

STAFF REPORT  
December 4, 2008

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**No. 08RZ035 - Rezoning from General Agriculture District to Office Commercial District**

**ITEM 5**

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GENERAL INFORMATION:

APPLICANT	Jim Mattern for Black Hills Corporation
AGENT	Robert A. Morcom for TSP Three, Inc.
PROPERTY OWNER	Black Hills Corporation
REQUEST	<b>No. 08RZ035 - Rezoning from General Agriculture District to Office Commercial District</b>
EXISTING LEGAL DESCRIPTION	The SW1/4 of the SW1/4, and that part of the NW1/4 of the SW1/4 lying south of Highway Right-of-way, less Lot H1, all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 47.04 acres
LOCATION	South of Catron Boulevard and east of Tartan Court
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (Pennington County)
East:	Highway Services District (Pennington County) - Suburban Residential District (Pennington County)
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/26/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Rezoning from General Agriculture District to Office Commercial District be continued to the **December 18, 2008** Planning Commission meeting.

GENERAL COMMENTS:

**(Update, November 21, 2008. All revised and/or added text is shown in bold print.)**  
Staff met with the applicant and their consultant on November 20, 2008 to review the project and to discuss the outstanding issues. The applicant indicated that they will be submitting a revised site plan eliminating the day care and the parking lot from the southern portion of the property. The applicant also indicated that they will be

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**conducting a neighborhood meeting to discuss the project on December 8, 2008. As such, the applicant is in concurrence with continuing this item to the December 18, 2008 Planning Commission meeting to allow them to submit additional and/or revised information and to review the neighborhoods concerns and comments regarding this project.**

**Staff is recommending that this item be continued to the December 18, 2008 Planning Commission meeting with the applicant's concurrence.**

(Update, October 29, 2008. All revised and/or added text is shown in bold print.) This item was continued at the October 23, 2008 Planning Commission meeting to allow the applicant to submit a Traffic Impact Study for review and approval in order to determine if the proposed Comprehensive Plan Amendment to the Future Land Use Plan to allow Office Commercial with a Planned Commercial Development is appropriate at this location. The applicant has subsequently submitted a Traffic Impact Study. Staff has reviewed the document and has noted that the Traffic Impact Study must be revised to address the following items:

1. Section 2.2 – Identify that the development is located in the US Highway 16 Neighborhood Area Future Land Use Plan not the South Robbinsdale Neighborhood Area Future Land Use Plan;
2. Section 3.4 – Revise the study to show that the Future Land Use plan for this area currently identifies the appropriate use of the property as a Planned Residential Development with a maximum density of 6.7 dwelling units per acre. In addition, the study must be revised to show the current zoning of the property as General Agricultural District;
3. Section 7.0 – The existing development on Tartan Court will utilize the new north-south collector street when Catron Boulevard is reconstructed. As such, the 2013 traffic volumes must reflect the existing development on Tartan Court;
4. Section 9.0 – The year 2025 traffic volumes do not reflect the build out of the area to the west and south of the proposed development that would access the new north-south collector street. As such, the traffic counts along the north-south collector street must be revised to include future traffic generated from the adjacent properties as per the adopted Future Land Use Plan;
5. Table 2 – Traffic counts for the call center must be included in the average daily trip counts;
6. Table 2 – The AM and PM peak hour trips for the call center may be reduced if a restriction is placed in the Planned Development to only allow shift work that does not coincide with the AM or PM peak hours. It may be more appropriate to determine the number of trips based on the square footage of the proposed office building to determine if the restriction to shift work is really necessary.
7. Table 2 – The trip rate used for the day care facility currently restricts the use of the day care facility to employees only. To allow flexibility in the future, it may be appropriate to use the standard day care trip rate. Otherwise, the Planned Development will be used as a tool to regulate usage of the day care facility;

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8. Revise the report to include an intersection sight distance evaluation for the intersection of the north-south collector street and Catron Boulevard;
9. Revise the report to include a discussion of the Catron Boulevard crash history in the vicinity of the project site;
10. Revise the report to reference U.S. Highway 16 in lieu of Mount Rushmore Road; and,
11. Section 7.2 & Appendix C-The report cites Manual on Uniform Traffic Control Devices (MUTCD) as the basis for justifying the installation of a traffic signal at the proposed north-south collector street and Catron Boulevard intersection. In evaluating the need for a traffic signal, the MUTCD suggests that the traffic volumes used for evaluating the warrants be reduced for intersection approaches with exclusive right turn lanes. In an effort to standardize the methodology for quantifying the number of right turns that should be subtracted from the gross side street volumes, the National Cooperative Highway Research Program (NCHRP) developed a recommended practice that was included in their Report #457. Before a traffic signal is considered necessary, the report should include a discussion of the treatment of outbound right turning traffic and, if appropriate, the justification for not applying Report #457.

Staff is recommending that the Rezoning request to change the land use designation from General Agriculture District to Office Commercial District be continued to the November 20, 2008 Planning Commission meeting to allow the applicant to revise the Traffic Impact Study as identified above.

The applicant has submitted a Rezoning request to change the zoning designation of the property from General Agriculture District to Office Commercial District. In addition, the applicant has submitted a Comprehensive Plan Amendment to the Future Land Use Plan (File #08CA037) to change the land use designation from a Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Office Commercial with a Planned Commercial Development.

The applicant has also submitted an Initial Commercial Development Plan to construct a customer call center, office campus, a day care facility and a recreational area on the property. The applicant has indicated that the development will be constructed in three phases and will be known as the "Black Hills Power Customer Call Center and Office Campus".

The property is located south of Catron Boulevard and east of Tartan Court. Currently, a utility substation, owned and operated by Black Hills Power, is located in the southeast corner of the property.

**STAFF REVIEW:**

Staff has reviewed the Rezoning request and has noted the following considerations:

**Traffic Impact Study:** The adopted Future Land Use Plan currently identifies the appropriate use of the 47 acres as a Planned Residential Development with a maximum density of 6.7

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dwelling units per acre. Developing the 47 acre parcel with commercial use(s) will result in a significant increase in traffic. Staff had previously met with the applicant and indicated that a Traffic Impact Study must be submitted in conjunction with the proposed change in land use designation and with the Initial Planned Commercial Development applications to determine if commercial use(s) are appropriate at this location. Of particular concern is the traffic associated with the proposed use and the access onto U.S. Highway 16B (Catron Boulevard). This portion of U.S. Highway 16B is a high speed arterial highway and a designated truck route. Access to the site from U.S. Highway 16B is located on a steep hill. Several serious injury accidents including fatalities have occurred on the segment of U.S. Highway 16B between U.S. Highway 16B and South Dakota Highway 79. Due to the volume of traffic carried on this roadway and the existing accident history, significant care and consideration must be used in considering any proposed changes to the land use in the area. The Rapid City 2000 Plan for the Truck Route Area adopted in 1987 identified the future land use of the property as a Planned Residential Development. It also identified the need to limit access onto the truck route where ever possible.

To date, a Traffic Impact Study has not been submitted for review and approval. The applicant has indicated that a study is currently being completed and will be submitted in the near future. Staff is recommending that this item be continued to allow the applicant to submit the Traffic Impact Study for review and approval. This will ensure that all the information is available for the Planning Commission to make an informal recommendation to the City Council.

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.

Staff is recommending that the Rezoning request be continued to the **December 18, 2008 Planning Commission meeting with the applicant's concurrence.**