

STAFF REPORT
January 5, 2006

No. 05PD079 - Planned Commercial Development - Initial Development Plan **ITEM 22**

GENERAL INFORMATION:

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| PETITIONER | TSP, Inc. for Century Development |
| REQUEST | No. 05PD079 - Planned Commercial Development - Initial Development Plan |
| EXISTING LEGAL DESCRIPTION | A parcel of land described as the North 327.2 feet of the N1/2 of the SE1/4 lying west of Interstate 90 Right-of-Way, excepting therefrom the W1/2 of the NW1/4 of the SE1/4, and less North Boulevard Addition, located in of the unplatted (9779); and, the East 670 feet of the South 30 feet of the SW1/4 NE1/4; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 9.232 acres |
| LOCATION | 1400 Philadelphia Street |
| EXISTING ZONING | Office Commercial District |
| SURROUNDING ZONING | |
| North: | Park Forest District - Medium Density Residential District |
| South: | Flood Hazard District |
| East: | Medium Density Residential District |
| West: | Park Forest District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 11/10/2005 |
| REVIEWED BY | Vicki L. Fisher / Bob Dominicak |

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial Development Plan be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to the start of construction, a Floodplain Development Permit shall be obtained for any work within the federally designated 100 year floodplain located in the southeast portion of the property;
3. Upon submittal of a Final Commercial Development Plan, construction plans for the

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- north-south street located along the west lot line shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water as per the City's Major Street Plan and as per the approved Tax Increment Project Plan or an Amendment to the Tax Increment Project Plan shall be obtained;
4. Upon submittal of a Final Commercial Development Plan, construction plans for the east-west collector street located along the north lot line shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water as per the City's Major Street Plan and as per the approved Tax Increment Project Plan or an Amendment to the Tax Increment Project Plan shall be obtained;
 5. Upon submittal of a Final Commercial Development Plan, geotechnical information including pavement design shall be submitted for review and approval;
 4. Upon submittal of a Final Commercial Development Plan, a water and sewer plan prepared by a Professional Engineer shall be submitted for review and approval. In addition, the applicant shall demonstrate that adequate domestic water and fire flows are being provided. The applicant shall also provide a developer's agreement for the construction of the proposed waterline;
 6. Upon submittal of a Final Commercial Development Plan, a grading plan shall be submitted for review and approval;
 7. Upon submittal of a Final Commercial Development Plan, a drainage plan as well as an erosion and sediment control plan shall be submitted for review and approval. In particular, the drainage plan shall be designed in compliance with the Morningside Drainage Basin Plan. In addition, drainage easements shall be provided as needed;
 8. Upon submittal of a Final Commercial Development Plan, a complete landscaping plan shall be submitted for review and approval identifying specific plant material and the irrigation system;
 9. Upon submittal of a Final Commercial Development Plan, a sign and lighting package shall be submitted for review and approval;
 10. Upon submittal of a Final Commercial Development Plan, a revised parking plan shall be submitted for review and approval. In particular, the parking plan shall identify a minimum of 144 parking spaces with five of the spaces being handicap accessible. In addition, one of the handicap spaces shall be "Van" accessible. The parking plan shall also be revised to comply with the Americans with Disabilities Act (ADA) Regulations and Design Standards. In particular, the gradient of the parking lot shall be reduced from 2.5% to 2%. The garage parking shall also be revised to provide a minimum height to allow emergency vehicle access as per Fire Department standards;
 11. Upon submittal of a Final Commercial Development Plan, a list of building materials and the proposed color palette shall be submitted for review and approval;
 12. Upon submittal of a Final Commercial Development Plan, an elevation of any proposed fencing and/or retaining walls shall be submitted for review and approval. In addition, any retaining wall above four feet in height shall be designed by a Professional Engineer;
 13. Upon submittal of a Final Planned Commercial Development application, the location, size and noise rating of any exterior air handling equipment shall be submitted for review

