

STAFF REPORT

December 19, 2002

No. 02PD056 - Major Amendment to a Planned Commercial Development to increase the boundaries and expand the existing building and parking area **ITEM 34**

GENERAL INFORMATION:

PETITIONER	Williams and Associates for Black Hills Surgery Center, LLP
REQUEST	No. 02PD056 - Major Amendment to a Planned Commercial Development to increase the boundaries and expand the existing building and parking area
EXISTING LEGAL DESCRIPTION	<p>Lot 1R of Block 28 of Robbinsdale Addition No. 10; Lot 32 of Block 18 of Robbinsdale Addition No. 10; and a portion of Lot 33 of Block 18 of Robbinsdale Addition No. 10 located in the SE1/4 of the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southwesterly corner of Lot 33 of Block 18 of Robbinsdale Addition No. 10, common to the southeasterly corner of Lot 32 of Block 18 of Robbinsdale Addition No. 10, and the Point of Beginning; thence, first course: N26°33'43"W, along the westerly boundary of said Lot 33, common to the easterly boundary of said Lot 32, a distance of 107.95 feet, to a westerly corner of said Lot 33 common to a easterly corner of said Lot 32; thence, second course: N00°29'17"W, along the westerly boundary of said Lot 33, common to the easterly boundary of said Lot 32, a distance of 263.76 feet, to a westerly corner of said Lot 33, common to the northeasterly corner of said Lot 32; thence, third course: S08°00'00"E, a distance of 235.00 feet; thence, fourth course S33°07'00"E, a distance of 112.08 feet, to a point on the southerly boundary of said Lot 33, common the northerly edge of right-of-way of Annamaria Drive; thence fifth course: S53°27'20"W, along the southerly boundary of said Lot 33, common to the northerly edge of right-of-way of Annamaria Drive, a distance of 15.00 feet, to a point of curve; thence, sixth course: southwesterly, along the southerly boundary of said Lot 33, common the northerly edge of right-of-way of Annamaria Drive, curving to the left on a curve with a radius of 648.63 feet, a delta angle of 3°32'00", a length of 40.00 feet, a chord bearing S51°41'20"W, and a chord distance of 39.99 feet, to the southwesterly corner of said Lot 33, common to the southeasterly corner of said Lot 32, and the point of beginning</p>

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PARCEL ACREAGE	Approximately 4.2641 acres
LOCATION	At the intersection of Anamaria Drive and 5th Street
EXISTING ZONING	Office Commercial District w/PCD / Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Office Commercial District w/PCD
East:	Medium Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/09/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Major Amendment to the Planned Commercial Development be **approved with the following stipulations:**

Engineering Division Recommendations:

1. Prior to issuance of a building permit, the applicant shall enter into an agreement with the City accepting maintenance of the pedestrian cross walk. In addition, handicap ramps and signage for the pedestrian cross walk shall be provided;
2. Prior to issuance of a building permit, the applicant shall enter into an agreement with the City assuming any cost resulting from the maintenance of the sewer line located within the utility easement due to the location of the retaining wall and/or parking lot within the easement;

Fire Department Recommendations:

3. The proposed addition shall be fully fire alarmed and fire sprinklered. In addition, the plans for the fire alarm(s) and fire sprinklered system shall be submitted to the Fire Department for review and approval prior to installation;

Urban Planning Division Recommendations:

4. All previous conditions of approval for Final Commercial Development #1428 and the subsequent Major Amendments to the Planned Commercial Development #99PD038 and #00PD070 shall be continually met;
5. The proposed additions(s) shall conform architecturally to the plans and elevations submitted as part of this Major Amendment to the Planned Commercial

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- Development;**
- 6. Prior to issuance of a building permit, the parking plan shall be revised to show a minimum of five handicap parking spaces with one of the handicap spaces being van accessible; and,**
 - 7. Prior to Planning Commission approval, a fence height exception shall be obtained or the design of the fence shall be revised reducing the maximum height of the fence, including the dormer, to six feet.**

GENERAL COMMENTS:

This item has been continued twice since the November 7, 2002 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of December 9, 2002. All revised and/or added text is shown in bold print. The applicant is requesting approval of a Major Amendment to the Black Hills Surgery Center Planned Commercial Development in order to construct an 8,010 square foot addition onto the existing structure and to change a portion of the exterior façade. In addition, the Major Amendment to the Planned Commercial Development proposes to increase the boundaries of the development by shifting the east lot line approximately 55 feet to the east in order to relocate a portion of the parking lot. The applicant has indicated that the proposed expansion will be utilized as a portion of the medical facility and will not increase the area of the hospital.

