

STAFF REPORT

June 7, 2001

No. 01PD003 - Planned Commercial Development - Initial and Final Development Plan **ITEM 45**

GENERAL INFORMATION:

PETITIONER	Fisk Engineering for John Skulborstad and Peter Torino
REQUEST	No. 01PD003 – Planned Commercial Development – Initial and Final Plan
LEGAL DESCRIPTION	Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1 Acres
LOCATION	North of the Cleghorn Fish Hatchery on U.S. Highway 44 West
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Limited Agriculture District (County) / Medium Density Residential District
South:	Flood Hazard District
East:	Flood Hazard District / Medium Density Residential District
West:	Limited Agriculture District (County)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Planned Commercial Development – Initial Development Plan **be denied without prejudice at the applicant’s request.**

GENERAL COMMENTS: **This item has been continued several times since the February 22, 2001 Planning Commission meeting to be heard in conjunction with an associated Preliminary and Final Plat. This Staff Report has been revised as of 5/31/01. All revised or added text is shown in bold print.** The Planned Development Designation is a companion item to a proposed rezoning request on the subject property. The applicant is proposing to change the zoning from Park Forest to Office Commercial with a Planned Development Designation in order to allow a photography studio on the property. In addition, the applicant has submitted a Preliminary and Final Plat to create a one acre lot and a Subdivision Regulations Variance request to waive the requirement for sewer, water, sidewalk and street light conduit. (See companion items #01RZ001, 01PL007 and 01SV005, respectively.)

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Currently an unoccupied building is located on the property. At one time the building was the site of the Johnson Siding Volunteer Fire Department.

STAFF REVIEW: On May 31, 2001, the applicant indicated that he would like the associated Rezoning request and the Planned Commercial Development request denied without prejudice at this time in order for him to potentially bring these items forward again for consideration in the future. The applicant has indicated that a residence will be constructed on the property as permitted in the Park Forest District. In addition, the applicant is proposing to locate the photography studio on the property as a home occupation. Staff has advised the applicant that the proposed use qualifies as a major home occupation. In addition, the proposed one acre lot does not meet the minimum lot size requirement of the Park Forest District. The applicant has indicated that a Planned Residential Development request will be submitted to allow the one acre lot in the Park Forest District and to allow the photography studio on the property as a major home occupation. Careful review will be required when any Planned Residential Development request is submitted. Particular attention will be paid to what, if any justification may exist for reducing the minimum lot size from three acres to one acre, unless it is submitted in conjunction with a plan for the entire property that complies with the overall density of the underlying zoning district.

Staff is recommending that the Planned Commercial Development - Initial and Final Development Plan be denied without prejudice as requested by the applicant.