

STAFF REPORT

June 6, 2002

No. 02PD003 - Final Planned Commercial Development

ITEM 36

GENERAL INFORMATION:

PETITIONER	Thurston Design Group, LLC for Youth and Family Services
REQUEST	No. 02PD003 Planned Commercial Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	The east 26' of Lot 2 of Block 21, Lot 3 Revised and Lot 4 Revised of Block 6, Wise's Addition, located in the SW1/4 of the NW1/4, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.352 acres
LOCATION	120 East Adams Street and 202 East Adams Street
EXISTING ZONING	Office Commercial District/Planned Commercial Development District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Neighborhood Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/24/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

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

Engineering Division Recommendations:

1. **Prior to issuance of a Building Permit, construction plans for the required utility improvements shall be submitted for review and approval;**

Fire Department Recommendations:

2. **All Uniform Fire Codes must be continually met;**
3. **Prior to issuance of a building permit, fire hydrants shall be in place and operational;**

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Air Quality Division Recommendations:

- 4. An Air Quality Construction Permit shall be obtained if more than one acre of surface area is disturbed prior to the issuance of any building permits or grading permits;**

Building Inspection Division Recommendation:

- 5. A building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy;**

Urban Planning Division Recommendations:

- 6. The proposed structures shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development;**
- 7. All lighting, excluding street lighting, shall be directed so as to reflect away from the adjacent residential development, and shall be so situated so as not to reflect directly onto any public rights-of-way, so as to create a traffic hazard;**
- 8. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;**
- 9. All provisions of the Off-Street Parking Ordinance shall be continually met; and,**
- 10. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years;**
- 11. All provisions of the Sign Code shall be continually met; and,**
- 12. All signs shall conform to the design and location as shown in the sign package submitted as part of the Planned Commercial Development. A minimal amendment may be reviewed and approved by the Planning Director for any changes to the sign package that are deemed insignificant and continue to comply with all requirements of the Sign Code.**

GENERAL COMMENTS: This item was continued from the May 23, 2002 Planning Commission meeting. (Updates to the staff report are shown in bold.) On April 17, 2000 the City Council approved a Planned Commercial Development for the subject property with nineteen stipulations. The applicant is now submitting a Final Development Plan for the subject property. The Initial Development Plan included remodeling the Disabled American Veterans building into a Day Care Center for Girl's Incorporated, and the construction of three other buildings. The plan indicated that the development of the property would be completed in phases. The applicant is now proposing to remove the existing Disabled American Veterans building and construct a 44,283 square foot day care facility and a 4,600 square foot Counseling Center on the subject property. The proposed 44,283 square foot building will be used for the Girl's Incorporated program and the 4,600 square foot building will be a Counseling Center. Two play areas, one 18,213 square foot area on the north side of the property and another 5,174 square foot area on the southwest side of the property will provide the required outdoor play area for the Child Care Center.

The applicant has also submitted a Preliminary and Final Plat request to combine 3Rev. of Block 6, Lot 4Rev. of Block 6 and a portion of Lot 2 of Block 21 and to vacate a variety of access, non-access and utility easements.

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STAFF REVIEW: Staff has reviewed the Final Development Plan and notes the following concerns:

Water Lines: The site plan submitted with the Final Development Plan shows that water mains currently cross the subject property. The plan identifies the relocation of the water mains to accommodate the proposed day care facility. The Engineering Division has reviewed the applicant's water main design plans and has noted some concern regarding the abandonment of existing water mains and service lines and the location of proposed water mains and service lines. The Engineering Staff is requesting that the applicant review the comments shown on the redlined plans and submit revised plans. The associated Preliminary and Final Plat will also need to be revised to provide the necessary utility easements for the new water lines. On February 22, 2002 the applicant submitted a set of revised plans including a site plan, grading plan, landscaping plan and irrigation plan. As of this writing, staff has not completed their review of the revised plans.

Alley improvements: The alley located on the north side of the subject property is currently paved from the intersection of the alley and North Maple Street to approximately the northwest corner of Lot 1R of Block 6. The applicant has indicated on the site plan that the pavement will be extended east in the alley for approximately 62 feet and pavement installed adjacent to the rear of the day care building to provide a paved surface for delivery trucks and emergency vehicles to the rear of the building. Staff is concerned that the turning radius for left hand turning movements onto the alley from the rear access lane will not be sufficient for emergency vehicles and is requesting that the applicant revise the site plan to show the extension of pavement in the alley east to the east edge of Herman Street. The applicant has submitted a revised site plan showing the extension of pavement to the east edge of Herman Street.

Fire Hydrants: As noted in the staff review section of the associated Preliminary and Final Plat request the Fire Department has requested that the applicant provide a revised site plan identifying the location of all fire hydrants on and within 500 feet of the subject property.

Emergency vehicle access: The Fire Department has concerns with the proposed access and circulation to the rear of the proposed day care center. The Uniform Fire Code requires that emergency vehicle turnarounds be provided when the access corridor exceeds 150 feet in length. Staff is recommending that the applicant either revise the site plan to provide an emergency vehicle turnaround behind the proposed day care facility or secure an easement from the adjacent property owner to allow emergency vehicles to circulate across the adjacent property to gain access to North Maple Street. The Fire Department has also requested that the applicant designate the access lane to the rear of the building as a fire lane and provide the appropriate signage and striping. The applicant has revised the site plan to include the necessary striping and signage indicating fire lane designation along the rear of the proposed building. The applicant has also submitted a revised plat identifying an emergency vehicle access easement across proposed Lot 2R providing a circulation aisle for emergency vehicles from North Maple Avenue to the rear of the proposed building.

