

# STAFF REPORT

June 8, 2000

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**PCD #00PD020 - Final Development Plan**

**ITEM**

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GENERAL INFORMATION:

PETITIONER	Dream Design for SSJE, LLC
REQUEST	<b>PCD #00PD020 - Final Development Plan</b>
LEGAL DESCRIPTION	Lot 3, D.D.E. Subdivision, located in the SW1/4 of SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .965 Acres
LOCATION	At the intersection of Jess Street and Kermit Street
EXISTING ZONING	General Commercial (Planned Commercial Development)
SURROUNDING ZONING	
North:	Heavy Industrial (County)
South:	General Commercial-Low Density Residential
East:	General Commercial (Planned Commercial Development)
West:	General Commercial
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Final Development Plan be approved with the following stipulations:

Engineering Division Recommendations:

1. Perrine Drainage Basin Fees shall be paid prior to the issuance of a building permit;
2. Prior to City Council approval, a revised grading and drainage plan shall be submitted to insure that all requirements of the Perrine Drainage Basin Design Plan are being met;
3. Prior to issuance of a certificate of occupancy, handicap ramps shall be installed in accordance with City Code;
4. Prior to issuance of a certificate of occupancy, the approach located closest to the intersection of Jess Street and Kermit Lane along Jess Street shall be closed and the remaining approach along Jess Street shall be shifted to the east to align with an existing approach located across the street. In addition, the approach along Kermit Lane shall be shifted to the north lot line;
5. Prior to City Council approval, a revised landscaping plan shall be submitted eliminating any large trees located within the sanitary sewer easement or within 15 feet of the sewer line located along the southwest corner of the property;

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Urban Planning Division Recommendations:

6. The building shall be a maximum of 7,596 square foot one story structure with metal siding and a metal pitched roof. The building shall be colored in hues of tan and rust with a maximum 4 foot X 32 foot mounted wall sign located on the south side of the structure in the same color design as the structure;
7. The proposed building shall be used as a vehicle repair establishment and shall meet the minimum requirements established for a vehicle repair establishment as identified in the General Commercial Zoning District. If the proposed building is not occupied by a vehicle repair establishment, then the uses of the building shall be limited to those uses already approved for Lot 1 of Lot A and Lot 2 of Lot A as identified in Final Commercial Development Plan #98PD030 and Final Commercial Development Plan #99PD012. Any other type of use will require a Major Amendment to the Planned Commercial Development;
8. A maximum of 14 inoperable vehicles may be stored on the property. The inoperable vehicles shall either be stored within the structure or within a minimum six foot high masonry screening fence. If the applicant is proposing to allow inoperable vehicles to be stored outside of the proposed structure, then a revised site plan shall be submitted prior to City Council approval identifying the area and the location of the masonry screening fence;
9. A minimum of 30 parking spaces shall be provided with two of the spaces being handicap accessible. The parking lot, interior circulation on the property and the area to be used for outdoor storage of inoperable vehicles shall be paved. All provisions of the Off-Street Parking Ordinance shall be continually met; and,
10. Prior to City Council approval, Preliminary and Final Plat #00PL050 shall be approved identifying the extension of Jess Street to the east lot line of Parcel B.

GENERAL COMMENTS: The applicant is requesting approval of a Final Commercial Development Plan on the above legally described property. The request is a companion item to a Preliminary and Final Plat proposing to create Lots 3, 4 and 5 of Lot A and Lot 1 through Lot 4 of SSJE Subdivision and a companion item to a Major Amendment of a Planned Development to increase the boundaries of Phase One of the development.

The property is located northeast of the intersection of Jess Street and Kermit Lane and is currently void of any structural development. The applicant has indicated that a 7,596 square foot structure will be constructed on the property and that the structure will be the location of an "auto body shop".

In July, 1998, the SW1/4 of the SW1/4 of Section 32, T2N, R8E, including the subject property, was annexed into the City limits of Rapid City and, subsequently, rezoned General Commercial with a Planned Development Designation. In 1998, a Preliminary and Final Plat was approved for the annexed property creating Lot A, a 9.410 acre parcel, and leaving a 10.5 acre unplatted balance. (The 10.5 acre unplatted balance will be referred to as Parcel B). The Planned Development Designation stated that prior to Final Planned Commercial

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Development approval of more than two proposed lots on Lot A, the improvements shall be extended to the eastern property line of Lot A; and that prior to Final Planned Commercial Development approval for Parcel B, the east/west road (Jess Street) shall be developed to the eastern property line of Parcel B and that improvements to Creek Drive located in the section line right-of-way along the east lot line shall be completed.

In November, 1998, a Final Commercial Development Plan was approved for Phase One of Lot A to allow a 10,500 square foot strip mall with five (5) lease spaces to be constructed on the property (Lot 1 of Lot A). In June, 1999, a Final Commercial Development Plan was approved for Phase Two of Lot A to allow a 15,210 square foot building with one leased space to be constructed on the property (Lot 2 of Lot A). Subsequently, in July, 1999, a Preliminary and Final Plat was approved creating Lot 1 of Lot A and Lot 2 of Lot A.

The applicant is requesting approval of a Final Commercial Development Plan on the subject property (Lot 3, SSJE Subdivision). A portion of Lot 3 is located within the boundaries of Parcel B. As previously indicated, the Planned Development Designation originally approved stated that prior to Final Planned Commercial Development approval for Parcel B, the east/west road (Jess Street) shall be developed to the eastern property line of Parcel B and that improvements to Creek Drive located in the section line right-of-way along the east lot line shall be completed.

