

STAFF REPORT

April 5, 2007

No. 07CA014 - Amendment to the Adopted Comprehensive Plan to change the Land use designation from Industrial to General Commercial

ITEM 25

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Jenicey, Inc., Craig Uhre President
REQUEST	No. 07CA014 - Amendment to the Adopted Comprehensive Plan to change the Land use designation from Industrial to General Commercial
EXISTING LEGAL DESCRIPTION	Lot A of Tract 2 of Kormylo Subdivision, located in the SW1/4 NW1/4 of Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.95 acres
LOCATION	Northeast corner of the intersection of Highway 79 and Minnesota Street
EXISTING ZONING	Heavy Industrial District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	Heavy Industrial District
East:	Heavy Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/9/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the Land use designation from Industrial to General Commercial be denied without prejudice to allow the applicant to submit a request to amend the Comprehensive Plan Amendment to General Commercial with a Planned Commercial Development.

GENERAL COMMENTS: This undeveloped property contains approximately 1.95 acres and is located at the northeast intersection of South Dakota Highway 79 and Minnesota Street. The applicant is requesting an Amendment to the Adopted Comprehensive Plan to change the land use designation from Industrial to General Commercial on the subject property. The applicant has also submitted an application to rezone the subject property from Heavy Industrial District to General Commercial District (07RZ019).

STAFF REPORT
April 5, 2007

**No. 07CA014 - Amendment to the Adopted Comprehensive Plan to
change the Land use designation from Industrial to General
Commercial**

ITEM 25

Land located south, east, and north of the subject property is zoned Heavy Industrial District. Land located west of the subject property is zoned General Commercial District. The Long Range Comprehensive Plan indicates that this property is appropriate for Industrial land uses.

On January 25, 2007, Planning Commission denied a Conditional Use Permit (06UR024) to allow the slaughter of animals in a Heavy Industrial Zoning District on the subject property.

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. Full utilization of properties currently served by infrastructure is encouraged. The subject property is located adjacent to a General Commercial Zoning District with a Planned Development Designation on the west and infrastructure is constructed to serve the proposed commercial development. In addition, this area is an entryway into the community.

Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the Land use designation from Industrial to General Commercial be denied without prejudice to allow the applicant to submit a request to amend the Comprehensive Plan Amendment to General Commercial with a Planned Commercial Development. The Initial and Final Planned Commercial Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the subject property. The Future Land Use Committee has also stated that Comprehensive Plans may be supported when reasonable development plans have been demonstrated. The associated rezone identifies a reasonable development plan for the subject property.

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

There appears to be substantially changing conditions within this neighborhood. On March 18, 2002, City Council approved a Rezoning from Light Industrial and Medium Density

STAFF REPORT
April 5, 2007

**No. 07CA014 - Amendment to the Adopted Comprehensive Plan to
change the Land use designation from Industrial to General
Commercial**

ITEM 25

Residential to General Commercial (02RZ008) in conjunction with a Planned Development Designation on the property at the northwest intersection of South Dakota Highway 79 and Minnesota Street. Commercial development has also occurred southwest of the subject property creating a node of commercial development at the intersection of Minnesota Street and east of South Dakota Highway 79. The existing public streets as well as the existing municipal water and sanitary sewer services to the property will support the extension of commercial development. In addition, South Dakota Highway 79, a significant north-south arterial connection and entryway into the community, is located adjacent to the west property line of the subject property and Minnesota Street, a minor arterial street, is adjacent to the south property line of the subject property.

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

As previously indicated, properties at the intersection of South Dakota Highway 79 and Minnesota Street are currently being developed as commercial areas. Amending the Comprehensive Plan as proposed will create a node of commercial development. In addition, the Initial and Final Planned Commercial Development will serve as a tool to address the issues such as traffic and drainage concerns specific to the subject property. The Initial and Final Planned Commercial Development will also help mitigate any potential negative impacts the residential use may have on existing and future residential land uses within the area.

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

South Dakota Highway 79 is located west of the subject property and is classified as a principal arterial street on the City's Major Street Plan. The Major Street Plan identifies Minnesota Street as a minor arterial street along the south end of the subject property. Allowing commercial use(s) along an arterial street is in compliance with the Major Street Plan. In addition, infrastructure is constructed to serve the proposed commercial development. As such, the proposed amendment does not appear to have an adverse effect on the surrounding properties. In addition, the Initial and Final Planned Commercial Development will serve as a tool to mitigate any potential negative impacts the use may have on the adjacent properties as identified above.

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

The subject property is located northeast of the intersection of South Dakota Highway 79 and Minnesota Street in an area of existing commercial development. The proposed amendment will allow for the continuation of the established commercial development pattern.

6. *Whether and the extent to which the proposed amendment adversely affects any other*

STAFF REPORT
April 5, 2007

**No. 07CA014 - Amendment to the Adopted Comprehensive Plan to
change the Land use designation from Industrial to General
Commercial**

ITEM 25

part of the city, or creates any direct or indirect adverse effects.

Infrastructure is currently constructed to serve the proposed commercial development. In addition, commercial development is established in the area. Staff has not identified any adverse effects that the Comprehensive Plan Amendment will have on the surrounding area or on the City if the amendment was submitted as a request to amend the Future Land Use Plan from Industrial to General Commercial with a Planned Commercial Development.

Notification Requirement: As of this writing the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the April 5, 2007 Planning Commission meeting if the notification requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.