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- and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
14. Upon submittal of a Final Planned Residential Development, the location and size of the dumpsters shall be submitted for review and approval. In addition, the dumpsters shall be screened;
 15. Upon submittal of a Final Commercial Development Plan, the site plan shall be revised to provide a minimum 25 foot setback between the western most apartment building and the future 60 foot wide collector street right-of-way to be located along the west side of the property;
 16. The International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In particular, one on-site fire hydrant shall be provided for each structure. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;
 17. Upon submittal of a Final Commercial Development Plan, the site plan shall be revised to provide a temporary fire apparatus turnaround at the west parking garage entrance;
 18. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;
 19. The rear yard setback for the two apartment buildings is hereby reduced from 25 feet to 10 feet with the stipulation that Philadelphia Street be vacated prior to or in conjunction with approval of the Final Commercial Development Plan. In addition, the applicant shall enter into an agreement with the City to keep Philadelphia Street open until the street located along the north lot line is constructed. All other setback requirements as per the Office Commercial District shall be met;
 20. A maximum building height of 48 feet in lieu of 35 feet as per the Office Commercial District shall be allowed for the condominium buildings with the stipulation that additional landscaping be provided along the east, west and south lot lines of the subject property. The landscaping plans shall be submitted for review and approval upon submittal of a Final Commercial Plan; and,
 21. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of the Final Commercial Development Plan or a subsequent Major Amendment.

GENERAL COMMENTS:

The applicant has also submitted an Initial Commercial Development Plan to construct a 96 unit condominium development on the subject property. The development will consist of two structures with 48 units each to be constructed in two phases. Phase One includes the construction of the collector street that runs along the north lot line and the 48 unit condominium building located along the west end of the property. Phase Two includes constructing the 48 unit condominium building located along the east side of the property. The applicant has indicated that each structure consists of three stories with drive under parking. At the center of each structure is a pool and auxiliary space for the residents.

The property is located west of West Boulevard North on the north side of Philadelphia Street. Currently, the property is void of any structural development.

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STAFF REVIEW:

Staff has reviewed the Initial Commercial Development Plan and has noted the following considerations:

Design Features: The applicant has submitted elevations of the proposed condominium building(s) identifying that the structures will be three story in height with drive under parking. To date, a list of building materials and the proposed color palette has not been submitted for review and approval. As such, staff is recommending that upon Final Commercial Development Plan, a list of building materials and the proposed color palette be submitted for review and approval.

Landscape Plan: A minimum of 293,315 landscaping point is required. The applicant has submitted a landscaping plan identifying that 668,060 landscaping point will be provided. However, to date, the specific plant materials and irrigation system details have not been submitted for review and approval. As such, staff is recommending that upon submittal of a Final Commercial Development Plan, a complete landscaping plan be submitted for review and approval identifying specific plant material and the irrigation system.

Parking: The proposed use requires that a minimum of 144 parking spaces be provided. In addition, five of the parking spaces must be handicap accessible, with one of the spaces being "Van" accessible. The site plan identifies 82 parking spaces along the exterior of the two proposed building with four of the spaces being handicap accessible. In addition, the applicant has submitted a floor plan identifying 96 additional parking spaces within each of the drive under garage(s). However, the applicant has indicated that the garage parking will provide a maximum height clearance of eight feet. The Fire Department staff has indicated that additional clearance is needed to insure emergency vehicle access within the garage. Staff is recommending that upon submittal of a Final Commercial Development Plan, the floor plan be revised to provide sufficient clearance as per Fire Department standards.

Staff is also recommending that upon submittal of a Final Commercial Development Plan, the parking lot be revised to comply with the Americans with Disabilities Act (ADA) Regulations and Design Standards. In particular, the gradient of the parking lot must be reduced from 2.5% to 2%.

Retaining Walls/Fencing: The site plan identifies the usage of retaining walls. Staff has noted that conflicting notes exist on the plans regarding the height of the walls. Staff is recommending that upon submittal of a Final Commercial Development Plan, an elevation of any proposed fencing and/or retaining walls be submitted for review and approval. In addition, any retaining wall above four feet in height must be designed by a Professional Engineer

Dumpsters: Upon Final Planned Residential Development submittal, the location and size of the dumpsters must be submitted for review and approval. In addition, the dumpsters must be screened.

