

STAFF REPORT  
August 10, 2006

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**No. 06CA021 - Amendment to the Comprehensive Plan by revising the Northeast Area Neighborhood Future Land Use Plan to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial**

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**ITEM 37**

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Bypass, LLC
REQUEST	<b>No. 06CA021 - Amendment to the Comprehensive Plan by revising the Northeast Area Neighborhood Future Land Use Plan to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial</b>
EXISTING LEGAL DESCRIPTION	That part of the SW1/4 NE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Commencing at a 5/8" rebar with an aluminum survey cap at the center of Section 28, T2N, R8E, BHM; thence S89°48'22"E, 454.91 feet to a point on the east ¼ line of Section 28; thence N46°26'34"E, 535.17 feet to a point, said point being the intersection with a non-tangent curve; thence Northwesterly, 285.07 feet along a curve to the right, said curve having a radius of 717.59 feet, said curve having a chord bearing of N32°10'36"W, a chord distance of 283.20 feet, to a point, said point being the intersection of a non-tangent line; thence S48°44'38"W, 920.40 feet to a 5/8" rebar with an aluminum survey cap at the center of Section 28, T2N, R8E, BHM, at the point of beginning; all located within the SW1/4 NE1/4, Section 28, T2N, R8E, BHM. Said parcel containing 4.826 acres more or less
PARCEL ACREAGE	Approximately 4.826 acres
LOCATION	North of Mall Drive and West of Elk Vale Road
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Agriculture District
East:	General Commercial District (Planned Development Designation)
West:	General Agriculture District

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PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/30/2006
REVIEWED BY	Karen Bulman / Todd Peckosh

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan by revising the Northeast Area Neighborhood Future Land Use Plan to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial be denied without prejudice and allow the applicant to submit an Amendment to the Comprehensive Plan to change the land use from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Light Industrial Development.

GENERAL COMMENTS: **This staff report has been revised as of July 31, 2006. All revised and/or added text is shown in bold print. Due to an error by the newspaper, this application was not published on the correct date. As such, this item was continued at the July 27, 2006 Planning Commission meeting to allow the application to be legally advertised.** This undeveloped property contains approximately 4.826 acres and is located north of Mall Drive and west of Elk Vale Road. Land located north of the subject property is zoned Light Industrial District. Land located east of the property is zoned General Commercial District with a Planned Commercial Development. Land located south and west of the subject property are zoned General Agriculture Districts. Previously, the subject property was indicated as appropriate for the Light Industrial land uses. On June 16, 2003, an application to Amend the Comprehensive Plan to change the land use from Light Industrial to General Commercial with a Planned Commercial Development (03CA013) was approved by the City Council. The property owner now wishes to reverse that land use designation. In addition to this Amendment to the Comprehensive Plan application, the applicant has submitted a Rezoning from General Commercial District to Light Industrial District (06RZ021).

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.

Staff has reviewed this proposed Comprehensive Plan Amendment for conformance with the six criteria for review of Comprehensive Plan Amendments established in Section 2.60.160(D). A summary of Staff findings are outlined below:

1. *Whether the proposed change is consistent with the policies and overall intent of the comprehensive plan.*

One of the goals of any Future Land Use Plan is to encourage compact and contiguous

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growth along the City's fringe that is linked to orderly extension and efficient use of public improvements, infrastructure, and services. In-fill development and full utilization of properties currently served by infrastructure are encouraged. Plans for the future extension of Mall Drive will increase the development of this area. Water and sewer are currently located at the Visitor's Information Center located east of the subject property. The property owner has indicated that he wishes to have this property developed for Light Industrial land uses. The subject property is located adjacent to Light Industrial and General Commercial Zoning Districts.

2. *Whether the proposed change is warranted by changed conditions within the neighborhood surrounding and including the subject property.*

The subject property is currently undeveloped. Proposed plans to extend road, water and sewer within the area encourage infill development of the subject property. Staff has not identified any changed conditions within the area that warrants the proposed change from General Commercial with a Planned Commercial Development land use to Light Industrial land use.

3. *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land*

The property is currently zoned General Commercial District with a Planned Commercial Development. The property located north of the subject property is zoned Light Industrial District. The property located south and west of the subject property are zoned General Agriculture Districts. The property east of the subject property is zoned General Commercial District with a Planned Commercial Development. The Comprehensive Plan indicates that the subject property is appropriate for General Commercial land uses with a Planned Commercial Development. The applicant has indicated that the subject property is proposed to be developed with light industrial land uses. This development would be a continuation of industrial development already located within the area and would be compatible with uses in the surrounding area. However, as this property is located within an already defined Planned Development Designation, staff believes that the continuation of this designation is important to provide the buffer needed for the commercial uses, located east and south of the subject property, from any negative effects of the light industrial uses.

4. *Whether and the extent to which the proposed amendment would adversely effect the environment, services, facilities, and transportation*

The subject property is located north of Mall Drive and has access to US Interstate 90. Future plans are to extend Mall Drive, and extend water and sewer to the area. The proposed amendment does not appear to have an adverse effect on the surrounding properties. However, there is a possibility that future truck traffic from the light industrial uses may have a negative effect on adjacent commercial properties to the south and east along Mall Drive. The Planned Light Industrial Development for this property will mitigate any

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adverse effects the development of the property may have on existing or future land uses in the area.

5. *Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

The subject property is an undeveloped area that is now ready for development. The future extension of road, water and sewer is proposed for the area. The proposed amendment will allow the continuation of in-fill development within the City and the continuation of industrial development in the area.

6. *Whether and the extent to which the proposed amendment adversely affects any other part of the city, or creates any direct or indirect adverse effects.*

The future extension of road, water and sewer will serve the subject property. Staff has indicated that there may be a potential conflict with commercial traffic along Mall Drive identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City. The Planned Light Industrial Development – Initial and Final Development Plan for this property will mitigate any negative effects the development of the property may have on existing or future land uses in the area.

As of this writing, the required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

Staff recommends that the Amendment to the Comprehensive Plan to change the land use from General Commercial with a Planned Commercial Development to Light Industrial be denied without prejudice and allow the applicant to submit an Amendment to the Comprehensive Plan to change the land use from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Light Industrial Development.