

STAFF REPORT  
April 26, 2007

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**No. 07CA016 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Industrial to General Commercial with a Planned Commercial Development**      **ITEM 19**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying & Consulting Engineers for Jenicey - Craig Uhre President
REQUEST	<b>No. 07CA016 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Industrial to General Commercial with a Planned Commercial Development</b>
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	3980 South Highway 79
EXISTING ZONING	Heavy Industrial District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	Heavy Industrial District
East:	Heavy Industrial District
West:	General Commercial District with a Planned Commercial Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/30/2007
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 with a Planned Commercial Development be approved with the following stipulation:

1. Prior to City Council approval, a Planned Development Designation application shall be submitted and approved for the subject property.

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 with a Planned Commercial Development on the subject property. The applicant has also submitted an application to

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rezone the subject property from Heavy Industrial District to General Commercial District (07RZ019).

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 with a Planned Commercial Development. The currently adopted 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.

On April 16, 2007, City Council denied without prejudice an Amendment to the Adopted Comprehensive Plan (07CA014) to change the Land Use designation from Industrial to General Commercial to allow the applicant to submit a request to amend the Comprehensive Plan Amendment to General Commercial with a Planned Commercial Development.

**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. Infrastructure is constructed and adequate to serve the proposed commercial development. In addition, this area is an entryway into the community for visitors using the Heartland Expressway.

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 rezoning request will create a node of commercial development.

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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 request from Light Industrial and Medium Density Residential to General Commercial (02RZ008) in conjunction with a Planned Development Designation on the property at the northwest corner of the intersection of Cambell Street/South Dakota Highway 79 and East Minnesota Street. Commercial development has also occurred southwest of the subject property creating a node of commercial development at the intersection of East Minnesota Street and Cambell Street/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, Cambell Street/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 East 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 Cambell Street/South Dakota Highway 79 and East 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 commercial 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.*

Cambell Street/South Dakota Highway 79 is located adjacent to the west property line of the subject property and is classified as a principal arterial street on the City's Major Street Plan. The Major Street Plan identifies East Minnesota Street as a minor arterial street along the south property line 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 environment, services, facilities, and transportation. 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.*

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The subject property is located northeast of the intersection of Cambell Street/South Dakota Highway 79 and East Minnesota Street in an area of existing commercial development. With the availability of water, sewer, and street connections to the subject property, 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 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 to amend the Future Land Use Plan from Industrial to General Commercial with a Planned Commercial Development.

Notification Requirement: 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 at the April 26, 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.