

STAFF REPORT  
July 27, 2006

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**No. 06CA013 - Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation from General Commercial to Light Industrial**

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**ITEM 30**

GENERAL INFORMATION:

|                               |  |
|-------------------------------|--|
| PETITIONER                    | Dream Design International, Inc.   |
| REQUEST                       | <b>No. 06CA013 - Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation from General Commercial to Light Industrial</b>  |
| EXISTING<br>LEGAL DESCRIPTION | A portion of Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: Commencing, for location purposes only, at the Southwest corner of Section 28; Thence north, along the West line of Section 28 and the centerline of Dyess Avenue, a distance of 233.18 feet; Thence S89°43'30"E, a distance of 50.00 feet, to a ½ inch iron pipe found for the Southwest corner of Lot 1 of Starlite Subdivision on the East Right-of-way line of Dyess Avenue and the North Right-Of-way line of Eglin Street (a 100 foot wide public Right-of-way) for the Point of Beginning of the herein described tract; Thence North, along said East Right-of-way of Dyess Avenue and West line of Lot 1 of Starlite Subdivision, a distance of 349.83 feet to a point for corner; Thence S89°43'00" East, a distance of 850.15 feet, to the Easternmost Southeast corner of Lot 1 of Starlite Subdivision; Thence S53°09'39"W, a distance of 328.66 feet, to a corner of Lot 1 of Starlite Subdivision; Thence West, a distance of 80.08 feet, to a corner of Lot 1 of Starlite Subdivision; Thence South, a distance of 151.10 feet, to the Southernmost Southeast corner of Lot 1 of Starlite Subdivision on the North Right-of-way line of Eglin Street; Thence N89°43'30"W, along the North Right-of-way line of Eglin Street and South line of Lot 1 of Starlite Subdivision, a distance of 507.03 feet to the Point of Beginning and containing 5.036 acres, more or less |
| PARCEL ACREAGE                | Approximately 5.036 acres  |
| LOCATION                      | At the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street   |

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| EXISTING ZONING     | General Commercial District                              |
| SURROUNDING ZONING  |  |
| North:              | General Commercial District                              |
| South:              | Light Industrial District - General Agriculture District |
| East:               | Light Industrial District                                |
| West:               | General Commercial District                              |
| PUBLIC UTILITIES    | To be extended   |
| DATE OF APPLICATION | 5/12/2006  |
| REVIEWED BY         | Karen Bulman / Emily Fisher                              |

**RECOMMENDATION:** Staff recommends that **the Planning Commission acknowledge the applicant's request to withdraw** the Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation on a 5.036 acre parcel from General Commercial to Light Industrial.

**GENERAL COMMENTS:** (Update June 14, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 8, 2006 Planning Commission meeting at the applicant's request.

(Update June 27, 2006. All revised and/or added text is shown in bold print.) This item was continued at the June 22, 2006 Planning Commission meeting at the applicant's request.

**(Update July 12, 2006. All revised and/or added text is shown in bold print.) This item was continued at the July 6, 2006 Planning Commission meeting at the applicant's request.**

This undeveloped property contains approximately 5.036 acres and is located at the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street. Land located north and west of the subject property is zoned General Commercial District. Land located east of the property is zoned Light Industrial District. Land located south of the subject property is zoned Light Industrial and General Agriculture Districts. In addition to this Amendment to the Comprehensive Plan application, the applicant has submitted a Rezoning from General Commercial District to Light Industrial District (06RZ013).

**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.

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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 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 water and sewer along the Eglin Street corridor will increase the development of this area. 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 water and sewer within the area have encouraged infill development of the subject property. The applicant has included a request to rezone the subject property from General Commercial District to Light Industrial District. In addition, staff is recommending that a Planned Development Designation be submitted for the subject property due to the location of the property along US Interstate 90, a major corridor into Rapid City. The changing conditions in the area through the future extension of water and sewer increases the potential development of the property.

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. The property located north of the subject property is zoned General Agriculture District. The property located south of the subject property is zoned Light Industrial and General Agriculture Districts. The property east of the subject property is zoned Light Industrial District. The property located west of the subject property is zoned General Commercial District. The Comprehensive Plan indicates that the subject property is appropriate for General Commercial land uses. 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. As indicated, Staff is recommending that a Planned Development Designation be submitted in conjunction with this application as the subject property is located along US Interstate 90, a highly visible corridor into Rapid City.

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

The subject property is located adjacent to Eglin Street and has access to US Interstate 90. Future plans are to extend water and sewer along Eglin Street to the area. The proposed amendment does not appear to have an adverse effect on the surrounding properties. In addition, the recommendation to submit a Planned Development Designation will serve as a tool to mitigate any potential negative impacts the industrial use may have on the adjacent properties and the entrance into Rapid City.

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 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 water and sewer will serve the subject property. The Initial and Final Light Industrial Development will address any potential negative impacts that the development of the area may have on this major corridor into the City. With the addition of the associated Planned Development Designation, Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City.

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 to Light Industrial be approved in conjunction with a Planned Development Designation.

The applicant has requested that this item be continued for two weeks. As such, staff recommends that this Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation General Commercial to Light Industrial be continued to the July 6, 2006 Planning Commission meeting. (Revised 6-14-06) The applicant has requested that this item be continued for two weeks. As such, staff recommends that this Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use

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designation General Commercial to Light Industrial be continued to the July 27, 2006 Planning Commission meeting. (Revised 6-27-06) **The applicant has since requested that this application be withdrawn. As such, staff recommends that the Planning Commission acknowledge the applicant's request to withdraw the Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation on a 5.036 acre parcel from General Commercial to Light Industrial. (Revised 7-12-06)**