

STAFF REPORT
July 10, 2008

No. 08CA024 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Light Industrial to General Commercial

ITEM 15

GENERAL INFORMATION:

APPLICANT	Paul Bradsky for Atlantis, LLC
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Ralph D. Newman
REQUEST	No. 08CA024 - Amendment to the Adopted Comprehensive Plan to change the land use designation from Light Industrial to General Commercial

EXISTING
LEGAL DESCRIPTION

A portion of Tract E of W-Y Addition located in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 27, T2N, R8E, BHM, Pennington County, South Dakota, as shown on the plat filed May 21, 1974 and recorded in Book 13 of Plats on Page 158, more fully described as follows: Beginning at the southwest corner of said Tract E of W-Y Addition, said point being located along the northerly line of adjoining railroad right-of-way and also coincident with the southeast corner of Lot 1 of Atlantis Subdivision, as shown on the plat filed December 15, 2005 and recorded in Book 33 of Plats on Page 123; thence, northwesterly along the west line of said Tract E of W-Y Addition and along the east line of said Lot 1 of Atlantis Subdivision, N14°48'51"W, a distance of 204.91 feet, more or less to the northeast corner of said Lot 1 of Atlantis Subdivision, said point being coincident with the southeast corner of Lot 2 of Davis Subdivision, as shown on the plat filed February 20, 2003 and recorded in Book 31 of Plats on Page 57; thence, N75°10'43"E a distance of 317.85 feet more or less, to a point on the east line of said Tract E of W-Y Addition, said point also being located on the west line of Lot 2 of Wal-East Subdivision, as shown on the plat filed August 17, 2000 and recorded in Book 29 of Plats on Page 88; thence southeasterly along the east line of said Tract E of W-Y addition and along the westerly line of Lot 2 of Wal-East Subdivision, S14°48'25"E a distance of 142.78 feet more or less to the southeast corner of said Tract E of W-Y Addition, said point being coincident with the southwest corner of Lot 2 of Wal-East Subdivision and also located along the northerly edge of the

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adjoining railroad right-of-way; thence, curving to the right along the southerly edge of said Tract E of W-Y Addition and along the northerly edge of the adjoining railroad right-of-way, along a curve with a radius of 5679.58 feet, a central angle of 03°16'03", an arc length of 323.90 feet, and a chord bearing and distance of S64°07'04"W 323.86 feet more or less, to the point of beginning

PARCEL ACREAGE	Approximately 1.28 acres
LOCATION	South of 4301 South Interstate 90 Service Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Box Elder
South:	General Commercial District
East:	Box Elder
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/10/2008
REVIEWED BY	Karen Bulman / Ted Johnson

RECOMMENDATION: Staff recommends that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Light Industrial to General Commercial be approved.

GENERAL COMMENTS: This undeveloped property contains approximately 1.28 acres and is located south of 4301 South Interstate 90 Service Road. The property was annexed effective April 28, 2008 (#08AN001) and is currently zoned No Use District. The property located north and east of the property is in Box Elder City limits. The property located south and west of the property is zoned General Commercial District. The property is currently undeveloped.

The Comprehensive Plan indicates that this property is appropriate for Light Industrial land uses. An application to rezone the property from No Use District to General Commercial District (#08RZ024) has been submitted in conjunction with this Comprehensive Plan Amendment.

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

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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. The property is proposed to be an extension of the motel complex located west of the property. City water and sewer will need to be extended to the property during any future development. This change is consistent with the intent of the City's Comprehensive Plan goal 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 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. The undeveloped property is located south of property at 4301 South Interstate 90 Service Road. Infrastructure is supplied by the extension of City water and sewer. The annexation of the property is the changing condition warranting the change in land use.

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

Land located north and east of the property is located in Box Elder city limits. Land located south and west of the property is zoned General Commercial District. Prior to annexation, the property was zoned Highway Service by Pennington County. This property is proposed as a continuation of adjacent motel development to the west. The proposed amendment to change the land use from Light Industrial to General Commercial appears to be compatible with the commercial uses adjacent to the property.

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

The property is currently undeveloped but is proposed to be associated with a motel expansion to the west. Water and sewer will need to be extended prior to any future development. The proposed amendment does not appear to have any significant adverse

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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 property is currently undeveloped. A commercial motel complex is located west of the property. Industrial structures are located east of the property. The proposed amendment will allow the continuation of in-fill development within the City. The Box Elder city limit is located north and east of the property. The existing commercial development and the existence of infrastructure adjacent to the property indicate that 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.*

Adequate water and sanitary sewer service is available through an extension of City services from the adjacent property to the west. 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 but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the July 10, 2008 Planning Commission meeting if these requirements have not been met. 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 designation from Light Industrial to General Commercial be approved.