

STAFF REPORT

June 5, 2003

No. 03CA013 - Amendment to the Comprehensive Plan to change the future land use designation on a 16.42 acre parcel of land from Light Industrial to General Commercial with a Planned Commercial Development

ITEM 33

GENERAL INFORMATION:

PETITIONER	FMG Inc. for Bypass LLC
REQUEST	No. 03CA013 - Amendment to the Comprehensive Plan to change the future land use designation on a 16.42 acre parcel of land from Light Industrial to General Commercial with a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	That part of the NE1/4 of Section 28, T2N, R8E, BHM, Pennington County, South Dakota, that lies within the following 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, 1588.06 feet to a point along the East Section Line of Section 28; thence S00°01'17"E, 276.57 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 16.42 acres
LOCATION	Northwest of I-90 and Elk Vale Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Commercial District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	05/09/2003
REPORT BY	Karen Bulman

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RECOMMENDATION: The Future Land Use Committee recommends that the Amendment to the Comprehensive Plan to revise the Northeast Area Future Land Use Plan to change the land use designation on a 16.42 acre parcel from Light Industrial to General Commercial with a Planned Commercial Development be approved.

GENERAL COMMENTS: This property is located northwest of the intersection of I-90 and Elk Vale Road. The Northeast Area Future Land Use Plan identifies the subject property as appropriate for Light Industrial land use(s). The properties to the northwest and west have been identified in the Northeast Area Future Land Use Plan as appropriate for Light Industrial land use(s). Additional property to the northeast was approved at the May 8, 2003 Planning Commission meeting for an Amendment to the Comprehensive Plan to change the land use from Light Industrial to General Commercial (03CA010). The property to the south is identified in the Northeast Area Future Land Use Plan as appropriate for General Commercial land use(s) with a Planned Commercial Development and General Commercial land use(s). The property to the east is identified in the Comprehensive Plan as appropriate for Industrial land use(s). This amendment would change the Northeast Area Future Land Use Plan from Light Industrial land use to General Commercial land use with a Planned Commercial Development. The applicant has also submitted a request to change the zoning from General Agriculture District to General Commercial District on the subject property in conjunction with a Planned Development Designation. (See companion items #03RZ021 and #03PD022).

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 property is currently zoned General Agriculture District. The properties to the north, east and west are currently zoned General Agriculture District. The property to the south is zoned General Commercial District. Elk Vale Road, identified as a Principal Arterial on the Major Street Plan, is located on the eastern border of the subject property.

The Future Land Use Committee met with the applicant on May 1, 2003 to review the applicant's request. The Future Land Use Committee recommended that a Planned Development Designation be placed on the area lying parallel to Mall Drive to mitigate any possible negative impacts the proposed general commercial use(s) may have along Mall Drive and with the Visitor's Center. The Committee also recommended that a General Commercial Zoning District, without a Planned Development Designation, would be appropriate for that portion of the subject property located along Elk Vale Road. That application (03RZ017) will also be heard at the June 5, 2003 Planning Commission meeting. The Committee noted that the balance of the property located along Elk Vale Road is currently identified as appropriate for Light Industrial land use(s). Allowing general

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commercial use(s) within this area of the subject property will create a buffer between the properties to the south located along I-90 and the proposed industrial use(s) to be located further north along Elk Vale Road. The recommendation of the Future Land Use Committee is to approve the amendment to change the Northeast Area Future Land Use Plan from Light Industrial land use(s) to General Commercial land use(s) with a Planned Commercial Development.

Staff notes that, as of this application deadline, Comprehensive Plan Amendments did not require direct notification of neighboring property owners. However, South Dakota Codified Law requires that plan amendments be advertised in a local newspaper. The notification requirement has been met.

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