

STAFF REPORT

November 21, 2002

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**No. 02CA058 - Amendment to the Comprehensive Plan to change the land use designation on a 0.88 acres parcel from Park Forest to General Commercial**

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**ITEM 28**

GENERAL INFORMATION:

PETITIONER	Pine Lawn Memorial Park, Inc.
REQUEST	<b>No. 02CA058 - Amendment to the Comprehensive Plan to change the land use designation on a 0.88 acres parcel from Park Forest to General Commercial</b>
EXISTING LEGAL DESCRIPTION	Lot B of "Lots A & B, Section 14, T1N, R7E", less Lot H1-E2SW414-1-7 and less Lot H1-Lot B SW414-1-7, all located in the SW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .88 acres
LOCATION	4301 Tower Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Right-of-Way
East:	Right-of-Way
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/23/2002
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the Comprehensive Plan Amendment to change the land use designation on a 0.88 acres parcel from Park Forest to General Commercial be approved.

GENERAL COMMENTS: The applicant is seeking to change the Future Land Use designation on the above legally described property from Park Forest to General Commercial. There is also a corresponding rezoning request the is being considered in conjunction with this Comprehensive Plan Amendment. (02RZ067).

The property is located near the intersection of Tower Road and Skyline Dr.

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STAFF REVIEW: The 1974 Long Range Comprehensive Plan – 2000 is a framework within which development and rezoning proposals can be measured and evaluated. The Plan is intended to guide the orderly growth of the community. The Future Land Use Committee anticipates that in order for the plans to remain viable and to keep pace with a changing market place, periodic adjustments to reflect changing conditions will be required.

The subject property was annexed into the City of Rapid City in 1978, and it was unintentionally omitted from being rezoned at that time.

In November of 1996, The City of Rapid City initiated a rezoning request for the subject property. The request at that time was to rezone the property from the No Use classification to General Commercial Zoning District. At the time of the request, the property owner Pinelawn Memorial Park requested that they be allowed the opportunity to have their Board review the proposed rezoning. In accordance with that request, Staff recommended that the rezoning request be Denied without Prejudice. On December 2, 1996, the City Council heard the first reading of the request and took formal action to deny without prejudice.

In March of 1997, the City of Rapid City initiated action to rezone the property from No Use Zoning District to General Agriculture Zoning District. At the time, the Staff felt the General Agriculture would act as a short term holding zone until a long term zoning could be determined.

The properties to the north are zoned General Commercial District. In addition, with the visibility the site has from U.S. Highway 16 and it's proximity to the land currently zoned General Commercial, it would appear to be appropriate to amend the Comprehensive Plan to change the land use designation on the subject property from Residential to General Commercial land use.

Staff notes that Comprehensive Plan Amendments do not require direct notification of neighboring property owners; however, South Dakota Codified Law requires that plan amendments be advertised in a local newspaper. The notification requirement has been met.