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Utilities: Upon submittal of a Final Commercial Development Plan, a water and sewer plan prepared by a Professional Engineer must be submitted for review and approval. In addition, the applicant shall demonstrate that adequate domestic water and fire flows are being provided. The applicant must also provide a developer's agreement for the construction of the proposed waterline.

Grading/Geotechnical/Drainage: Upon submittal of a Final Planned Residential Development, a grading plan and geotechnical information must be submitted for review and approval. In addition, a drainage plan must be submitted for review and approval. In particular, the drainage plan must be designed in compliance with the Unnamed Tributary Drainage Basin Plan addressing the potential increase in impervious area created by the proposed use. In addition, drainage easements shall be provided as needed.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In particular, one on-site fire hydrant must be provided for each structure. The Fire Department has also indicated that prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. Staff is recommending that all International Fire Codes be continually met.

The Fire Department staff has also indicated that upon submittal of a Final Commercial Development Plan, the site plan must be revised to provide a temporary fire apparatus turnaround at the west parking garage entrance.

Streets: The City's Major Street Plan identifies a collector street located along the south, east and west lot lines of the subject property, respectively. It is anticipated that Philadelphia Street, the collector street located along the south lot line, will eventually be relocated along the north lot line of the subject property and that Philadelphia Street will be vacated. The City Council has recently approved a Tax Increment Project Plan for the construction of a collector street along the north lot line as well as a collector street along the east lot line. As such, upon submittal of a Final Commercial Development Plan, construction plans for the two collector streets must be submitted for review and approval. In particular, the road construction plans must show the street located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water as per the City's Major Street Plan and as per the approved Tax Increment Project Plan or an Amendment to the Tax Increment Project Plan must be obtained.

It is also anticipated that the proposed collector street located along the west lot line will be relocated west of the subject property and constructed on an adjacent property. The applicant should be aware that any future platting of the subject property will require that a Comprehensive Plan Amendment to the Major Street Plan be submitted for review and approval relocating the collector streets along the south lot line and the west lot line as identified or the streets must be improved to collector street standards.

Setbacks: The applicant has requested a reduction in the rear yard setback along Philadelphia

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Street from 25 feet to ten feet. As previously indicated, it is anticipated that Philadelphia Street right-of-way will be vacated. In addition, the adjacent property is owned by the City and is the location of a golf course. With the vacation of Philadelphia Street and the open area provided by the golf course, the reduced setback will have a minimal impact on the adjacent property. As such, staff is recommending that the rear yard setback for the two apartment buildings be reduced from 25 feet to 10 feet with the stipulation that Philadelphia Street be vacated prior to or in conjunction with approval of the Final Commercial Development Plan. In addition, the applicant must enter into an agreement with the City to keep Philadelphia Street open until the street located along the north lot line is constructed.

The applicant has also requested to reduce the setback between the future collector street right-of-way to be located along the east lot line and the condominium building from 25 feet to 20 feet. However, staff has noted that the building could be shifted five feet to the west. In addition, reducing the setback may have a negative impact on the proposed collector street. As such, staff is recommending that the request to reduce the setback as identified be denied. In particular, staff is recommending that all setbacks be provided as per the Office Commercial Zoning District with the exception of the rear yard setback as identified above.

Height: The Office Commercial District allows a maximum height of three stories or 35 feet. The applicant is requesting an exception to allow a maximum height of 48 feet for the two condominium buildings. Staff has noted that the 48 foot high building(s) will have a minimal affect on the adjacent properties due to the existing topography within the area. In addition, the adjacent City golf course provides an open space further minimizing the affects of the proposed buildings. As such, staff is recommending that a maximum height of 48 feet be allowed for the two condominium buildings. In addition, staff is recommending that additional landscaping be provided along the east, west and south lot lines of the subject property. The landscaping plan must be submitted for review and approval upon submittal of a Final Development Plan.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the January 5, 2006 Planning Commission meeting if these requirements have not been met.