

STAFF REPORT

April 4, 2002

No. 01PD064 - Major Amendment to a Planned Commercial Development to revise the sign package **ITEM 14**

GENERAL INFORMATION:

PETITIONER	Bryan K. Gonzales for Pride Neon, Inc.
REQUEST	No. 01PD064 - Major Amendment to a Planned Commercial Development to revise the sign package
EXISTING LEGAL DESCRIPTION	Lot 2 Revised of Blocks 14-15, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.49 acres
LOCATION	640 Flormann Street
EXISTING ZONING	Shopping Center-1 District (PCD)
SURROUNDING ZONING	
North:	Office Commercial District (PD)
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Shopping Center District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/14/2001
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development to revise the sign package be approved with the following stipulations:

Engineering Division Recommendations:

- 1. Prior to Planning Commission approval, the uncompleted site improvements shall be completed or surety shall be posted in the amount necessary to cover the cost of the improvements;**

Building Inspection Department Recommendations:

- 2. That no off premise signs shall be allowed on the property;**
- 3. That a sign permit shall be obtained prior to installation of any signs;**
- 4. That all provisions of the Rapid City Sign Code shall be continually met;**

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Urban Planning Division Recommendations:

5. That a minimum of 10,000 square feet of office space shall remain vacant until the applicant has provided evidence that a minimum of 40 additional parking spaces have been secured that comply with the requirements of the Off-Street Parking Ordinance;
6. That all of the stipulations of approval of the previously approved Planned Commercial Development, #00PD007 with the exception of condition #17 and all conditions of Major Amendment #00PD026 must be continually met;
7. Prior to Planning Commission approval, the applicant replace the trees along the east property line that do not meet the height requirements of stipulation number 6 of the Major Amendment to a Planned Commercial Development approved by the City Council on July 24, 2000 or post surety for the replacement of the trees.

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This item was continued from the March 7, 2002 Planning Commission meeting. The subject property is located east of the Mt. Rushmore Street Safeway Store and lies between Flormann and St. Anne Streets. Seventh Street has been vacated in the area west of the property. The site involves 2.49 acres of land. On May 1, 2000, the City Council approved a Planned Commercial Development #00PD007 on the subject property with 18 stipulations. The Planned Commercial Development allowed a 76,000 square foot medical facility to be located on the eastern portion of the property. The stipulations of approval for the Planned Commercial Development addressed drainage, the replacement of broken and displaced sidewalks, grading, water and sewer installation, building height, building materials and color, signage, lighting, air handling, landscaping and parking.

The City Council approved a Major Amendment to the Planned Commercial Development on July 24, 2000 to reduce the size of the medical facility from 76,000 square feet to 67,840 square feet. Reducing the size of the structure resulted in a reduced parking requirement.

One of the stipulations of approval of the original Planned Commercial Development required that the applicant provide a complete sign package for review and approval. The applicant is now requesting a Major Amendment to the Planned Commercial Development to revise the sign package that was previously approved.

STAFF REVIEW: The applicant had originally proposed to construct two wall mounted signs measuring 16 feet X 1.5 feet, one on the east side of the building and one on the west side of the building. The applicant has since revised the proposed sign package replacing the originally proposed signage with the following:

One (1) three foot by twenty foot back lit wall mounted sign and one (1) two foot six inch by fifteen foot back lit wall mounted sign on the south side of the building

One (1) three foot by twenty foot back lit wall mounted sign and one (1) two foot six inch by fifteen foot back lit wall mounted sign on the north side of the building

Two (2) two foot six inch by fifteen foot back lit wall mounted sign on the east side of the

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building

One (1) six foot by nine foot back lit wall mounted sign on the west side of the building

The original sign package allowed for 48 square foot of sign area on the proposed structure. The revised sign package identifies 369 square foot of sign area to be constructed on the building. The Rapid City Sign Code allows properties to display signs having a total square footage equaling two times the property frontage. The subject property has a frontage along Flormann Street, St. Anne Street and Sixth Street totaling 1,022 feet allowing for 2044 square feet of signage on the property. The applicant has noted that the aluminum sign faces will be painted to match the color of the existing building. Staff is requesting that the applicant provide further information with respect to the color of the proposed signs. **The applicant has submitted color renditions of the proposed signage and staff finds that the sign faces and color of the proposed signage is in keeping with the color scheme of the existing building.**

As mentioned previously, the original Planned Commercial Development was approved with eighteen stipulations. The stipulations of approval required that the developer provide plans for grading, parking and landscaping for review and approval. In addition, concerns were expressed about the impact of the three story building and large parking areas on the adjoining residential development. The stipulations of approval required that the applicant provide a minimum of 117,280 landscaping points, that deciduous trees be provided within the parking lot area and a buffer of a minimum of six fifteen foot tall honey locust trees be provided along the east lot line. Staff have conducted site inspections and noted that the landscaping, parking, circulation and grading have not been completed as shown on the approved plans. It even appears that the 2,300 square foot building located on the east side of the subject property is larger than approved. Staff is concerned that the applicant may need additional Major Amendments because of revisions made to the site that were not in compliance with the approved Planned Commercial Development and Major Amendment to the Planned Commercial Development. Staff is recommending that the applicant provide an "as-built" site plan to evaluate what actions may be necessary to bring the subject property into compliance with the approved Planned Commercial Development. The Building Inspection Department has noted that the temporary Certificate of Occupancy that was issued for occupancy of this building expired on November 1, 2001. **The "as-built" survey shows that the landscaping provided provides sufficient landscaping points to met the requirements of the Landscaping Ordinance; however, the trees planted along the east lot line are not fifteen feet tall as required by stipulation number 6 of the Major Amendment to a Planned Commercial Development approved by the City Council on July 24, 2000. Staff is recommending that the applicant either replace the existing trees with trees that meet the height requirement of the Major Amendment or post surety in the amount necessary to replace the trees.**

