

## STAFF REPORT

July 13, 2000

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**PCD #00PD032 - Major Amendment to a Planned Commercial Development to increase the Wal-Mart building footprint and parking**

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**ITEM 12**

### GENERAL INFORMATION:

PETITIONER	Gary Renner for Buescher Frankenberg Associates, Inc.
REQUEST	<b>PCD #00PD032 - Major Amendment to a Planned Commercial Development to increase the Wal-Mart building footprint and parking</b>
LEGAL DESCRIPTION	Lots 4A, 4B and 5R of Meridan Subdivision, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 25.541 Acres
LOCATION	At the intersection of LaCrosse Street and Anamosa Street
EXISTING ZONING	General Commercial (PCD)
SURROUNDING ZONING	
North:	General Commercial (PCD) - Medium Density Residential
South:	Medium Density Residential (PRD) - General Commercial
East:	Medium Density Residential
West:	General Commercial
PUBLIC UTILITIES	City Sewer and Water
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Major Amendment to a Planned Commercial Development to increase the Wal-Mart building footprint and parking be continued to the July 27, 2000 Planning Commission meeting to allow the petitioner to submit the additional required information.

GENERAL COMMENTS: This Major Amendment to a Planned Commercial Development has been submitted to make a number of changes to the existing Planned Commercial Development for the Wal-Mart store located on LaCrosse Street. The request will also result in some changes to a separate Planned Commercial Development previously approved for the Pirates Cove Golf Course and the Golden Corral Restaurant located to the north of the existing Wal-Mart store. The current proposal is to construct a sizable expansion to the existing Wal-Mart Store resulting in a "supercenter" and to relocate the existing Golden Corral Restaurant. The expansion will consist of the addition of 70,893 square feet to the existing 151,309 square foot Wal-Mart store for a total square footage of 222,202 square feet. The proposed expansion equates roughly to a forty-seven percent (47%) expansion for the facility.

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The maximum square footage allowed on this site according to the previously approved Planned Commercial Development is 178,000 square feet. According to Section 17.50.070 of the Rapid City Municipal Code, any increase in overall density, intensity or area of use requires a Major Amendment to the Planned Commercial Development.

The majority of the expansion will occur on the north side of the existing building. Other proposed improvements include construction of shade cloth over the existing outside garden sales area on the south end of the building, and construction of a new truck docking area on the north end of the new building addition. The other major component of the project consists of removing the existing Golden Corral Restaurant and rebuilding the restaurant near the southwestern corner of the existing Wal-Mart parking lot near the intersection of Haines Avenue and Anamosa Street.

In order to fully understand the development proposal and issues involved, Staff has researched the past hearing files for this development. The original Planned Commercial Development was approved for the Wal-Mart store at this location in 1993. In 1994 a Major Amendment to the Planned Commercial Development was approved to increase the size of the lot, to eliminate two proposed outlots, to increase the allowable building size to a total of 178,000 square feet, and to move one of the driveways. Later in 1994 a Major Amendment to the Planned Commercial Development was approved to reduce the total required landscaping from 934,000 points to 749,000 points as Wal-Mart was proposing to install landscaping that exceeded the City's minimum size requirements. The last Major Amendment approved for the Wal-Mart Planned Commercial Development was in 1997 when the gasoline service station was added.

**STAFF REVIEW:** Staff has reviewed this Major Amendment request and has identified numerous issues (see listing below) which must be resolved before the project may proceed. Staff has informed Wal-Mart representatives that this Major Amendment cannot proceed further until these issues have been resolved. What follows is a compilation of the more major issues. Staff encourages the petitioner to meet with Staff to discuss all issues and requirements in detail.

**Traffic Impact Analysis:** In 1993 the City and the developer entered into an agreement regarding the potential signalization of Meridian Lane. This agreement was approved at the time the original Plat and Planned Commercial Development were approved for Wal-Mart. Meridian Lane is a public access easement which provides access to Wal-Mart, the Pirates Cove Golf Course, and the existing Golden Corral Restaurant. Meridian Lane connects with LaCrosse Street at its western terminus. In 1994 this agreement was modified as part of the first Major Amendment request that was approved during that year. The modification of this agreement further clarified under what instances the Meridian Lane/Haines Avenue intersection would need to be signalized. The amended agreement also stated that Wal-Mart would have to pay its proportionate share of the cost of signalization of this intersection.

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Furthermore, the agreement delineated future modifications that would need to be made to Wal-Mart's existing driveway entrance onto LaCrosse Street in the event certain criteria are met. Earlier in the Spring of this year the City Engineering Division reviewed this developers agreement and informed the petitioner that a revised Traffic Impact Analysis would be required as part of the proposed expansion. This analysis has not yet been completed and submitted to Staff and this is one of the reasons that Staff is recommending that the Major Amendment request be continued. The information contained in the study will be essential in resolving the issues identified in the Developers Agreement.

The City's Traffic Engineer has stated that the traffic study being conducted by Wal-Mart must also address internal circulation issues including the problems currently experienced at the western-most driveway entrance onto Anamosa Street. The Fire Department has also indicated that it is difficult to meet the required turning radii for fire trucks utilizing this driveway approach. The Traffic Engineer has stated that one potential solution for this access is to direct incoming traffic to the west through use of signage or islands.

