

STAFF REPORT

April 24, 2003

No. 03CA010 - Amendment to the Comprehensive Plan to change the future land use designation on a 26.59 acre parcel of land from Light Industrial to General Commercial

ITEM 20

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Bypass LLC
REQUEST	No. 03CA010 - Amendment to the Comprehensive Plan to change the future land use designation on a 26.59 acre parcel of land from Light Industrial to General Commercial
EXISTING LEGAL DESCRIPTION	That part of the NE1/4 of Section 28, T2N, R8E, BHM, Pennington County, South Dakota, that lies within the following metes and bounds description: Commencing at an aluminum survey cap at the center of Section 28; thence N48°44'38"E, 1414.78 feet to a point; thence N89°58'15"E, 1188.29 feet to a point; thence N00°01'45"W, 1107.46 feet to a point; thence S89°57'07"E, 399.92 feet to a point along the East Section Line of Section 28; thence S00°01'17"E, 1383.49 feet to a point along the East Section Line of Section 28; thence N89°54'47"W, 32.73 feet to a rebar with survey cap marked "2652"; thence N89°54'47"W, 1292.77 feet to a point; thence S60°29'01"W, 1167.82 feet to a point; thence S74°51'58"W, 321.14 feet to an aluminum survey cap at the center of Section 28 at the point of beginning
PARCEL ACREAGE	Approximately 26.59 acres
LOCATION	North and west of the intersection of I-90 and Elk Vale Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	General Commercial District/General Agriculture District
East:	Box Elder
West:	General Agriculture District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	03/28/2003

STAFF REPORT

April 24, 2003

No. 03CA010 - Amendment to the Comprehensive Plan to change the future land use designation on a 26.59 acre parcel of land from Light Industrial to General Commercial

ITEM 20

REPORT BY

Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Amendment to the Comprehensive Plan to change the future land use designation on a 35.62 acre parcel of land from Light Industrial to General Commercial be continued to the May 8, 2003 Planning Commission meeting to allow the applicant to submit a revised legal description correctly describing the requested amendment.

GENERAL COMMENTS:

The applicant is seeking to change the future land use designation from Light Industrial to General Commercial on the above legally described property. The applicant has also submitted a request to change the zoning from General Agriculture District to General Commercial District on the subject property. In addition, the applicant has submitted Layout Plat to subdivide the subject property and an adjacent 103.38 acres into 34 lots. The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to improve Elk Vale Road and to construct sidewalks within commercial areas in conjunction with the Layout Plat. (See companion items #02RZ016, 03PL038 and 03SV016.)

The property is located north and west of the intersection of I-90 and Elk Vale Road and is currently void of any structural development.

STAFF REVIEW:

Upon review of the Comprehensive Plan Amendment request, staff has noted that a portion of the property is identified as General Commercial with a Planned Commercial Development on the Elk Vale Neighborhood Area Future Land Use Plan. As such, the applicant has indicated that a revised legal description identifying the area exclusively shown as appropriate for industrial use(s) on the Future Land Use Plan will be submitted for review and approval. In addition, a separate Comprehensive Plan Amendment request will be submitted to change the future land use designation for that portion of the property currently shown as General Commercial with a Planned Commercial Development to General Commercial. As such, staff is recommending that the Comprehensive Plan Amendment be continued to the May 8, 2003 Planning Commission meeting to allow the applicant to submit a revised legal description correctly describing the requested amendment.