

STAFF REPORT

April 8, 2010

No. 10PD011 - Planned Commercial Development - Initial Development Plan **ITEM 1**

GENERAL INFORMATION:

APPLICANT	THF Stoneridge Development, LLC
AGENT	Dream Design International, Inc.
PROPERTY OWNER	Stoneridge, LLC
REQUEST	No. 10PD011 - Planned Commercial Development - Initial Development Plan
EXISTING LEGAL DESCRIPTION	<p>A portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 of Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 39.94 feet, and the point of beginning; Thence first course: S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 327.91 feet, to the southeasterly corner of said Lot 4 of Block 2, common to the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°56'11"E, along the southerly boundary of said Lot 3 of Block 2, a distance of 205.60 feet, to the southeasterly corner of said Lot 3 of Block 2, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence third course: S81°55'52"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2 of Block 2; Thence fourth course: S72°01'35"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2 of Block 2; Thence fifth course: N17°47'24"E, along the easterly boundary of said Lot 2 of Block 2, a distance of 7.95 feet; Thence sixth course: S72°47'30"E, a distance of 215.27 feet; Thence seventh course: S12°34'57"W, a distance of 65.81 feet; Thence eighth course: S55°01'52"E, a distance of 472.79 feet; Thence ninth course: S00°19'04"W, a distance of 384.24 feet; Thence tenth course: S73°23'42"E, a distance of 44.41 feet, to a point on the northerly edge of Stumer Road right-of-way; Thence eleventh course: curving to the right, along the</p>

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northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 35°02'55", a length of 226.03 feet, a chord bearing of S72°48'06"W, and chord distance of 222.52 feet; Thence twelfth course: N89°40'48"W, along the northerly edge of said Stumer Road right-of-way, a distance of 730.69 feet; Thence thirteenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 30°00'39", a length of 193.54 feet, a chord bearing of N74°39'10"W, and chord distance of 191.33 feet; Thence fourteenth: N59°42'02"W, along the northerly edge of said Stumer Road right-of-way, a distance of 434.65 feet; Thence fifteenth course: N30°09'50"E, a distance of 114.26 feet; Thence sixteenth course: N13°16'45"W, a distance of 109.95 feet; Thence seventeenth course: N12°34'56"E, a distance of 475.15 feet, to the point of beginning

PARCEL ACREAGE	Approximately 25.11 acres
LOCATION	Northwest of the intersection of Fifth Street and Stumer Road
EXISTING ZONING	General Commercial District (Planned Development Designation) - Office Commercial District (Planned Development Designation) - Public District
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation) - General Commercial District (Planned Development Designation)
South:	General Commercial District (Planned Development Designation)
East:	Office Commercial District (Planned Commercial Development) - General Commercial District (Planned Development Designation)
West:	Office Commercial District (Planned Commercial Development) - General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/5/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal of the Planned Commercial Development - Initial Development Plan.

GENERAL COMMENTS:

(Update: March 28, 2010. All revised and/or added text is shown in bold print.) This item was continued at the March 4, 2010 Planning Commission meeting at the applicant's request. The applicant has since withdrawn this Initial Planned Commercial Development request.

On March 26, 2010, the applicant submitted a new Initial Planned Commercial Development request (File #10PD032) which shows the proposed 154,750 square foot "Wal-mart Supercenter" moved approximately 95 feet east and 20 feet south of the previously proposed location. This new item will be re-advertised and new notices will be mailed as soon as the date for the hearing is determined by the Planning Commission.

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal of this Initial Planned Commercial Development request.

The applicant has submitted an Initial Planned Commercial Development request to allow a 154,750 square foot "Wal-mart Supercenter" with an outdoor garden center and sales area and to allow a 30,900 square foot mini anchor store and a 16,000 square foot shopping store on the property. In addition, the applicant has submitted a Layout Plat (File #10PL007) to create six lots leaving three non-transferable balances. The lots are to be known as Lots 1 thru 4 of Block 4 and Outlots 1 and 11 of Block 4 of Black Hills Center. The "Wal-Mart Supercenter" is proposed to be located on Lot 1 of Block 4 and the mini anchor store and shopping store are proposed to be located on Lot 2 of Block 4.

On September 6, 2005, the City Council approved a Layout Plat (File #05PL048) to subdivide 101.5 acres into 25 lots. The Layout Plat included portions of this property. On November 21, 2005, the City Council approved a Preliminary Plat (File #05PL190) to subdivide 77.59 acres into 17 lots which also included portions of this property. On February 16, 2007, the City approved a Final Plat (File #07PL017) dedicating Stumer Road as right-of-way. On January 23, 2007, the City approved a Final Plat (File #07PL003) to create four lots located along 5th Street which included a portion of this property. The applicant has submitted the associated Layout Plat to reconfigure the previously proposed lot layout along Stumer Road and to replat one of the lots along 5th Street.

On January 3, 2005 the City Council approved several Rezoning requests and Comprehensive Plan Amendments to the Future Land Use Plan requests which resulted in the property being zoned as it currently is today. In particular, the northwest corner of the property is zoned Office Commercial District with a Planned Development Designation. A narrow portion along the north lot line is zoned Public District. The balance of the property is zoned General Commercial District with a Planned Development Designation. The

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Planned Development Designation(s) require that Initial and Final Development Plans be submitted for review and approval prior to issuance of a building permit.

The property is located northwest of the intersection of Fifth Street and Stumer Road. A drainage pond has been constructed on a portion of the property located along Fifth Street. The balance of the property is void of any structural development.

STAFF REVIEW:

The applicant has requested that this item be continued to the April 8, 2010 Planning Commission meeting. As such, staff recommends that the Initial Planned Commercial Development be continued as requested by the applicant.

Notification Requirement: The white receipts from the certified mailings have been returned and the sign(s) have been posted on the property. Staff has received numerous calls, e-mails and letters regarding this item.

Staff recommends that the Planning Commission acknowledge the applicant's withdrawal of this Initial Planned Commercial Development request.