The applicant has also submitted a Rezoning request to change the zoning of that portion of the property being incorporated into the Black Hills Surgery Center lot from Medium Density Residential District to Office Commercial. In addition, the applicant has submitted a Comprehensive Plan Amendment to the South Robbinsdale Neighborhood Future Land Use Plan to change the land use designation for the same area from Medium Density Residential District to Office Commercial District with a Planned Commercial Development. The applicant has also submitted a Layout, Preliminary and Final Plat to reconfigure three lots, including the subject property. (See companion items #02RZ062, #02CA053 and #02PL107.) **On November 8, 2002, the applicant submitted a revised plat eliminating proposed Lot 6R from the plat document. The plat continues to show the reconfiguration of two lots to be known as Lot 32R and Lot 33R, Robbinsdale Addition No. 10.**

On August 7, 1995, Planned Commercial Development #1428 was approved to allow a 15,000 square foot medical clinic to be known as the "Black Hills Surgery Center" to be located on the property. A Major Amendment to the Planned Commercial Development was approved on January 17, 2000 to allow an 18,012 square foot building to be constructed southwest of the existing Surgery Center and to change the use of the facility from a medical clinic to a hospital. On March 1, 2000, a Minimal Amendment to the Planned Commercial Development was approved to allow a 2,366 square foot second story addition over the connecting corridor between the two structures. On December 4, 2000, a second Minimal Amendment was approved to allow a 222 square foot addition to the front entrance canopy. On February 5, 2001, a second Major Amendment to the Planned Commercial Development was approved to allow the construction of a 1,489 square foot addition onto the existing

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structure and to change a portion of the exterior façade, including the removal of the neon sign located on the east side of the building.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Planned Commercial Development and has offered the following considerations:

Design Features: The applicant has indicated that the proposed addition will be similar in design with the existing structure currently located on the property. In particular, the proposed expansion will be one story with a pitched roof and constructed of a combination wood, glass, brick, stucco, drivet and have metal ribbed roofing. The addition will also have the same tan and brown earth tone colors as the existing structure. Staff is recommending that the building conform architecturally to the plans and elevations submitted as part of this Major Amendment to the Planned Commercial Development.

Fence/Shed: The applicant's site plan identifies a fence to be located along the north lot line to serve as a buffer between the parking lot for the medical facility and the abutting residential development. To date, detailed information regarding the fence has not been submitted for review and approval. If the fence exceeds six (6) feet in height, then a fence height exception must be obtained for the proposed fence. **On November 15, 2002, the applicant submitted additional information identifying that the fence will be constructed of wood and be nine feet to 13.5 feet in height. As such, a fence height exception must be reviewed and approved by the City Council prior to Planning Commission approval or the design of the fence must be revised to reduce the maximum height of the fence, including the dormer, to six feet.**

The applicant's site plan also shows a storage building to be located north of the medical facility, in alignment with the proposed fence. To date, elevations and building material information for the storage building have not been submitted for review and approval. **On November 15, 2002, the applicant also submitted information identifying that the proposed 20 foot X 35 foot storage shed will be constructed of residential style lap siding to match the fence. In addition, the shed will have wood trim and a pitched roof with asphalt shingles. Staff is recommending that the building conform architecturally to the plans and elevations submitted as part of this Major Amendment to the Planned Commercial Development.**

Signage: The applicant's site plan shows an "optional" monument sign to be located in the southeast corner of the subject property. The Engineering Division has indicated that currently that portion of the property is identified as a Major Drainage Easement. Prior to locating the sign as proposed, the Major Drainage Easement must be vacated. In addition, the Engineering Division has indicated that a drainage plan must be submitted for review and approval demonstrating that the Major Drainage Easement can be vacated. The applicant's site plan also shows a monument sign being proposed on the drainage lot located directly east of the subject property, at the Fifth Street/Annamaria Drive intersection. The adjacent property is zoned Medium Density Residential District and the proposed sign

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is being proposed as an off-premise sign for the Black Hills Surgery Center. The Building Inspection Division has indicated that the proposed off-premise sign is not allowed on the adjacent property due to the zoning of the property. In addition, the Black Hills Surgery Center must remove signage elsewhere in order to obtain credit(s) to place the off-premise as proposed. The Building Inspection Division has also indicated that it appears the minimum 1,000 foot of separation between signs cannot be met at this location. As such, staff is recommending that the applicant's site plan be revised to eliminate the proposed off-premise sign. **The revised site plan submitted on November 8, 2002, shows the elimination of the sign as requested.**