On February 22, 2002 the applicant submitted the requested "as-built" survey. The "as-built" survey confirmed that the building located on the property to the west of Planned Commercial Development is larger than identified on the site plans submitted with the

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original Planned Commercial Development and the subsequent Major Amendment to the Planned Commercial Development request.

The Major Amendment to the Planned Commercial Development that was approved on July 24, 2000 required 272 parking spaces for the three story medical facility. Part of the parking was proposed to be located on a separate lot that was not included in the Planned Commercial Development. The adjacent lot was proposed to include a 6,000 square foot retail store and a 2,257 square foot bank requiring 42 parking spaces. The total parking requirement for the existing and proposed uses on the properties was identified as 314 parking spaces. The parking plan showed a total of 341 parking spaces.

Subsequently a Major Amendment to the Planned Commercial Development was approved on July 24, 2000 with the following stipulation: "that a minimum of 236 parking spaces shall be provided within the area identified in the Planned Commercial Development. Prior to Planning Commission approval, a parking agreement shall be submitted for review and approval to allow 36 parking spaces located adjacent to the proposed bank to serve as parking for the proposed medical facility. An additional 42 parking spaces shall be provided for the existing and proposed structures located on the balance of the property for a total of 314 parking spaces. Eight of the spaces shall be handicap accessible with one of the handicap spaces being van accessible. All provisions of the Off-Street Parking Ordinance shall be continually met."

The "as-built survey" identifies that the three story medical building is the same size as identified on the approved Major Amendment to the Planned Commercial Development; however, the 6,000 square foot retail store is actually an office building 14,000 square feet in area and the bank is 1,400 square feet in size. The survey also shows that 240 parking stalls are located within the Planned Commercial Development area and 129 stalls are located on the adjacent property for a total of 369 spaces.

Based on the uses and square footages identified, the 14,000 square foot office building located on the adjacent property requires 127 parking stalls and the 1,400 square foot bank requires 6 stalls for a total parking requirement of 133 parking stalls. As noted previously, the site survey shows that 129 stalls currently exist on the property, four stalls short of the number of parking stalls required for the uses currently identified on the property. Therefore, the applicant can not comply with the stipulation of the Major Amendment to the Planned Commercial Development that requires the applicant to lease 36 parking stalls from the adjacent property. Staff is recommending that the Planning Commission continue this Major Amendment to a Planned Commercial Development to revise the sign package to allow the applicant time bring the site into compliance with the requirements of the Zoning Ordinance. The applicant has the option of: 1.) submitting a request for a Major Amendment to revise a stipulation of approval of the Major Amendment to the Planned Commercial Development that was approved on July 24, 2000 and obtain a variance to reduce the parking for the uses on the adjacent lot so that there are 36 extra spaces available for the medical facility; 2.) submitting a Major Amendment to reduce the requirement for off-street parking for the medical building and obtain a variance to reduce the parking for the uses on

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the adjacent lot, 3.) demolishing portions of the structures on the adjacent lot in accordance with the originally approved plan; or, 4.) submitting a request for a Major Amendment to revise a stipulation of approval of the Major Amendment to the Planned Commercial Development that was approved on July 24, 2000 and provide sufficient off-street parking to comply with the requirements of the Rapid City Municipal Code. **The applicant has indicated that until such time as the 40 required parking spaces can be secured that a minimum of 10,000 square feet of the office building will remain vacant. Staff has conducted a site visit and verified that 10,000 square feet of the building is unoccupied and would require a Building Permit to complete renovations or a Certificate of Occupancy prior to leasing of the unoccupied areas.**

Further, the "as-built" site survey was submitted to Planning Staff on February 22, 2002. The survey was routed to the Engineering Division and as of the writing of this staff report; Planning Staff has not received comments back from the Engineering Division. **The Engineering Staff provided comments regarding the completion of site improvements and noted the following uncompleted items:**

The top lift of asphalt must be installed at the properties east approach to Flormann Street.

The ten inch pvc pipe that extends into the Flormann Street right of way must be removed and replaced with a sidewalk bridge and curb cut meeting City specification.

The wall cap stones and blocks from the retaining wall adjacent to the sidewalk along St. Anne Street must be replaced and properly secured.

As of this writing, the receipts from the certified mailings have been returned. The required Planned Development sign has been posted on the property. Staff has received one call regarding this proposal. The caller asked about the brightness of the proposed signage and if the signage would be illuminated all night long.