

STAFF REPORT

February 20, 2003

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**No. 03PD005 - Planned Development Designation**

**ITEM 36**

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GENERAL INFORMATION:

PETITIONER	J. Scull Construction Service for Jim Scull, Jr.
REQUEST	<b>No. 03PD005 - Planned Development Designation</b>
EXISTING LEGAL DESCRIPTION	Lot 10A, Block 1, Owen Mann Subdivision; and Lots 12 thru 16 less Lot H-2 and H-3, Block 1, Owen Mann Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.13 acres
LOCATION	East of Federal Avenue along Kinney Avenue
EXISTING ZONING	Medium Density Residential District and Office Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Medium Density Residential District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	01/08/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

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

GENERAL COMMENTS:

The applicant has submitted a Planned Development Designation request and two associated rezoning requests on the above legally described property. (See companion items #03RZ003 and 03RZ005.) Rezoning Application #03RZ003 proposes to change the zoning designation on Lot 13 from Office Commercial to General Commercial. Rezoning Application #03RZ005 proposes to change the zoning designation on the balance of the property from Medium Density Residential District to General Commercial. Currently, a 1,500 square foot structure is located on Lot 13. The balance of the property is void of any structural development.

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On December 18, 2000 the City Council denied without prejudice at the applicant's request Conditional Use Permit Application #00UR038 to allow a church to be located on Lot 13.

**STAFF REVIEW:**

The City's Long Range Comprehensive Plan identifies the appropriate use of the property as commercial. Rezoning the property as proposed will bring conformity between the zoning and the future land use identified for the subject property. The additional review provided by the Planned Commercial Development will insure that possible adverse impacts of future development on the site will be adequately mitigated. Potential issues that will need to be addressed through the Planned Commercial Development include access issues, traffic patterns and buffering and screening requirements. More specifically, staff has noted the following concerns:

**Access and Traffic Concerns:** Kinney Avenue is located along the west lot line, 32<sup>nd</sup> Street is located along the east lot line and West Chicago Street is located along the north lot line. Kinney Avenue serves as access to a residential housing development located south of the subject property. Access from Kinney Avenue will be limited and/or eliminated depending upon the proposed use of the site due to the potential traffic concerns relative to commercial traffic onto an already congested roadway. In addition, West Chicago Street is identified on the Major Street Plan as a principal arterial street requiring that access to the site be taken from 32<sup>nd</sup> Street, the lesser order street. The approach location along 32<sup>nd</sup> Street to the site must meet the minimum separation requirements from the West Chicago Street/32<sup>nd</sup> Street intersection as required by the Street Design Criteria Manual.

**Fire Department:** The Fire Department has indicated that adequate fire apparatus access must be provided as the property redevelops. In addition, fire hydrants must be provided as required by the Uniform Fire Code. The location of the fire hydrants and required fire flows must be demonstrated upon submittal of a Final Planned Commercial Development. The Fire Department has also indicated that the fire hydrant(s) must be in place and operational prior to any building construction.

**Buffering and Screening:** Landscaping and buffering will need to be significantly improved over the existing conditions to minimize any negative impacts on the residential housing development located south and southwest of the subject property. In particular, substantial screening and landscaping will be required along the west and south lot lines to create a buffer between the existing residential development and the proposed commercial development. In addition, the design of the proposed structure(s) will need to be carefully reviewed to insure compatibility with the adjoining residential land uses. Air handling equipment must be carefully designed to reduce the noise impacts on the area. Parking area, lighting and signage will need to be addressed as part of the Planned Commercial Development Initial and Final Development Plan to insure compatibility with the surrounding land uses.

**Notification:** As of this writing, the receipts from the certified mailing have not been returned nor

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has the sign been posted on the property. Staff will notify the Planning Commission at the February 20, 2003 Planning Commission meeting if these requirements have not been met. Staff has received one call; however, the caller indicated that he did not oppose the proposed rezoning as long as a Planned Development Designation was also being approved for the property.