadelphia Street should be identified as appropriate for Heavy Industrial land uses with an alternate land use of General Commercial identified. This is similar to the action taken by the Planning Commission and City Council on the adjoining B&B Automotive property. The Future Land Use Committee felt that the recommended designations more accurately reflected the existing land use and the potential future use of the property based on proximity to major roadways in the vicinity.