

STAFF REPORT

June 8, 2000

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**PCD #00PD021 - Major Amendment to a Planned  
Development to modify a condition of approval**

**ITEM 25**

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GENERAL INFORMATION:

PETITIONER	Dream Design for SSJE, LLC
REQUEST	<b>PCD #00PD021 - Major Amendment to a Planned Development to modify a condition of approval</b>
LEGAL DESCRIPTION	The unplatted portion of the SW1/4 of the SW1/4 less Tracts A, B, C and ROW and Lot H-1 and the East 613 feet of the North 511 feet of the SW1/4 of the SW1/4, Section 32, T2N, R8E; Lot 1 of Lot A, Lot 2 of Lot A, and the balance of Lot A, D.D.E. Subdivision, all located in the SW1/4 of SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.62 Acres
LOCATION	At the intersection of Jess Street and Cambell Street
EXISTING ZONING	General Commercial (Planned Commercial Development)
SURROUNDING ZONING	
North:	Heavy Industrial (County)
South:	General Commercial-Low Density Residential
East:	General Commercial (Planned Commercial Development)
West:	General Commercial
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Major Amendment to a Planned Development to modify a condition of approval be approved with the following stipulations:

Engineering Division Recommendations:

1. All stipulations of Preliminary and Final Plat #00PL050 and Final Commercial Development Plan #00PD020 shall be met;

Urban Planning Division Recommendations:

2. That upon Preliminary and Final Plat approval as identified on Plat #00PL050 and upon Final Commercial Development Plan approval for Lot 3 as identified on PCD #00PD020, Jess Street shall be constructed to the east lot line of Parcel B;

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3. That upon Preliminary and Final Plat approval and/or upon Final Commercial Development Plan approval for Lot 4 as identified on Preliminary and Final Plat #00PL050, the southern portion of Creek Drive shall be constructed from Jess Street to the south lot line;
4. That upon Preliminary and Final Plat approval and/or upon Final Commercial Development Plan approval for Lot 1 or Lot 2 as identified on Preliminary and Final Plat #00PL050, the northern portion of Creek Drive shall be constructed from Jess Street to the north lot line; and,
5. Prior to City Council approval of a Final Development Plan, no off-premise signage shall be allowed.

GENERAL COMMENTS: This Major Amendment to a Planned Development to modify one of the original conditions of approval is a companion item to a Preliminary and Final Plat proposing to create Lots 3, 4 and 5 of Lot A and Lots 1 through 4 of SSJE Subdivision and a companion item to a Final Planned Commercial Development for Lot 3, SSJE Subdivision.

In July, 1998, the subject property was annexed into the City limits of Rapid City and, subsequently, rezoned General Commercial with a Planned Development Designation. In 1998, a Preliminary and Final Plat was approved on the subject property creating Lot A, a 9.410 acre parcel, and leaving a 10.5 acre unplatted balance. (The 10.5 acre unplatted balance will be referred to as Parcel B). The Planned Development Designation stated that prior to Final Planned Commercial Development approval of more than two proposed lots on Lot A, the improvements shall be extended to the eastern property line of Lot A; and that prior to Final Planned Commercial Development approval for Parcel B, the east/west road (Jess Street) shall be developed to the eastern property line of Parcel B and that improvements to Creek Drive located in the section line right-of-way along the east lot line shall be completed.

In November, 1998, a Final Commercial Development Plan was approved for Phase One of Lot A to allow a 10,500 square foot strip mall with five (5) lease spaces to be constructed on the property (Lot 1 of Lot A). In June, 1999, a Final Commercial Development Plan was approved for Phase Two of Lot A to allow a 15,210 square foot building with one leased space to be constructed on the property (Lot 2 of Lot A). Subsequently, in July, 1999, a Preliminary and Final Plat was approved creating Lot 1 of Lot A and Lot 2 of Lot A.

A Final Commercial Development Plan for proposed Lot 3, SSJE Subdivision has been submitted (see companion item #00PD020 ). A portion of Lot 3 is located within the boundaries of Parcel B. As previously indicated, the Planned Development Designation originally approved stated that prior to Final Planned Commercial Development approval for Parcel B, the east/west road (Jess Street) shall be developed to the eastern property line of Parcel B and that improvements to Creek Drive located in the section line right-of-way along the east lot line shall be completed.

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The applicant is now requesting approval of a Major Amendment to the Planned Development Designation to change the condition of approval regarding the phasing of street improvements to allow for development in Parcel B.

STAFF REVIEW: Staff has reviewed the Major Amendment to the Planned Development Designation and has noted the following considerations:

Development Potential: Staff is concerned with potential development restrictions on the remaining balance of Parcel B not inclusive of the proposed boundary increase. The remaining balance has a number of major electrical transmission lines that bisect the property. Due to the number of utility easements located on the property, it appears that a limited buildable site may exist to support structural development. Staff is concerned with the viability of this lot to support the cost of the required improvements to Jess Street and Creek Drive.

On May 30, 2000, staff met with the applicant and the property owner to discuss various options to insure the timely construction of Jess Street and Creek Drive as required by the Planned Development Designation approved in 1998. Staff supports the following option:

1. That upon Preliminary and Final Plat approval as identified on the companion item and/or upon Final Commercial Development Plan approval for Lot 3, Jess Street shall be constructed to the east lot line of Parcel B;
2. That upon Preliminary and Final Plat approval as identified on the companion item and/or upon Final Commercial Development Plan for Lot 4, the southern portion of Creek Drive shall be constructed from Jess Street to the south lot line; and,
3. That upon Preliminary and Final Plat approval as identified on the companion item and/or upon Final Commercial Development Plan approval for Lot 1 and/or Lot 2, the northern portion of Creek Drive shall be constructed from Jess Street to the north lot line.

Land Use: The Planned Development Designation approved in 1998 requires that a specific list of proposed uses be submitted with each Final Commercial Development Plan. Uses allowed on Lot 1 of Lot A include retail sales, personal, professional and business service establishments, offices and restaurant uses. Uses allowed on Lot 2 of Lot A allowed for retail sales operations. The applicant has indicated that an "Auto Body Shop" will be located on proposed Lot 3. (The auto body shop must meet the minimum requirements established for an vehicle repair establishment as identified in the General Commercial Zoning District). Staff notes that if the proposed building is not occupied by an auto body shop, the use of the building will be limited to those already approved for Lot 1 of Lot A and Lot 2 of Lot A. Any other type of use will require a Major Amendment to the Planned Commercial Development.

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Public Comment: Staff has not received any comments regarding the Major Amendment to the Planned Development Designation. As of this writing, staff has not received the postal receipts documenting notice to adjoining property owners.