

STAFF REPORT

May 24, 2001

No. 01PD012 - Planned Development Designation

ITEM 7

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 01PD012 - Planned Development Designation
LEGAL DESCRIPTION	Lot C of NW1/4 SW1/4 less right-of-way, Section 17, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .60 Acres
LOCATION	4302 S. Highway 79
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Heavy Industrial District (City)
South:	Heavy Industrial District (County)
East:	Heavy Industrial District (County)
West:	General Commercial District (City)
PUBLIC UTILITIES	City Water and On-site Wastewater Disposal System
REPORT BY	Karen Bulman

RECOMMENDATION: **Staff recommends that the Planned Development Designation be continued to June 7, 2001, to allow the accompanying Comprehensive Plan amendment to be properly advertised.**

GENERAL COMMENTS: **This Staff Report has been revised as of May 10, 2001. New or revised text is shown in bold print.** This Planned Development Designation is a companion item to a proposed rezoning from No Use Planning District to the General Commercial Zoning District, **and also the amendment to the Comprehensive Plan.** The property is located on the east side of South Dakota Highway 79 and is currently the location of Smokin Joe's No 12 Bar and Grill. This property can be accessed from Merrillat Road on the north or the Highway 79 Service Road on the east.

According to the Rapid City Zoning Ordinance, a Planned Development Designation is a procedure by which property can be officially designated as a future Planned Residential Development, Planned Unit Development, Planned Commercial Development, or Planned Light Industrial Development prior to approval of an Initial or Final Development Plan. One of the factors established by the Ordinance in determining whether a property should be a Planned Development designation is – *“When the location of the property is such that its development may have unusually significant impacts upon public infrastructure or surrounding developed areas.”* Staff believes that the future development of this property adjacent to SD Highway 79 and located within an Industrial area could create conflicts with the adjacent land uses in the area. The Planned Development Designation can help to

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minimize land use conflicts with the surrounding uses.

STAFF REVIEW: In 1998, this property was annexed into the City at the request of the property owner. It is currently in a No Use Zoning District. The property is identified by the Rapid City Comprehensive Plan as located in a future industrial area on the east side of South Dakota Highway 79. Most of the surrounding land uses on the east side of the highway are industrial in nature. The Future Land Use Committee reviewed this property and expressed concerns with the location of the commercial activity in an industrially zoned and developed area. These concerns included parking issues associated with the current use, and the proximity of the property to the future intersection of the Heartland Expressway and U.S. Highway 79. The Future Land Use Committee recommended that the property be zoned a Light Industrial District despite the fact that this zoning would make the existing restaurant a non-conforming use. Restaurants are not permitted uses in the Light Industrial Zoning District. Staff recommended approval of the rezoning of this property to Light Industrial at the November 22, 2000 Planning Commission. Joe Crawford, property owner, requested that the property be zoned General Commercial. The Planning Commission recommended denial of the application to rezone this property Light Industrial, and requested that Staff advertise to rezone to a General Commercial District with a Planned Development Designation. Subsequently, a rezoning request from No Use Zoning District to General Commercial Zoning District is being processed in conjunction with this Planned Development Designation. **At the April 26, 2001 Planning Commission meeting, this item was continued to May 24, 2001, to allow consideration of an amendment to the Comprehensive Plan to change the land use from Industrial to Commercial.**

Staff believes the Planned Development Designation is a useful tool for the current rezoning request. The Planned Development Designation will allow the petitioner to acquire General Commercial zoning for the property but will also allow the City to adequately address site specific issues prior to an expansion of the current use. These specific issues include the locations of future access and compliance with premise signs. According to the Planned Development Designation Ordinance, no building permits or any off-premise signs will be permitted until such time as a Final Development Plan is approved.

The certified mailings have been returned and the sign posted on the property. **Staff has received one call requesting information on this request.**