

STAFF REPORT

August 10, 2000

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

ITEM 29

GENERAL INFORMATION:

PETITIONER	Gary Renner for Buescher Frankenberg Associates, Inc.
REQUEST	PCD #00PD032 - Major Amendment to a Planned Commercial Development to increase the Wal-Mart building footprint and parking
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/Marcia Elkins

RECOMMENDATION: Staff recommends that the Major Amendment to a Planned Commercial Development to increase the Wal-Mart building footprint and parking be approved with the following stipulations:

Pennington County Air Quality Department Recommendations:

1) An Air Quality Permit must be obtained if the area of total surface disturbance equals one acre or more;

Pennington County Emergency Services Communications Center Recommendations:

2) Prior to City Council approval, the site plan shall be revised to indicate the property street name - "North LaCrosse Street";

Engineering Division Recommendations:

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- 3) Prior to issuance of a building permit, the applicant shall submit to the Engineering Division evidence of an easement on the adjacent property (east of Lot 5R) to allow access by the applicant, or the City, for construction, inspection, operation, or maintenance of the drainage facilities east of the building, including erosion control or energy dissipation structures. The drainage improvements shall be maintained in good repair.

Fire Department Recommendations:

- 4) Prior to City Council approval, a revised site plan shall be submitted for review and approval by the Fire Department revising the design of the southeast approach to allow adequate access for emergency vehicles (i.e. ladder truck) to enter this area;
- 5) Prior to City Council approval, a revised site plan shall be submitted for review and approval by the Fire Department showing the location of an additional fire hydrant to be installed for the relocation of the Golden Corral building;
- 6) Prior to City Council approval, a revised site plan shall be submitted for review and approval showing the redesign of the southwest entrance and parking area to eliminate the bottleneck. The revisions shall include the relocation of outdoor display areas, redesign of the driveway, etc. to eliminate the congestion for traffic entering and exiting the site as well as for emergency equipment;

Urban Planning Division Recommendations:

- 7) Prior to issuance of a Certificate of Occupancy, a solid wood or masonry screening fence shall be installed along portions of the property line located adjacent to property zoned Medium Density Residential. The applicant shall maintain the fence in good condition at all times;
- 8) Prior to City Council approval, a revised site plan showing compliance with landscaping and parking requirements of the Zoning Ordinance shall be submitted for review and approval. Prior to City Council approval, a complete floor plan shall be submitted to allow a review of the minimum off-street parking requirements. The minimum number of off-street parking spaces as required by Section 17.50 of the Municipal Code shall be maintained at all times. Prior to issuance of a building permit, the applicant shall have installed all required landscaping, including the installation of an irrigation system, or, shall submit an estimate form and surety for the installation of such improvements within one construction season. The landscaping shall be maintained in a live vegetative state at all times and the irrigation system shall also be maintained in an operating condition at all times;

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- 9) **Prior to City Council approval, a revised site plan shall be submitted designating an area for outside sales for review and approval. Such area shall not conflict with the minimum off-street parking requirements and shall not impede access or contribute to traffic congestion on the site. No outside sales shall occur on the site except in the approved location. Prior to City Council approval, the applicant shall enter into an agreement assuring the City that the owner will not locate any outside sales on any area of the site, other than the approved location;**
- 10) **Prior to City Council approval, signs shall be posted in the parking lot stating that "Overnight Camping is unlawful and all campers will be removed by the Wal-Mart Management." Prior to City Council approval, the applicant shall enter into an agreement insuring that no overnight camping will occur on the site;**

Traffic Engineering Division/Transportation Planning Division Recommendations:

- 11) **Prior to City Council approval, a revised site plan shall be submitted for review and approval redesigning the internal circulation aisle intersection at the end of the main driveway from LaCrosse Street in accordance with the Traffic Impact Study;**
- 12) **Prior to City Council approval, the applicant shall bond for the design and construction of intersection improvements (including signal upgrades) to the east and west intersection approaches at LaCrosse Street and East Anamosa Street in accordance with the changes outlined in the Traffic Impact Study; and,**
- 13) **Prior to City Council approval, the applicant shall bond for the design and construction of a traffic signal at the intersection of LaCrosse Street and Meridian Lane.**

GENERAL COMMENTS: This Staff Report has been revised as of **August 7, 2000**. New or revised text is shown in bold print. 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 will be devoted to a grocery store. The proposed addition equates roughly to a forty-seven percent (47%) expansion for the facility. The maximum square

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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: (a) Construction of shade cloth over the existing outside garden sales area on the south end of the building, (b) Construction of a new truck docking area on the north end of the new building addition, (c) The vestibule area on the front of the Wal-Mart store will be expanded to the north and west. Various retail and service uses will take place within this area; and, (d) Two roofed outside storage areas will be added near the southwestern corner of the store. 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. The area from which the restaurant is removed will be converted to a parking lot.

