

STAFF REPORT

June 7, 2001

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**No. 01CA010 - Amendment to the Comprehensive Plan to change the land use designation on a .60 acre parcel from Industrial Land Use designation to General Commercial Land Use designation**

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**ITEM 7**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 01CA010 - Amendment to the Comprehensive Plan to change the land use designation on a .60 acre parcel from Agricultural Land Use designation to General Commercial Land Use designation</b>
LEGAL DESCRIPTION	Lot C of the NW1/4 SW1/4 less right of way, Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .60 Acres
LOCATION	4302 S. Highway 79
EXISTING ZONING	No Use District (City)
SURROUNDING ZONING	
North:	Heavy Industrial District (City)
South:	Heavy Industrial District (County)
East:	Heavy Industrial District (County)
West:	General Commercial District (City)
PUBLIC UTILITIES	City Water and On-site Wastewater Disposal System
REPORT BY	Karen Bulman

RECOMMENDATION: **Based on the Planning Commission's previous actions, the Planning Commission may wish to recommend that the Amendment to the Comprehensive Plan to change the land use designation on a .60 acre parcel from Agricultural Land Use designation to Commercial Land Use designation be approved.**

GENERAL COMMENTS: **This Staff Report has been revised as of May 25, 2001. New or revised text is shown in bold print.** This property is located on the east side of South Dakota Highway 79 and is currently the location of Smokin Joe's No. 12 Bar and Grill. This property can be accessed from Merrilat Road on the north or the Highway 79 Service Road on the east. At the request of the property owner, the City Council annexed this property into the City in 1998. This property is currently zoned No Use Zoning District. At the November 22, 2000 Planning Commission meeting, a proposal to rezone this property to a Light Industrial District was considered. The Planning Commission recommended denial of the Light Industrial Zoning and requested that Staff advertise to rezone the property to a General Commercial District with a Planned Development Designation. The City Council

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concurred with that recommendation. Prior to rezoning this property, the Comprehensive Plan must be amended to change the land use designation of the subject property from **Agricultural** to General Commercial.

STAFF REVIEW: The adopted Comprehensive Plan is a framework within which development and rezoning proposals can be 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 subject property is located in a land use area that is designated industrial. Land located north of this property is zoned Heavy Industrial. Land located east of this property is zoned Heavy Industrial by Pennington County. The land south is the location of a Black Hills Power substation and is zoned Light Industrial by Pennington County. West of this property, across SD Highway 44, the land is vacant and is zoned General Commercial.

At the November 22, 2000 Planning Commission, the request to rezone this property to Light Industrial was recommended for denial and a request was made for Staff to advertise a public hearing to consider rezoning this property from No Use Zoning District to General Commercial Zoning District with a Planned Development Designation. Before this rezoning can be approved, the Comprehensive Plan must be amended from **Agricultural** land use designation to General Commercial land use designation.

**Based on the recommendations made by the Planning Commission and City Council, staff requests that the Comprehensive Plan Amendment to amend the Comprehensive Plan from Agricultural to General Commercial land use designation be approved.**

**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 legal ad for this comprehensive plan amendment was published on May 28, 2001. Planning staff will inform the Planning Commission at their meeting on June 7, 2001 of any response to the notification.**