The applicant is also requesting approval of a Major Amendment to the Planned Development Designation to increase the boundaries of Phase 1 (see companion item #00PD021). Increasing the boundaries will allow for development on Lot 3 as identified on the proposed Preliminary and Final Plat without completing the road construction improvements prior to development of Parcel B as previously required. Staff is concerned with potential development restrictions on the unplatted balance of Parcel B and is concerned with the viability of the unplatted balance to support the cost of the required improvements to Jess Street and Creek Drive. As noted in staff's review of the companion items to this request, staff is recommending that upon Preliminary and Final Plat approval and upon Final Commercial Development Plan approval for proposed Lot 3, Jess Street shall be constructed to the east lot line of Parcel B. In addition, staff is recommending that prior to any development on proposed Lot 4, the southern portion of Creek Drive shall be constructed from Jess Street to the south lot line; and, that prior to any development on proposed Lot 1 or Lot 2, the northern portion of Creek Drive shall be constructed from Jess Street to the north lot line.

**STAFF REVIEW:** Staff has reviewed the Final Commercial Development Plan and has noted the following considerations:

**Land Use:** The Planned Development Designation approved in 1998 requires that a specific list of proposed uses be submitted with each Final Commercial Development Plan. Uses allowed on Lot 1 of Lot A included retail sales, personal, professional and business service establishments, offices and restaurant uses. Uses allowed on Lot 2 of Lot A allowed for retail sales operations. The applicant has indicated that an auto body shop" will be located on

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proposed Lot 3. The auto body shop must meet the minimum requirements established for a vehicle repair establishment as identified in the General Commercial Zoning District. Staff notes that if the proposed building is not occupied by an auto body shop, the uses of the building will be limited to those already approved for Lot 1 of Lot A and Lot 2 of Lot A. Any other type of use will require a Major Amendment to the Planned Commercial Development.

Screening Requirement: Chapter 17.18.25 of the Rapid City Municipal Code identifies that a vehicle repair establishment is a permitted use in the General Commercial Zoning District provided....."that all body and/or mechanical repair work shall be completed within an enclosed area. All inoperable vehicles shall be stored within a building or within a side or rear yard which is screened with an opaque fence at least six feet in height. The number of inoperable vehicles stored within a screened yard shall not exceed one per four hundred square feet of building floor area used for vehicle repair". The applicant's site plan identifies that a 5,796 square foot area within the structure will be used for vehicle repair allowing a maximum of 14 inoperable cars to be stored on the property. Due to the surrounding commercial development located west of the property and anticipated commercial development on the remaining surrounding properties, staff is recommending that all inoperable vehicles either be stored within the structure or within a minimum six foot high masonry screening fence. If the applicant is proposing to allow inoperable vehicles to be stored outside of the proposed structure, then a revised site plan must be submitted prior to City Council approval identifying the area and the location of the masonry screening fence.

Off-street Parking Requirement: The total parking requirement for the proposed use on the property is 30 parking spaces. Two of the spaces must be handicap accessible. The parking plan identifies a total of 34 parking spaces with four of the spaces being handicap accessible. This meets the parking requirements established by the City's Parking Regulations. The Parking Regulations also requires that all parking areas and interior circulation on the property must be paved. In addition, the area to be used for any outdoor storage of inoperable vehicles must also be paved.

Access: The applicant's site plan identifies two approaches along Jess Street and one approach along Kermit Lane serving as access to the property. The Engineering Division has indicated that the approach located closest to the intersection of Jess Street and Kermit Lane along Jess Street must be closed and that the remaining approach along Jess Street must be shifted to the east to align with an existing approach located south of the subject property, across the street. In addition, the Engineering Division has indicated that the approach along Kermit Lane must be shifted to the north and that a common access easement must be shown allowing the subject property to share access with any future development on the adjacent property. (Staff is recommending that the common access easement be shown on Preliminary and Final Plat #00PL050 as a condition of plat approval).

Landscaping: The Rapid City Municipal Code requires that a landscaping plan be submitted for review and approval. The amount of material to be used for landscaping shall be based on a point system calculated by subtracting the square footage of the proposed structure from the

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lot area. The subject property requires that a minimum of 42,896 landscaping points be provided. The applicant's site plan identifies that a majority of the required landscaping will be located along the west and south lot lines. The Engineering Division has indicated that a sanitary sewer line is located diagonally across the southwest corner of the property and that no large trees may be located within the sanitary sewer easement or within 15 feet of the sewer line. Prior to City Council approval, a revised landscaping plan must be submitted eliminating any large trees from within this area.

Design Features: The applicant has indicated that the exterior of the proposed structure will be comprised of metal siding with a pitched metal roof. The building will be tan (sandstone) in color with a four foot high rusty-red colored band located along the top of the structure. In addition, a 4 foot X 32 foot mounted wall sign will be located on the south side of the structure. The sign will incorporate the same color design as the structure. The applicant has indicated that the sign will not be lighted.

Drainage Requirement: The Engineering Division has indicated that a revised grading and drainage plan must be submitted to insure that all requirements of the Perrine Drainage Basin Design Plan is being met.

Air Quality: The Air Quality Office has indicated that an Air Quality Permit is needed prior to any development work or construction in excess of one acre. The applicant should be aware that an Air Quality Permit may be needed.

Public Notification: As of this writing, the receipts from the certified mailings have not been returned. The Planned Development sign has been posted on the property. Staff has not received any calls or inquires regarding this proposal.