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: The Planning Commission on July 13, 2000 continued action on this request to allow the petitioner to address several issues. What follows is a compilation of the more major issues and a status update where applicable.

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

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would have to pay its proportionate share of the cost of signalization of this intersection. 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. The Traffic Impact Analysis was received by Staff on July 18, 2000 and revisions to that document were subsequently received on August 2, 2000.

The Revised Traffic Impact Study contained a number of findings and recommendations. First, the study found that a traffic signal is currently warranted at the intersection of LaCrosse Street and Meridian Lane. The conditions warranting a signal at that intersection will be made more severe by the additional traffic generated by the proposed Wal-Mart addition. Analysis of Lacrosse Street shows that the construction of a signal at this location will not significantly impede traffic progression; although, some progression problems on LaCrosse Street will result when an additional signal is installed at Farnwood Avenue, north of the site. Because the need for the intersection and thus the signal is entirely driven by development within the Planned Development (Golden Corral and Wal-Mart), the Staff is recommending that the applicant design, bond for and construct the signal at this intersection.

The study indicates that the proposed Wal-Mart expansion will negatively impact the Lacrosse Street/East Anamosa Street intersection. The Level of Service (LOS) at this intersection will drop from a LOS C during the weekend peak hour to a LOS D. The consultant has indicated that the most economical solution to return the weekend LOS at Lacrosse Street/East Anamosa Street to a C or better would be to increase the east and west intersection approaches to two through lanes and one left turn lane. Again, because the proposed development triggers the need for the intersection improvements, to simply maintain the current Level of Service, staff is recommending that the applicant design, bond for and construct the intersection improvements, recommended by their consultant. These improvements may also result in the need for signal upgrades at that intersection. It should be noted that the study indicates that the extension of East Anamosa Street further east and the resulting increase in the traffic utilizing the City street, will result in a rapidly deteriorating level of service at the Wal-Mart approach locations. The study recommends that additional planning be undertaken to address these upcoming problems.

The study also noted two internal circulation problems that should be addressed. The southwest driveway onto East Anamosa Street is served by a travel aisle that requires drivers to execute an "S" curve maneuver. The curb and gutter radii in this area do not

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permit a single unit truck to negotiate the curves without intruding into oncoming traffic or driving up over the curb into the landscaping. This is also an area where significant congestion is experienced when outdoors sales events are occurring. Under normal operating conditions, there is considerable pedestrian traffic across the drive along the front of the store. These pedestrian/vehicle conflicts and site congestion are exacerbated by the outdoor sales located in such close proximity to the entrance drive. Staff is recommending that the site plan be revised to eliminate the conflicts at this location including the possible relocation of the outdoors sales area as well as the redesign of the curb radii. The study also recommended improvements to the intersection at the end of the main driveway from Lacrosse Street. The study recommends replacing several parking stalls with landscaped islands, resulting in improved site distance and possibly allowing the intersection to operate with stop signs on only the north and south approaches.

Staff would also like to note some concerns with the Lacrosse Street accesses and left hand turning movements. The current accident history does not indicate the need for left turn movement elimination at the Lacrosse Street approach locations. However, as the Traffic Study noted, the extension of East Anamosa Street east of the site will likely result in the deterioration of the Level of Service at those approach locations. It is likely that as problems increase at the East Anamosa Street approach locations, traffic will be redistributed to the LaCrosse Street accesses. The resulting accident rates could significantly shift in the future. The applicant should be aware that the City retains the right to eliminate the left hand turning movements into the site from LaCrosse Street should the accident rates justify such changes.

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.

