

STAFF REPORT

March 27, 2003

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**No. 03CA004 - Amendment to the Comprehensive Plan to change the future land use designation on an 11.9873 acre parcel of land from Residential to General Commercial**

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**ITEM 16**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 03CA004 - Amendment to the Comprehensive Plan to change the future land use designation on an 11.9873 acre parcel of land from Residential to General Commercial</b>
EXISTING LEGAL DESCRIPTION	Lot O Revised of Tract A and Lot U Revised of Tract A, all of Schlottman Addition, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and Lots P, Q, R, T, V, W, X, Y, Z and Lots 1 and 2 of Lot S, all of Tract A, Schlottman Addition, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the south 33 foot of the E. St. Andrew Street right-of-way lying north of Lot O Revised and Lots P, Q, R, T and Lots 1 and 2 of Lot S, all of Tract A of Schlottman Addition, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 11.9873 acres
LOCATION	North of E. St. Patrick Street and south of SD Highway 44
EXISTING ZONING	No Use District/General Commercial District/Light Industrial District
SURROUNDING ZONING	
North:	No Use District
South:	General Commercial District (City)/Suburban Residential District (County)
East:	Light Industrial District (County)
West:	Light Industrial District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	2/28/2003
REPORT BY	Karen Bulman

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RECOMMENDATION: Staff recommends that the Comprehensive Plan Amendment to change the land use designation on an 11.9873 acre parcel from Residential to General Commercial be continued until the April 10, 2003 Planning Commission meeting to ensure adequate notification of the proposed amendment to the affected landowners.

GENERAL COMMENTS: This property is located north of E. St. Patrick Street and south of SD Highway 44. The Comprehensive Plan identifies the subject property as appropriate for Residential land use(s). The property to the north, east and south have been identified in the Comprehensive Plan as appropriate for Residential land use(s). The property to the west is identified in the Land Use Plan as appropriate for Industrial land use(s). This amendment would change the Comprehensive Plan from Residential land use to General Commercial land use.

STAFF REVIEW: The adopted Comprehensive Plan is a framework within which development and rezoning proposals are measured and evaluated. The plan is intended to guide the orderly growth of the community. 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 Comprehensive Plan Amendment includes the south half of E. St. Andrew Street right-of-way located between Sedivy Lane and South Valley Drive and the properties lying south of E. St. Andrew Street to E. St. Patrick Street. The land use in the area is designated Residential. East St. Andrew Street was annexed into the City limits on October 20, 2002. The remaining properties were annexed into the City limits in 1989 and 1996. The properties are zoned General Commercial and Light Industrial. Land surrounding the subject property is zoned General Commercial District and Light Industrial District. The existing zoning is not in compliance with the current Comprehensive Plan. A Comprehensive Plan Amendment for E. St. Andrew Street was denied without prejudice on November 21, 2002, so a revised legal description could be obtained to include the parcels south of E. St. Andrew Street. Staff feels that the long range plan for this area would support the General Commercial land use.

Based on the fact that the subject property is located in and adjacent to property zoned General Commercial District, Staff believes that General Commercial land use is appropriate for this parcel. The Future Land Use Committee has reviewed this amendment.

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.

On March 20, 2003, letters were sent to the affected property owners advising them of the proposed Amendment to the Comprehensive Plan. Staff is recommending that we continue this Amendment to the April 10, 2003 to allow the property owners adequate time to respond

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to the notification.