

STAFF REPORT

February 20, 2003

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**No. 03PD004 - Planned Development Designation**

**ITEM 49**

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GENERAL INFORMATION:

PETITIONER	Pine Lawn Memorial Park, Inc.
REQUEST	<b>No. 03PD004 - Planned Development Designation</b>
EXISTING LEGAL DESCRIPTION	Lot B of "Lots A & B, Section 14, T1N, R7E", less Lot H1-E2SW414-1-7 and less Lot H1-Lot B SW414-1-7, all located in the SW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .88 acres
LOCATION	4301 Tower Road
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District
South:	Right-of-Way
East:	Right-of-Way/General Commercial
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	01/23/2003
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the Planned Development Designation be approved with the condition that no sign permits or billboards shall be allowed unless approved as part of a Final Development Plan.

GENERAL COMMENTS: The property incorporated in this Planned Development Designation is located near Tower Road and Skyline Drive. The parcel is currently undeveloped, and is zoned General Agriculture. There is a corresponding rezoning request (03RZ002) being considered in conjunction with this proposed Planned Development Designation.

The applicant is proposing a Planned Development Designation at the Planning Commission's request. The Planning Commission considered 03RZ002 on January 23, 2003. Area property owners expressed concerns over the potential impacts the proposed rezoning could have on the property in the vicinity. The Planning Commission continued the rezoning request to allow the applicant to submit a request for a Planned Development

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Designation. The Planned Development Designation requires that the landowner submit an Initial and Final Development Plan for review by the Planning Commission prior to issuance of a building permit. The Planned Development Designation also requires public notification and the posting of a sign to be posted on the property prior to the public hearing before the Planning Commission. This ensures the surrounding neighbors an opportunity for public comment if there are any concerns over the future impacts of any development at the site.

A Use on Review was originally granted in 1985 to allow a cemetery to be located on the property on both sides of Tower Road. On June 15, 1992 the City Council renewed the Use on Review for the cemetery, and the use was renewed with the following stipulations:

1. The Arrowhead Drainage Basin fees be paid prior to the issuance of a building permit;
2. That a parking plan be submitted for approval of the Planning Department; and
3. That any change to the approved site plan require an amendment to this Use on Review.

In November of 1996, The City of Rapid City initiated a rezoning request for the subject property. The request at that time was to rezone the property from the No Use classification to General Commercial Zoning District. At the time of the request, the property owner Pinelawn Memorial Park, requested that they be allowed the opportunity to have their board review the proposed rezoning. In accordance with that request, Staff recommended that the rezoning request be denied without prejudice. On December 2, 1996, the City Council heard the first reading of the request and took formal action to deny without prejudice.

In March of 1997, the City of Rapid City initiated action to rezone the property from No Use Zoning District to General Agriculture Zoning District. At the time, the Staff felt the General Agriculture District would act as a short term holding zone until long term zoning could be determined.

**STAFF REVIEW:** The proposed rezoning will be consistent with the zoning to the north and to the east of the subject property. The applicant is requesting a Planned Development Designation to verify that the impacts of the proposed rezoning will be minimal on the surrounding land uses. The Planned Development Designation will ensure notification will be required, and Initial and Final Development plans will need to be submitted prior to approval. In addition, this procedure will guarantee that the unique attributes and properties of the site will be taken into account prior to any development of the parcel. The Planned Development Designation will provide an opportunity to mitigate possible impacts on the residential neighborhood to the west of the site. In particular, traffic, lighting, noise, and visual impact concerns must be addressed and mitigated as a part of the review for the Planned Development Designation.

Staff recommends the approval of the Planned Development Designation. The Planned Development Designation will allow the site specific issues to be addressed at the time a development proposal is prepared. According to the Planned Development Designation Ordinance, no building permits will be permitted until such time as a Final Development Plan is approved.

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As of this writing, the receipts from the certified mailing have not been returned; however, the Planned Development Designation sign has been posted on the property. Staff will notify the Planning Commission at the February 20, 2003 Planning Commission meeting if the notification requirements have not been met. Staff has received one call and one written letter concerning the proposed Planned Development Designation.