

STAFF REPORT
October 4, 2007

No. 07RZ043 - Rezoning from Park Forest District to General Commercial District **ITEM 34**

GENERAL INFORMATION:

PETITIONER	Scull Construction for Whittingham & Lestrage, LPI
REQUEST	No. 07RZ043 - Rezoning from Park Forest District to General Commercial District
EXISTING LEGAL DESCRIPTION	A parcel of land located in the NE1/4 SW1/4 in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, described as follows: commencing at the rear lot corner common to Lots 3 and 4 of Block 1 of Tower Ridge 2 Subdivision, rebar with a survey cap stamped LS 6117, Thence S25°59'34"E a distance of 55.29' to the point of beginning; Thence First Course: along a line with a bearing of N00°00'38"E and a distance of 355.70; Thence Second Course: along a line with a bearing of S10°41'47"E and a distance of 590.96 feet; to an intersection with the northerly line of Lot 5 of Block 1 of Tower Ridge 2 Subdivision; Thence Third Course: along said Lot 5 and the northerly line of Lot 4 of Block 1 of Tower Ridge 2 Subdivision with a bearing of N25°59'34"W and a distance of 250.40 feet to the Point of Beginning
PARCEL ACREAGE	Approximately .0448 acres
LOCATION	Northeast of Table Rock Road
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Park Forest District
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/11/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Rezoning from Park Forest District to General Commercial District

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shall be continued to the **October 25, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

GENERAL COMMENTS:

(Update, September 21, 2007. All revised and/or added text is shown in bold print.) This item was continued at the September 6, 2007 Planning Commission meeting to allow the applicant to submit additional information. Staff met with the applicant on August 7, 2007 to discuss Traffic Impact Study revisions, drainage issues and access issues. To date, the revised and/or additional information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the October 25, 2007 Planning Commission meeting.

(Update, August 24, 2007. All revised and/or added text is shown in bold print.) This item was continued at the August 9, 2007 Planning Commission meeting at the applicant's request. Staff met with the applicant on August 7, 2007 to discuss Traffic Impact Study revisions, drainage issues and access issues. To date, the revised and/or additional information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the October 4, 2007 Planning Commission meeting.

(Update, July 27, 2007. All revised and/or added text is shown in bold print.) This item was continued at the July 26, 2007 Planning Commission meeting at the applicant's request. The applicant has subsequently requested that this item be continued to the August 23, 2007 Planning Commission meeting. As such, staff is recommending that the Rezoning request be continued to the August 23, 2007 Planning Commission meeting as requested by the applicant.

(Update, July 13, 2007. All revised and/or added text is shown in bold print.) This item was continued at the July 5, 2007 Planning Commission meeting at the applicant's request. The applicant has subsequently requested that this item be continued to the August 9, 2007 Planning Commission meeting. As such, staff is recommending that the Preliminary Plat be continued to the August 9, 2007 Planning Commission meeting as requested by the applicant.

(Update, June 27, 2007. All revised and/or added text is shown in bold print.) This item was continued at the June 21, 2007 Planning Commission meeting at the applicant's request. The applicant has subsequently requested that this item be continued to the July 26, 2007 Planning Commission meeting. As such, staff is recommending that the rezoning request be continued to the July 26, 2007 Planning Commission meeting as requested by the applicant.

The applicant has submitted a rezoning request to change the zoning designation on a .0448 acre parcel, from Park Forest to General Commercial. In addition, the applicant has submitted an Amendment to the adopted Comprehensive Plan to change the future land use designation from Park Forest to General Commercial with a Planned Commercial Development on the .0448 acre parcel. The applicant has also submitted a Planned

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Development application (File #07PD034) for the .0448 acre parcel. In addition, the applicant has submitted a Preliminary Plat (File #07PL067) to subdivide 78.613 acres, including the .0448 parcel, into eleven lots. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #07SV026) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Catron Boulevard and U.S. Highway 16.

On June 3, 2002, the City Council approved a rezoning request to change the zoning designation on a portion of the subject property, or 14.726 acres, from General Agriculture District to Office Commercial District. In addition, a Planned Development Designation was approved for this portion of the subject property. The 14.726 acres included that property currently platted as "Tower Ridge Subdivision No. 2". In October of 2002, the City Council approved a Rezoning request to change the zoning designation of Tower Ridge Subdivision No. 2 from Office Commercial District to General Commercial District.

On October 30, 2006, the City Council approved two rezoning requests (File #06RZ029 and #06RZ030) to change the zoning designation on portions of the subject property located directly east of "Tower Ridge Subdivision No. 2", or 1.634 acres and 2.336 acres, respectively, from Office Commercial to General Commercial.

The subject property is located in the northeast corner of the intersection of U. S. Highway 16 and Catron Boulevard and is currently void of any structural development.

STAFF REVIEW:

The applicant had originally requested that this item be continued in order for additional information to be submitted for review and approval. As of this writing, the revised and/or additional information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the October 25, 2007 Planning Commission meeting.

Legal Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. Staff has received several calls of inquiry regarding this item.