

STAFF REPORT
November 5, 2009

No. 09CA029 - Amendment to the adopted Comprehensive Plan to change the land use designation from General Commercial to Light Industrial

ITEM 39

GENERAL INFORMATION:

APPLICANT/AGENT	James L. Scull, Jr.
PROPERTY OWNER	Magic Mountain, LLC
REQUEST	No. 09CA029 - Amendment to the adopted Comprehensive Plan to change the land use designation from General Commercial to Light Industrial
EXISTING LEGAL DESCRIPTION	Lot 1 of Block 2 of Hilltop Business Park Subdivision, located in the SE1/4 NE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.021 acres
LOCATION	925 Elk Vale Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	Light Industrial District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	10/14/2009
REVIEWED BY	Marcia Elkins / Karley Halsted

RECOMMENDATION:

The Future Land Use Committee recommends that the Amendment to the adopted Comprehensive Plan to change the land use designation from General Commercial to Light Industrial be approved.

GENERAL COMMENTS: This developed property includes approximately 5 acres of land and is located on the northwest corner of the intersection of Elk Vale Road and Homestead Street. The property was previously the location of All Decked Out.

The adopted Comprehensive Plan (Elk Vale Neighborhood Future Land Use Plan) for this area identifies the area as appropriate for General Commercial land uses. The property to the north,

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south and east of the site are identified as appropriate for General Commercial land uses. The property to the west of this property is identified as appropriate for Light Industrial land uses. The applicant has submitted this Comprehensive Plan Amendment to change the Future Land Use Plan designation from General Commercial to Light Industrial.

The property is currently zoned General Commercial District. The property to the north, east and south is zoned General Commercial District. The property to the west is zoned Light Industrial District. The applicant has submitted a related request to rezone the property from General Commercial to Light Industrial (09RZ049.) The applicant is proposing to locate a firearms accessory manufacturing, distribution and warehousing business on the site with some limited retail sales of the products manufactured and distributed on the site. These uses are permitted uses in the Light Industrial Zoning District.

A Preliminary Plat (09PL003) application for the property in question was approved on June 15, 2009. A related Subdivision Variance (09SV002) waiving the requirement for the installation of water in Elk Vale Road was also approved on June 15, 2009 with the requirement that a Waiver of Right to Protest the Assessment for such improvement was entered into with the City of Rapid City. The Final Plat for Lot 1, Block 2 was subsequently approved and recorded.

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 Future Land Use Committee 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) of the Rapid City Municipal Code. A summary of the Future Land Use Committee's 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 the adopted Future Land Use Plan is to preserve and enhance the existing economic base of Rapid City, to achieve continued and well balanced economic development and employment opportunities and promote economic development by ensuring that there are adequate areas identified for manufacturing uses. Amending the Comprehensive Plan from General Commercial to Light Industrial will facilitate the expansion of the economic base of the Rapid City community. The Future Land Use Committee noted that this property is adjacent to the existing Rushmore Business Park and would constitute a natural extension of the business park. As such, the proposed change to allow light industrial land uses would implement the goal of expanding the economic base of the community with a logical extension of the existing business park development.

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

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The Future Land Use Committee did not identify any changed or changing conditions.

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

As previously noted the land to the north, east and south of the property is identified as appropriate for commercial development. The property to the west is identified as being appropriate for development as light industrial uses. The Future Land Use Committee identified that Elk Vale Road and the topography of the site provides a significant separation from the commercial development that has occurred to the east of the site. The land to the north is part of an area identified in the Master Plan presented to the Planning Commission and City Council six months ago. That plan identifies the reconfiguration of lot lines and land ownership to provide lot frontage on Turbine Drive. Based on that plan, additional light industrial land uses would be anticipated on the property directly north of the site with a node of General Commercial land anticipated at the southwest corner of the intersection of East Anamosa Street and Elk Vale Road. The Future Land Use Committee found that the proposed change in the land use plan would be compatible with the existing and proposed uses surrounding the property.

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

The Future Land Use Committee identified that based on topography and the control of access onto Elk Vale Road, the property would more logically be developed as an extension of the existing Rushmore Business Park. Due to the provision of City water and sewer and its excellent access to Elk Vale Road via the signalized intersection to Elk Vale Road, the Committee found the site well suited for industrial development. The Future Land Use Committee did not identify any significant adverse affects the proposed change in the future land use designation to Light Industrial would have on the environment, services, facilities or transportation.

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

As noted previously, a revised master plan was submitted for review approximately six months ago as part of the Preliminary Plat review of this property. That plan called for the reconfiguration of lots to front onto Turbine Drive. The Future Land Use Committee found that based on that plan, the location of this property adjacent to the existing Rushmore Business Park and the topographic separation from Elk Vale Road that the proposed amendment would result in a logical and orderly development pattern.

- 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.*

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The Future Land Use Committee noted that City water and sewer are available to the site. Additionally, the property has excellent access to Elk Vale Road and to Interstate 90 as well as the Heartland Expressway. Additionally, the Future Land Use Committee paid special attention to the location of the site proposed for industrial land uses relative to the location of existing and planned residential development. They noted the separation that Elk Vale Road provided along with the existing commercial development along Timmons Boulevard from existing residential development and planned development east of the site. Additionally, they noted the separation provided by the existing Rushmore Business Park along with the distance to the Copperfield and Copperfield Vistas Subdivisions. Based on these factors, the Future Land Use Committee found that the proposed amendment would not have a significant adverse direct or indirect affect on any part of the City.

Staff will inform the Planning Commission if the required sign is not posted on the property or if the receipts from the certified mailing have not been returned prior to the Planning Commission meeting.

Based on the factors identified in this report, the Future Land Use Committee recommends approval of the Amendment to the Comprehensive Plan to change the land use designation from General Commercial to Light Industrial.