Camping: An ongoing problem associated with this property has been camping which occurs in the Wal-Mart parking lot. According to the City Code Enforcement Officer, Wal-Mart officials have been notified on previous occasions regarding illegal camping which is occurring in the parking lot. Campers and other recreational vehicles have been observed as being parked for extended periods of time in the Wal-Mart parking lot with the occupants of the vehicles obviously engaged in overnight camping activities. One recent inspection revealed that approximately twenty recreational vehicles or trailers were using the parking lot for camping purposes. The City Code does not allow camping within off-street parking lots. Recreational vehicle camping is allowed under a separate section of City Code as "travel parks." There are numerous Code requirements that must be met as part of the Travel Park regulations. Many of these regulations would be extremely difficult for the Wal-Mart facility to meet according to their current development proposal. For instance, travel parks require a minimum size of five acres and require a minimum "pad size" of 1,500 square feet for each camper.

The Code Enforcement Division has received complaints in the past related to camping in the Wal-Mart parking lot. Complaints regarding noise from campers affecting adjacent residential areas have been received. Staff also recently received a complaint from someone who saw sewage from a recreational vehicle spilling onto the parking lot. Staff has discussed this concern with representatives of Wal-Mart. Staff is still in the process of developing recommendations through this Major Amendment that will rectify this problem. Some likely solutions include posting signage in the parking lot which indicate camping is unlawful, and having Wal-Mart sign an affidavit or abatement agreement that would be filed with the Pennington County Register of Deeds Office indicating that they will undertake efforts to eliminate the camping activities.

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Landscaping: A landscaping plan has been submitted in conjunction with this Major Amendment request. Staff is in the process of reviewing this plan to ensure it complies with all previous Major Amendment approvals in addition to the minimum requirements of the City's Landscape Ordinance. However, a visual inspection of the existing landscaping at Wal-Mart indicates that a substantial portion of the existing landscaping is mostly dead or dead. The City's Landscape Code requires that landscaping be maintained in a healthy state. Staff will ultimately, as part of this Planned Commercial Development, be requiring that the petitioner post financial surety in an amount necessary to replace all dead plant material and complete the landscape plan as proposed. This financial surety will need to be accompanied by a cost estimate for the landscape improvements and a maintenance plan. These items will need to be submitted for Staff approval prior to City Council consideration of this Major Amendment.

Seasonal Garden Market/Outside Sales Area: The site plan accompanying this request identifies an outside sales area located in a portion of the existing parking lot. Staff has requested further information regarding the nature of sales to occur within this area. Also, it appears that this sales area occupies parking stalls which are needed to meet Wal-Marts off-street parking requirements. The Fire Department also has stated that the location of merchandise in the parking lot in conjunction with the traffic circulation problems associated with the Anamosa Street driveway entrance can make it difficult for emergency response vehicles to access the property.

Topographic Information/Drainage Study: The City Engineering Division has reviewed this request and has indicated that additional topographic data must be submitted by the petitioner. In addition the original drainage study for Wal-Mart must be revised to look at issues including the need for drainage easements or additional on or off-site storm water detention areas. The Drainage Engineer has noted that stormwater flows into the Box Elder basin must be kept to predeveloped conditions. Additionally, any changes in flow to the Knollwood Drainage Basin must also be taken into consideration.

Sewer/Water: The Engineering Division has also noted that more specific information is needed regarding the proposed water and sewer mains for the new addition. Depending upon the locations of these mains, utility easements may be required.

Fire Code Requirements: The Fire Department has noted that the petitioner must provide information regarding fire flows for the sprinkler system for the building addition. The Fire Department has indicated that increased development along LaCrosse Street in recent years may have impacted the fire flow for this major building expansion.

Future Changes: The site plan submitted by the petitioner states that actual dimensions of the building additions could vary from those proposed. The petitioner needs to be aware that any increase in building size over that being proposed or any other significant change in the

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plans will require another Major Amendment to this Planned Commercial Development prior to issuance of building permits.

Screening Fence: The property directly to the north and east of Wal-Mart is zoned Medium Density Residential but is currently undeveloped. The Zoning Ordinance requires that decorative opaque screening fences be required whenever a General Commercially-zoned lot abuts the side or rear yard of residentially zoned property. A condition of earlier approvals was that Wal-Mart would need to install the required fencing when the adjacent residential property developed and that Wal-Mart was required to post financial surety in an amount necessary to cover the fencing. This financial surety was posted but expired several years later. Staff will now be requiring that the screening fence still be installed at the time the adjacent property develops and will be evaluating how best to insure that this improvement is completed when required.

Due to the numerous outstanding issues and the additional information required from the petitioner, Staff is recommending that this item be continued to the July 27, 2000 Planning Commission meeting. Staff has informed the petitioner that if the required information is not submitted very soon, the request will likely be recommended for continuation again to the August 10, 2000 meeting.

The required Planned Development sign has been posted on the property. The receipts from the certified mailing have not yet been returned by the petitioner. Staff has not received any objections or inquiries regarding this request.