

STAFF REPORT

March 21, 2002

No. 01PD021 - Revocation of Initial Development Plan - Planned Commercial Development **ITEM 52**

GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for W.E.B. Partners
REQUEST	No. 01PD021 - Revocation of Initial Development Plan - Planned Commercial Development
LEGAL DESCRIPTION	Area to be revoked: Property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start.
PARCEL ACREAGE	Approximately 3.202 Acres
LOCATION	West of the western terminus of Fairmont Boulevard and north of Tower Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	General Commercial District/Planned Commercial Development
South:	Park Forest District
East:	General Commercial District/Planned Commercial Development
West:	Park Forest District
PUBLIC UTILITIES	City Sewer and Water Available for Extension to Site
DATE OF APPLICATION	12/05/2001
REPORT BY	Marcia Elkins

RECOMMENDATION:

Staff recommends that the Revocation of a portion of the Initial Development Plan - Planned Commercial Development be approved in conjunction with the related rezoning request and Planned Development Designation request.

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GENERAL COMMENTS: (All changes shown are shown in bold.) This item was previously continued as R&R Realty, LLP had submitted a letter regarding their concerns with the project. R&R Realty had indicated that they would attend the meeting on March 7, 2002; however, no one appeared at the meeting on behalf of R&R Realty. As a result, the Planning Commission continued the request to allow them the opportunity to appear before the Planning Commission on March 21, 2002. Staff spoke with David A. Westergaard, Corporate Attorney representing R&R Realty. He indicated that R&R Realty stands behind the comments contained in the letter and they do not intend to appear at the Planning Commission meeting on March 21, 2002.

On July 2, 2001, the Rapid City Council approved an Initial Development Plan for a Planned Commercial Development in an Office Commercial zoning district with stipulations. The development was identified as Skyline Pines East. Subsequently, the applicant has submitted a Comprehensive Plan Amendment to change the land use designation on a portion of the property included in the Initial Development Plan from Office Commercial land use to General Commercial land use. In addition, a rezoning request and a Planned Development Designation request have been submitted. The applicant has submitted this request to revoke the Initial Development Plan approval for that portion of the site for which the General Commercial land use designation, rezoning and Planned Development Designation requests has been submitted. The balance of the property will continue to be subject to the original approval and stipulations of the Initial Planned Development (01PD021) as approved by the City Council.

This revocation affects approximately 3.2 acres of land located along the future extension of Fairmont Boulevard west of the Ridco development and the proposed hotel development adjacent to Mount Rushmore Road.

STAFF REVIEW:

This Planned Commercial Development was required as a condition of the original rezoning to Office Commercial to insure that the impacts of commercial development were adequately mitigated. Concerns were expressed about the aesthetic characteristics of development on a major entryway into the community, the impacts on the City's skyline as viewed from eastern portions of the community, as well as vehicular traffic impacts on the intersection of Fairmont Boulevard and Mount Rushmore Road.

As such, staff can only support the revocation of a portion of this Initial Development Plan for a Planned Commercial Development in the Office Commercial zoning district in conjunction with the associated rezoning and Planned Development Designation. The Planned Development Designation will insure that the previously mentioned impacts are addressed and mitigated prior to initiation of any development of the property.