

STAFF REPORT  
November 9, 2006

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**No. 06CA035 - Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development**

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**ITEM 32**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 06CA035 - Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in the E1/2 SE1/4 SE1/4 SW1/4 SW1/4; SW1/4 SW1/4 SE1/4 SW1/4; W1/2 SE1/4 SW1/4 SE1/4 SW1/4; S1/2 NW1/4 SW1/4 SE1/4 SW1/4; SW1/4 NE1/4, SW1/4 SE1/4 SW1/4; all less R & L Subdivision, less a strip of land 80 foot wide adjacent and parallel to the southeast line of Lot 3, R & L Subdivision, less a strip of land 100 feet wide adjacent and parallel to north boundary of I90 and less right-of-way, all located in Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.28 acres
LOCATION	North of Interstate 90 and east of Harley Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	No Use District
East:	No Use District
West:	General Agriculture District (Right-of-way)
PUBLIC UTILITIES	City water and on-site septic
DATE OF APPLICATION	8/3/2006
REVIEWED BY	Karen Bulman / Mary Bosworth

RECOMMENDATION: Staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development be **approved**.

GENERAL COMMENTS: **This staff report has been revised as of October 27, 2006. All**

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revised and/or added text is shown in bold print. This application was continued at the October 26, 2006 Planning Commission meeting to allow the application to be legally advertised. The legal advertisement has been made and staff recommends approval of the Amendment to the Comprehensive Plan. This property contains approximately 5.28 acres and is located north of Interstate 90 and east of Harley Drive. The property has been annexed and is currently zoned No Use District. Land located north of the subject property is zoned General Commercial District with a Planned Commercial Development. Land located west of the subject property is zoned General Agriculture District. Land located east and south of the subject property is zoned No Use District. In addition to this application for an Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development, the applicant has submitted a Rezoning from No Use District to General Commercial District (06RZ042).

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 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. This change is consistent with the intent of the City's Comprehensive Plan to encourage the orderly extension of contiguous growth.

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 General Commercial District has been submitted by the City. Previously, a petroleum distribution business was located on the property. Currently, the property is unoccupied. Water has been extended to the area and with the annexation of this property and surrounding properties, there are plans to extend City sewer to the area. The annexation of the property and the extension of water and sewer to increase the potential commercial development of the area are the changing conditions warranting the change in land use.

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

The property located north of the subject property is zoned General Commercial District with a Planned Commercial Development. The property located south and east of the subject property is zoned No Use District and is proposed to be rezoned to General Agriculture District as a holding zone. The property located west of the subject property is zoned General Agriculture District and is the U.S. Interstate 90 right-of-way. The proposed amendment to change the land use from No Use District to General Commercial District with a Planned Commercial Development appears to be compatible with the commercial uses adjacent to the subject property and will allow the property to be commercially developed.

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

The existing streets near the subject property are designed to serve a General Commercial development. U.S. Interstate 90 and Harley Drive are located north and west of the subject property. Future street improvements will need to be completed to the subject property with any future commercial development of the property. Water is located adjacent to the subject property and has adequate water pressure. Plans to extend City sewer east of the subject property are being developed with a possible construction timeframe for Summer 2007. With the extension of the infrastructure, the proposed amendment does not appear to have any significant adverse effect on the surrounding properties.

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

The subject property is located in an area that has commercial structures located on the property. Street improvements will be extended as future development changes occur. The proposed amendment will allow the continuation of commercial development within the City. The proposed change 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.*

City water and sewer will be extended into the subject property as future development occurs and street networks are located adjacent to the subject property. Adequate water is available and sanitary sewer service is proposed to be developed in the near future to support general commercial development. In addition, the Initial and Final Planned Commercial Development will help to mitigate any negative effects the development may have on existing or future land uses in the area. Staff has not identified any significant adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City.

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As of this writing, the required sign has been posted on the property but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission if this requirement has not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

Due to an error by the Rapid City Journal, the Comprehensive Plan Amendment has not been legally advertised. As such, Staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development be continued to the November 9, 2006 Planning Commission meeting to allow the application to be legally advertised. **The Comprehensive Plan Amendment has since been legally advertised. As such, staff recommends that the Amendment to the Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development be approved. (Revised 10-27-06)**