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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 recommends that signs be posted in the parking lot which indicate camping is unlawful, and having Wal-Mart sign an agreement that would be filed with the Pennington County Register of Deeds Office insuring compliance with City Ordinances.**

Landscaping: A landscaping plan has been submitted in conjunction with this Major Amendment request. This landscape plan proposes 125,122 points of new landscaping although 33,750 of these points are not allowable as they consist of trees located in or near a water main easement. The plan also identifies the general location and size of existing landscaping although the plant varieties have not been shown thereby making it impossible to determine the precise point total. It appears, however, that the landscape plan as submitted proposes a total (existing and proposed landscaping) of approximately 485,444 landscape points. This is significantly less than the required landscaping of 775,756 points. It is also significantly less than the number of points required as part of a 1994 Minor Amendment and subsequent building permit. Staff will be recommending that the petitioner submit a final landscape plan prior to City Council consideration of this Major Amendment. This landscape plan must identify all plant varieties and locations for both existing and proposed landscaping and the plan must reflect the provision of at least 775,756 total landscape points. Furthermore, upon issuance of a building permit, the petitioner will be required to either install all landscaping or post financial surety in an amount necessary to complete the landscape plan. This financial surety will need to be accompanied by a cost estimate for the landscape improvements and a maintenance plan. A recent visual inspection of the existing landscaping at Wal-Mart indicates that a substantial portion of the existing landscaping is mostly dead or dying. **Complaints have been received on numerous occasions regarding the dead landscaping materials as well as trash and debris on the site.** The City's Landscape Code requires that landscaping be maintained in a healthy state. **Staff is recommending that the site plan be revised to reflect the provision of irrigation to all landscaping areas to assist the property owner in properly maintaining the landscaping areas. Further, the staff recommends that a bond be posted for all landscaping improvements as well as the irrigation improvements prior to issuance of any building permits. This will help insure that the existing zoning violations are resolved.**

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-Mart's 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

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with the Anamosa Street driveway entrance can make it difficult for emergency response vehicles to access the property. As of this writing, Staff has not received any additional information regarding this issue. **Staff had previously stated that this information must be provided for Staff Review before the Major Amendment request can progress; however, to insure that this project can proceed staff is recommending that a revised site plan be submitted for review and approval designating an area for outside sales. That area shall not conflict with the minimum off-street parking requirements and shall not impede access on the site. In addition, staff recommends that the abatement agreement include provisions assuring the City that the owner will not locate any outside sales outside of the specified area.**

Topographic Information/Drainage Study: The Engineering Division review had previously resulted in a recommendation that the drainage flowing into the Box Elder Basin be maintained to pre-developed conditions. Based on the additional information provided, the Engineering Division has determined that such a stipulation is not required as part of this Major Amendment. They have requested that the applicant provide evidence of an easement on the adjacent property (east of Lot 5R) to allow access by the applicant, or the City, for construction, inspection, operation, or maintenance of the drainage facilities east of the building. The easement should authorize erosion control measures or the location of energy dissipation structures. In addition, the drainage improvements must be maintained in good repair.

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 had noted that the petitioner must provide information regarding fire flows for the sprinkler system for the building addition. **Additional flow data was submitted and it is the Planning staff's understanding that this information adequately addressed the Fire Department's concerns. An additional fire hydrant will need to be installed for the relocation of the Golden Corral as there are no hydrants in the parking lot at the present time.**

Some revisions to the site plan are needed to facilitate access to the site and reduce the congestion that has been experienced when emergency vehicles have responded to the property. Revisions to the site plan are needed at the southeast entrance to accommodate emergency vehicles such as the ladder truck. In addition, the Fire Department has also identified problems with the design of the southwest entrance which results in congestion during peak times when emergency equipment attempt to access the site. Problems with congestion at this site due to poor design as well as the location of outside sales merchandise was identified by a number of the reviewing

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agencies. The Fire Department staff noted particular concern with the congestion affecting the route used by emergency vehicles. As a result of the poor geometrics and congestion, emergency vehicles are required to use the uncontrolled intersection on LaCrosse Street as well as the smaller private drive, Meridian Lane. The Fire Department staff also requested that this portion of the site be redesigned prior to approval of the Major Amendment by the City Council.

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 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 is recommending that the screening fence be installed prior to issuance of a Certificate of Occupancy to insure compliance with the screening requirements. The fence must be maintained in good condition at all times.**

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