Leased parking: The applicant has identified that 120 of the required 138 parking stalls will

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be provided on-site and that the remaining 18 stalls will be leased from the adjacent property, the Black Hills Food Bank. The number of parking stalls located on the Black Hills Food Bank properties exceed the number of stalls required by the parking regulations for the Food Bank use by more than what the Youth and Family Services is proposing to lease. Section 17.50.270(F)3b states that "Parking facilities shall either be provided on the same parcel as the use it is to serve or within 300 feet from the building's primary entrance or use it is to serve, using established sidewalks and crossings. Such distance shall be the walking distance measured from the nearest point of the parking facility to the building's primary entrance that such facility is required to serve." The leased parking is located farther than 300 feet using established sidewalks and crossings from the primary entrance to the proposed Youth and Family Services building; however, the site plan shows two entrances into the back of the building within 35 feet of the leased parking area. In addition, only 18 of the 138 required stalls will be leased from the Food Bank, 120 stalls will be provided on-site. Youth and Family Services has indicated that the leased parking spaces will be utilized by employees and for parking of their mini-buses and vans. Staff is recommending that the leased parking be allowed pursuant to the Planned Development for the applicant's off-street parking requirement with the condition that the applicant enter into a long-term parking lease agreement with the adjacent property owner and that the applicant provide a site plan that shows that the required parking could be accommodated on-site in the event the lease agreement would be terminated. The applicant has submitted a revised site plan identifying that the required 138 parking stalls could be accommodated on the subject property. The long term parking lease agreement has been submitted for review and approval.

Parking lot located on Lot 2R: In 1957, a Building Permit was issued for the construction of a grocery store on all of Block 6 and parts of Blocks 4, 5 and 7 of Wise's Addition. The grocery store was constructed on what is now Lot 1R of Block 6 and the parking area was constructed on the balance of property. No other structures are located on Lot 2R of Block 6, only the paved parking lot. Parking lots as a principal use on a lot are not allowed in the Neighborhood Commercial Zoning District. However, because the Building Permit issued in 1957 included the entire Block 6 the parking area on Lot 2 of Block 21 has been considered an accessory use to the building located on Lot 1R of Block 6. The leasing of a portion of the parking lot to Youth and Family Services will change the status of the parking on Lot 2 of Block 21 to a public parking lot which is not an allowed principal use in the Neighborhood Commercial Zoning District. The applicant has two options when addressing this issue: the Planned Commercial Development could be expanded to include Lots 1R of Block 6 and Lot 2 of Block 21; or, the Youth and Family Services could request a Conditional Use Permit to allow the parking lot as a principal use on Lot 2 of Block 21 pursuant to the provisions of Section 17.20.030(I) of the Rapid City Municipal Code.

Child Care fencing: Section 17.50.150(C)2 of the Rapid City Municipal Code requires that a play area utilized by a Day Care Center shall not be any closer than twenty five feet from any property line that abuts the right of way of a public street. The site plan submitted with this request shows that the fence surrounding the play area located in the northeast corner of the property is located within a foot of the alley right of way. The alley provides primary access to several of the properties abutting the alley. Therefore, staff is recommending that the applicant be allowed to revise the site plan to show the fence located a minimum of

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eighteen feet south of the alley right of way, rather than the minimum 25 feet required by the Rapid City Municipal Code. Such a reduction in the minimum required setback can be allowed through the Planned Commercial Development process. The applicant has revised the site plan as requested showing that the fencing along the north side the north play area will be a minimum of 18 feet from the alley right of way.

Landscaping: The landscaping plan submitted with this request identifies a buffer of trees along the north side of the north play area and along the East Adams Street frontage. Staff is recommending that the applicant revise the site plan to note that a minimum of 2½” to 3” diameter trees shall be installed along the north property line adjacent to the play area and that additional trees shall be planted along the East Adams Street frontage to provide a buffer between the day care facility and the residential development located on the south side of East Adams Street. The applicant has made the requested revisions to the landscaping plan.

Initial Development Plan stipulations: As mentioned previously, the City Council approved an Initial Development Plan for the subject property in April, 2000 with nineteen stipulations. Staff has noted that several of the stipulations required that the applicant provide information or plans prior to Final Development Plan approval. The following information must be provided for review and approval prior to approval of the Final Development Plan: erosion control plans, provisions to control tracking of mud onto the street during construction, plans for the repair of any broken, settled, or displaced sidewalk along the property boundary, hydrant locations within 500 feet of the property, the location of any existing water lines for fire sprinkler systems, the location of the doors into each of the facilities and the location of fire truck parking, the location of parking for the mini-buses and emergency vehicles and a complete signage and lighting plan. As previously mentioned, the applicant submitted revised plans on February 22, 2002. Staff has reviewed the revised plans, met with the applicant's engineer and recommended further revisions to the design plans. In addition, plans for the extension of a sewer main in East Adams Street for service to the property west of the subject property have not been submitted for review and approval. **On May 29, 2002 the applicant submitted the requested sign package. Staff has noted that the site plan shows the location of a monument sign within a utility easement. The Rapid City Sign Code prohibits the location of signs within an easement. Staff is recommending that prior to City Council approval of the Planned Commercial Development that the applicant submit a revised site plans showing an alternate location of the monument sign outside of any easement.**