

STAFF REPORT
March 22, 2012

No. 12PD011 - Initial and Final Commercial Development Plan

ITEM 10

GENERAL INFORMATION:

APPLICANT	Rick Bentley - Bentley-Miller
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Lazy P6 Land Co., Inc.
REQUEST	No. 12PD011 - Initial and Final Commercial Development Plan

EXISTING
LEGAL DESCRIPTION

A parcel of land located at the southeast corner of the intersection of Fifth Street and East Stumer Road, located in Lot Two (2), which is sometimes referred to as Government Lot Two (2), in Section Nineteen (19), in Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, said parcel of land being more fully described as follows: Beginning at the southeast intersection of the rights-of-way of way of Fifth Street and East Stumer Road, said point being marked by a rebar with survey cap LS 6251; thence first course, northeasterly on the south line of East Stumer Road right-of-way, North 78 degrees 47 minutes 37 seconds East a distance of 24.49 feet more or less to a point marked by a rebar with survey cap LS 6251; thence second course, northeasterly and continuing on the south line of East Stumer Road right-of-way and curving to the right on a curve with a radius of 650.00 feet, a delta of 5 degrees 21 minutes 06 seconds, an arc length of 60.71 feet, a chord bearing of North 81 degrees 35 minutes 29 seconds East and a chord distance of 60.69 feet more or less to a point marked by a rebar with survey cap LS 6251; thence third course, northwesterly and continuing on the south line of East Stumer Road right-of-way, North 05 degrees 10 minutes 46 seconds West a distance of 22.97 feet more or less, to a point marked by a rebar with survey cap LS 6251; thence fourth course, northeasterly and continuing on the south line of East Stumer Road right-of-way and curving to the right on a curve with a radius of 170.00 feet, a delta of 11 degrees 43 minutes 50 seconds, an arc length of 34.81 feet, a chord bearing of North 84 degrees 14 minutes 24 seconds East and a chord distance of 34.74 feet more or less, to a point marked by a rebar with survey cap LS 6251; thence fifth course, southeasterly and continuing

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on the south line of East Stumer Road right-of-way South 89 degrees 52 minutes 14 seconds East a distance of 84.68 feet more or less to a point, from whence South 89 degrees 52 minutes 14 Seconds East a distance of 667.97 feet more or less, bears a rebar with survey cap LS 6251 on the south line of East Stumer Road right-of-way; thence sixth course, South 00 degrees 00 minutes 07 seconds West a distance of 68.72 feet, more or less; thence seventh course, bearing to the left on a curve with a radius of 485.00 feet, a delta of 10 degrees 12 minutes 48 seconds, an arc length of 86.45 feet, a chord bearing of South 5 degrees 06 minutes 17 seconds East and a chord distance of 86.34 feet more or less; thence eighth course, South 10 degrees 12 minutes 41 seconds East a distance of 66.77 feet more or less; thence ninth course, curving northeasterly to the right on a curve with a radius of 426.00 feet, a delta of 2 degrees 49 minutes 19 seconds, an arc length of 20.98 feet, a chord bearing of North 83 degrees 13 minutes 03 seconds East and a chord distance of 20.98 feet more or less; thence tenth course, South 5 degrees 22 minutes 18 seconds East a distance of 52.00 feet more or less; thence eleventh course, curving southwesterly to the left on a curve with a radius of 374.00 feet, a delta of 19 degrees 29 minutes 40 seconds, an arc length of 127.25 feet, a chord bearing of South 74 degrees 52 minutes 52 seconds West and a chord distance of 126.64 feet more or less; thence twelfth course, curving southwesterly to the right on a curve with a radius of 276.00 feet, a delta of 24 degrees 19 minutes 32 seconds, an arc length of 117.18 feet, a chord bearing of South 77 degrees 17 minutes 48 seconds West and a chord distance of 116.30 feet more or less, to a point on the easterly line of Fifth Street right-of-way, from whence South 00 degrees 07 minutes 03 Seconds West a distance of 194.05 feet more or less, bears a rebar with survey cap LS 6251 on the east line of Fifth Street right-of-way; thence thirteenth course, northeasterly along the east line of said Fifth Street right-of-way North 00 degrees 07 minutes 03 Seconds East a distance of 136.56 feet more or less to a point marked by a rebar with survey cap LS 6251; thence final course, continuing northwesterly along the easterly line of said Fifth Street right-of-way and curving to the left on a curve with a radius of 1021.00 feet, a delta of 8 degrees 33 minutes 28 seconds, an arc length of 152.50 feet, a chord bearing of North 4 degrees 09 minutes 06 seconds West and a chord distance of 152.36 feet more or less, to the point of beginning

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PARCEL ACREAGE	Approximately 1.38 acres
LOCATION	At the southeast corner of 5th Street and Stumer Road
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Office Commercial District - Office Commercial District (Planned Development Designation)
South:	General Commercial District (Pennington County)
East:	General Commercial District (Planned Development Designation)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	2/24/2012
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Initial and Final Commercial Development Plan be continued to the April 5, 2012, Planning Commission meeting.

GENERAL COMMENTS:

The applicant has submitted an Initial and Final Commercial Development Plan to construct a restaurant on the property. In particular, the applicant is proposing to develop the parcel as an Arby's restaurant.

On February 6, 2012, the City Council approved a Preliminary Plat (File #11PL075) to create a 12.06 acre lot to be known as Lot 5, North 80 Subdivision. On February 27, 2012, a Final Plat (File #12PL006) was approved creating Lot 5, North 80 Subdivision. The boundaries of this Planned Development application includes a 1.38 acre portion of Lot 5 located in the northwest corner of the lot.

The property is located southeast of the intersection of 5th Street and East Stumer Road. The property is currently undeveloped.

STAFF REVIEW:

Staff has reviewed the information submitted with the application and noted items that must be addressed prior to the item going forward. The applicant is currently working with staff to address these issues. Staff recommends that the Initial and Final Commercial Development Plan be continued to the April 5, 2012 Planning Commission meeting to allow additional time to resolve the outstanding issues.

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No. 12UR006 - Conditional Use Permit to allow professional offices

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Notification: As of this writing, the white slips and green cards have not been returned. In addition, the required sign has not been posted on the property. Staff will notify the Planning Commission at the March 22, 2012 Planning Commission meeting if these requirements have not been met.