Parking: The previously approved Planned Commercial Development for the Black Hills Imaging Center identified the location of overflow parking to serve the Black Hills Surgery Center. The Black Hills Surgery Center, with the proposed addition, requires a minimum of 151 parking spaces and the Black Hills Imaging Center requires a minimum of 47 parking spaces for a total parking requirement of 198 parking spaces. The site plan identifies a total of 216 parking spaces being provided on the two lots with 114 spaces located on the subject property. Currently, a pedestrian cross walk is located across Annamaria Drive between the two properties. The cross walk is currently being maintained by the City. The Engineering Division has indicated that prior to issuance of a building permit for the proposed expansion to the Black Hills Surgery Center building; the applicant must sign an agreement with the City accepting maintenance of the pedestrian cross walk. In addition, handicap ramps and signage for the pedestrian cross walk must be provided. Staff is recommending that the cross walk be revised as identified. In addition, the applicant must enter into an agreement with the city as identified prior to issuance of a building permit.

Air Handling Equipment: Air handling equipment for the existing structure is located on the exterior of the building, along the south end of the building. The applicant has indicated that additional air handling equipment will be added for the proposed additions. To date, the location of the air handling equipment and any proposed fencing and/or screening has not been identified on the site plan. Staff is recommending that the information be submitted for review and approval prior to approval of the Major Amendment to the Planned Commercial Development. In addition, information must be submitted regarding the additional air handling equipment to insure that the equipment will not disturb the existing and proposed residential neighborhoods within the area. In particular, the information must identify the decibels of noise generated by the equipment as well as the range of influence from the projected decibel levels. Staff would also request that the applicant address any additional noise impacts associated with the operations and maintenance of the facility. Staff has been informed that evening carpet cleaning operations have created some negative noise impacts on adjoining residences in the past. **On November 15, 2002, the applicant submitted additional information identifying that the proposed air handling equipment for the proposed expansion will be located on the east side of the proposed addition, across the private drive located on the property. This appears to be the greatest distance from any adjacent properties. The applicant has indicated that the placement of the air handling equipment eliminates the concentrated sound affects created by placing the equipment adjacent to the building resulting in the reflection of**

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the sound. In addition, the applicant submitted information regarding the level of noise to be generated by the proposed equipment. The noise data identified that the maximum sound level will not exceed 55 db. (A copy of the noise data information is attached for your review.) This is an acceptable noise level standard adopted by other communities, including Sioux Falls, South Dakota. The applicant has also indicated that sound absorption material has been placed around existing air handling equipment located on the west side of the building to reduce the noise generated from the existing equipment to within the acceptable 55 db level.

Fire Department: The Fire Department has indicated that the proposed addition must be fully fire alarmed and fire sprinklered. The plans for the fire alarm(s) and fire sprinklered system must be submitted to the Fire Department for review and approval prior to installation. Staff is recommending that the applicant address the above referenced issues with the Fire Department prior to issuance of a building permit for the proposed additions.

Engineering Division: The Engineering Division has indicated that a grading plan for the proposed addition must be submitted for review and approval. In addition, water and sewer line plans and profiles must be submitted for review and approval. In particular, the plans must identify if existing service lines will be impacted by the proposed addition and identify modifications to the plans and profile as needed. **On November 8, 2002, the applicant submitted utility plans as requested. The Engineering Division has indicated that the proposed retaining wall to be located north of the proposed expansion will be constructed over an existing sewer line. As such, the Engineering Division has indicated that the applicant must enter into an agreement with the City assuming any cost resulting from the maintenance of the sewer line located within the utility easement due to the location of the retaining wall and/or parking lot in the easement. Staff is recommending that the applicant sign the agreement prior to issuance of a building permit. (Please note, staff met with the applicant on December 4, 2002 and the applicant indicated that he is in agreement with signing the above referenced agreement.)**

Easement Identification: As identified in the review of the associated Layout, Preliminary and Final Plat to reconfigure three lots, staff noted that the existing major drainage easements and utility easements must be shown on the plat document. It appears that a portion of the proposed parking lot will be located in the existing major drainage easement located within the southeast corner of the property. In addition, a utility easement, adjacent to the "previous lot line" as shown on the plat document interferes with the parking plan. The applicant's site plan must also be revised to show the existing easements. The Engineering Division has also indicated that a drainage plan must be submitted for review and approval in order to determine what impact the proposed development will have on the drainage on this site and the adjacent lot(s). In addition, the drainage easements must be adjusted accordingly. **On November 8, 2002, the applicant submitted a revised drainage plan as requested. The Engineering Division has reviewed the revised drainage plan and, other than minor revisions, has indicated approval of the plan.**

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The sign has been posted on the property and the certified mailing receipts have been returned. Staff has received one call of inquiry regarding the proposed development.