

STAFF REPORT
March 26, 2009

No. 09CA004 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial to Public

ITEM 8

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Office of Railroads, S.D. Department of Transportation
REQUEST	No. 09CA004 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial to Public
EXISTING LEGAL DESCRIPTION	The 100 foot wide railroad right-of-way lying north of Lot D of the SW1/4 SW1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.01 acres
LOCATION	East of South Valley Drive and south of S.D. Highway 44
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Commercial District - Light Industrial District
South:	No Use District
East:	General Commercial District
West:	Light Industrial District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	2/27/2009
REVIEWED BY	Patsy Horton / Ted Johnson

RECOMMENDATION: The Future Land Use Committee recommends that the Amendment to the Adopted Comprehensive Plan to revise the Future Land Use Plan by changing the land use designation from General Commercial to Public be approved.

GENERAL COMMENTS: This undeveloped property contains approximately 3.01 acres and is located east of Valley Drive and south of South Dakota Highway 44. The property is owned by the South Dakota Department of Transportation, Office of Railroads. The property contains railroad tracks, but not currently used as an active rail line. The property was annexed effective July 27, 2008 (File #08AN007) and is zoned No Use District.

Land located south is zoned No Use District. Land located east is zoned General Commercial District. Land located west is zoned Light Industrial. Land located north is

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ITEM 8

zoned both General Commercial District and Light Industrial District. The Southeast Connector Neighborhood Area Future Land Use Plan indicates that this property is appropriate for General Commercial land uses. An application to rezone the property from No Use District to Public District (#09RZ016) has been submitted in conjunction with this Comprehensive Plan Amendment.

The Future Land Use Committee met February 26, 2009 and recommended approval of the Amendment to the Comprehensive Plan to change the land use from General Commercial to Public.

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 assess neighborhood and regional park and recreation needs and demands. Based on this goal, the objective is to promote the use of a network of parks, open spaces, and recreational trails. The proposed change is consistent with the intent of the City's Comprehensive Plan goal to encourage the location of recreational trails. Utilizing the railroad bed as a recreational trail will provide additional pedestrian facilities connecting east and west Rapid City similar to the Mickelson Trail throughout the entire Black Hills region. Additionally, the Railroad Office representative indicated that the railroad may have a future need to utilize the existing bed as a railroad, thus requiring preservation of the property as a rail line.

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

The subject property was annexed into the City limits and zoned No Use District. An application to change the zoning from No Use District to Public District has been submitted in conjunction with this request. The property currently contains unused railroad tracks. The annexation of the property and the preservation of the railroad bed is the changing condition warranting the change in land use.

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

STAFF REPORT
March 26, 2009

No. 09CA004 - Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial to Public

ITEM 8

Land located south is zoned No Use District. Land located east is zoned General Commercial District. Land located west is zoned Light Industrial. Land located north is zoned both General Commercial District and Light Industrial District. An application to rezone the adjacent property to the south from No Use District to General Commercial District is forthcoming. The proposed amendment to change the land use from General Commercial to Public appears to be compatible with the potential commercial uses adjacent to the property based on keeping the unused railroad bed for recreational trails.

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

Staff identified no significant adverse affect the proposed amendment would have on the environment, services, facilities and transportation.

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

The property is located between South Dakota Highway 44 to the north and undeveloped property to the south. There is a need to protect the railroad bed from development encroachments based on the City's East Greenway Master Plan. This plan identifies a proposed bike path utilizing the railroad bed. The proposed amendment will allow the preservation of the railroad bed within the City. The undeveloped adjacent property and the existence of infrastructure indicates that the proposed change would protect the property from encroachments and result in a logical and orderly development pattern for the surrounding parcels, while maintaining the railroad bed for a future recreational trail.

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.*

Protection of the unused railroad bed and potential future use as a recreational trail will help mitigate potential adverse effects to potential pedestrian/bike facilities. The proposed Comprehensive Plan Amendment will help ensure preservation of the railroad bed and prevent adverse impacts to proposed recreational facilities.

The Future Land Use Committee met on February 26, 2009 and recommended approval of the Amendment to the Comprehensive Plan to change the land use from General Commercial to Public for this property. The Committee indicated that the change in use would allow the continuation of the existing and proposed public use for the property.

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 at the Office of Railroads, South Dakota Department of Transportation have been

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ITEM 8

contacted and concur with the Public land use designation of this State owned property.