

STAFF REPORT

June 5, 2003

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**No. 03PD022 - Planned Development Designation**

**ITEM 34**

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GENERAL INFORMATION:

|                               |  |
|-------------------------------|--|
| PETITIONER                    | FMG Inc. for Bypass LLC  |
| REQUEST                       | <b>No. 03PD022 - Planned Development Designation</b>   |
| EXISTING<br>LEGAL DESCRIPTION | That part of the NE1/4 of Section 28, T2N, R8E, BHM, Pennington County, South Dakota, that lies within the following description: Commencing at an aluminum survey cap at the center of Section 28; thence N48°44'38"E, 1414.78 feet to a point; thence N89°58'15"E, 1588.06 feet to a point along the East Section Line of Section 28; thence S00°01'17"E, 276.57 feet to a point along the East Section Line of Section 28; thence N89°54'47"W, 32.73 feet to a rebar with survey cap marked "2652"; thence N89°54'47"W, 1292.77 feet to a point; thence S00°01'04"E, 663.68 feet to a point at the South 1/16 Corner of the NE1/4 of Section 28; thence N89°48'22"W, 1326.47 feet to an aluminum survey cap at the center of Section 28 at the point of beginning |
| PARCEL ACREAGE                | Approximately 25.46 acres  |
| LOCATION                      | Northwest of I-90 and Elk Vale Road  |
| EXISTING ZONING               | General Agriculture District   |
| SURROUNDING ZONING            |  |
| North:                        | General Agriculture District   |
| South:                        | General Commercial District  |
| East:                         | General Agriculture District   |
| West:                         | General Agriculture District   |
| PUBLIC UTILITIES              | To be extended   |
| DATE OF APPLICATION           | 05/09/2003   |
| REPORT BY                     | Karen Bulman   |

RECOMMENDATION: The Future Land Use Committee recommends that the Planned Development Designation be approved contingent upon the approval of the associated rezoning from General Agriculture District to General Commercial District with the following stipulation:

1. No building permits or sign permits shall be issued for the property until such time as an Initial and Final Development Plan has been approved for the property.

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GENERAL COMMENTS: This undeveloped property is located northwest of the intersection of I-90 and Elk Vale Road. The Planned Development Designation application is a companion item to a proposed rezoning from General Agriculture District to General Commercial District (03RZ021) and an Amendment to the Comprehensive Plan to change the Northeast Area Future Land Use Plan from Light Industrial land use(s) to General Commercial land use(s) with a Planned Commercial Development (03CA013). Upon approval of the Comprehensive Plan Amendment, the Planned Development Designation will require that an Initial and Final Development Plan(s) be submitted for review and approval prior to the issuance of any building permits for construction on the property.

STAFF REVIEW: The subject property is identified in the Northeast Area Future Land Use Plan as appropriate for Light Industrial land use. As noted, an Amendment to the Comprehensive Plan to change the land use designation in the Northeast Area Future Land Use Plan from Light Industrial to General Commercial with a Planned Commercial Development is being processed in conjunction with this request. The land use designation to the northwest and west of the property is identified as Light Industrial. Additional property to the northeast was approved at the May 8, 2003 Planning Commission meeting for an Amendment to the Comprehensive Plan to change the land use from Light Industrial to General Commercial (03CA010). The land use designation to the south is identified as General Commercial with a Planned Commercial Development and General Commercial.

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 Planned Development Designation can help to minimize land use conflicts such as drainage issues, additional traffic, lights, or signage associated with the General Commercial Zoning District with the surrounding uses when future development of this property occurs. The Planned Development Designation will allow the petitioners to acquire General Commercial zoning for the property but will also allow the City to adequately address site specific issues prior to development. Due to the location of the City’s Visitor Center adjacent to the subject property, the location of two principal arterial roadways adjacent to the property, as well as the close proximity of I-90, a major gateway into Rapid City, Staff feels that the Planned Development Designation will be a useful tool to address any site specific issues before development occurs.

The property owner met with the Future Land Use Committee on May 1, 2003 regarding the rezoning of this parcel from General Agriculture District to General Commercial District with a Planned Development Designation. The Future Land Use Committee felt a Planned Development Designation on the subject property would help to mitigate any potential land use conflicts.

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The Future Land Use Committee is requesting this Planned Development Designation be approved contingent upon the approval of the associated Rezoning and in conjunction with the Amendment to the Comprehensive Plan.

As of this writing, the sign has been posted on the property, but the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the June 5, 2003 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding this request.