

STAFF REPORT

June 5, 2003

No. 03PD017 - Planned Commercial Development - Initial and Final Development Plan **ITEM 22**

GENERAL INFORMATION:

PETITIONER	TSP Three, Inc.
REQUEST	No. 03PD017 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 10A, Block 1, Owen Mann Subdivision; and Lots 12 thru 16 less Lot H-2 and H-3, Block 1, Owen Mann Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.5 acres
LOCATION	At the intersection West Chicago and 32nd Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District/Office Commercial District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District/General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	04/11/2003
REPORT BY	Jeff Marino

RECOMMENDATION:

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

Engineering Division Recommendation:

- 1. Prior to issuance of a building permit a revised site plan shall be submitted showing six inch curbs located at the terminuses of Kinney Court;**
- 2. Prior to issuance of a building permit the service lines for the adjacent water users shall be identified to verify that abandonment of the line located in the vacated Right of Way is appropriate;**

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Building Inspection Recommendation:

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

Fire Department Recommendation:

4. All Uniform Fire Codes shall be continually met;
5. Prior to issuance of a building permit the adequate number of fire flows at 3500 g.p.m. at the site shall be verified to be in compliance with the City of Rapid City Municipal Codes;
6. A Fire sprinkler system shall be provided for the structure, and maintained in a working manner at all times;
7. Prior to issuance of a building permit the applicant shall verify turning radius for emergency vehicles ingress and egress at the site is in compliance;
8. Prior to Planning Commission approval, a revised site plan shall be submitted showing the width of the access way running to the southwest of the structure as 20 feet the entire length of the access way;

Urban Planning Division Recommendations:

9. The applicant shall revise the landscaping plan to show tall evergreen shrubs or evergreen trees abutting the fence along the south east side of the property;
10. The residential development shall conform architecturally to the plans and elevations submitted as part of this Initial and Final Planned Residential Development;
11. The applicant shall submit a sign package in accordance with the City of Rapid City Municipal Code for review and approval prior to issuance of a building permit;
12. All lighting at the site shall be constructed in a way so as to minimize any impacts on the surrounding land uses and direct lighting away from adjacent properties;
13. There shall be no semi-trucks utilizing the site for deliveries on the weekends in accordance with the stated business plan; if this portion of the business plan is to be modified, a major amendment must be obtained;
14. All deliveries at the site shall be during the hours of 8:00 a.m. and 4:30 p.m. in accordance with the stated business plan, and shall be done in a manner to minimize the noise, safety, and visual impacts on surrounding neighborhoods;
15. There shall be no outdoor storage located at the site;
16. The use of the site shall be limited to a retail builder's supply store including the sales of flooring, blinds, lights, cabinets, and windows. Any change in use shall require approval as a major amendment; and

Air Quality Division Recommendations:

17. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre.

GENERAL COMMENTS: This item was continued at the May 8, 2003 Planning Commission meeting to allow the applicant to submit additional information. All revised and/or added text is shown in bold print. The applicant met with City Staff

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May 12, 2003 to discuss the potential issues and impacts of the development at the site. May 15, 2003, a revised site plan was submitted showing changes to reduce the impacts the development may have on the surrounding land uses.

The applicant has submitted an Initial and Final Development Plan for a Planned Commercial Development, proposing the development of Builder's Supply store at the corner of 32nd Street and West Chicago. The proposed Builder's Supply store would potentially sell furniture as well as construction materials with warehousing space. The submitted site plan shows the proposed building has a footprint of 19,550 square feet. The front façade is 22 feet high. The floor plan of the building shows 6,900 square feet of warehouse, and 10,800 square feet of retail space. In addition, there is one office, a break room, and two bathrooms. The submitted site plan shows three access points to the site. There are 41 parking spaces proposed at the site. In addition, the submitted landscaping plan shows 58,250 landscaping points at the site.

The parcel was rezoned on March 3, 2003 from Medium Density Residential Zoning District and Office Commercial Zoning District to a General Commercial Zoning District with a Planned Development Designation. The City of Rapid City's Long Range Comprehensive Plan identified the site for commercial uses along West Chicago, which is a principle arterial street.

In addition to the rezoning, a Planned Development Designation was placed on the site. The Planned Development Designation was placed on the site due to the proximity of the residential land uses adjacent to the site. The Planned Development Designation ensures that any negative impacts on the surrounding land uses would be mitigated. At the time of the Planned Development Designation approval, access issues, traffic patterns, and buffering and screening requirements were identified as areas of concern.

STAFF REVIEW: Staff has reviewed the proposed Initial and Final Development Plan for the Planned Residential Development and has noted the following major issues:

Access/Traffic Circulation: City Staff has concerns over the ability for proposed access points at the site to function properly. The City of Rapid City Street Design Criteria Manual Section 8.2.1 General Requirements states, "H. Not more than one driveway will be allowed to any single residence and not more than two to any business establishment." The proposed site plan does not appear to be in compliance with this regulation due to the fact that there are three access points shown on the site. **The revised site plan submitted on May 15, 2003 eliminates all approaches off of Kinney Court. This meets the maximum requirement of two approaches for business establishments.**

A revised site plan showing a reduction in the number of approaches on the site from three approaches to one approach will need to be submitted for review and approval. City Staff is recommending that the approach off of Kinney Court be removed for traffic circulation reasons. The approved staff report which was written for the Planned Development at the site identifies access at the site as a potential problem. The staff report states, "Access from

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Kinney Avenue will be limited and/or eliminated depending upon the proposed use of the site due to the potential traffic concerns relative to commercial traffic onto an already congested roadway.” In addition, the two approaches off of 32nd Street need to be reduced to one approach to limit the amount of approaches on 32nd Street. In addition the number of feet between West Chicago and the approach on 32nd needs to be increased to meet the City of Rapid City Street Design Criteria Manual requirement. **The revised site plan removed the approach off of Kinney Court eliminating the vehicular traffic impact on through the adjacent residential development. The revised site plan shows a distance of 85 feet between West Chicago and the first approach to the site, this distance appears to be in compliance with the City Street Design Criteria Manual.**

The traffic circulation patterns that the development could potentially create could be problematic. The proposed access point on the south side of the site off of Kinney Court has the potential for increasing traffic through a residential neighborhood. The introduction of additional commercial traffic including trucks and large delivery vehicles into this residential neighborhood is inappropriate. Further, Kinney Avenue is extremely narrow and congested currently due to the on-street parking serving the residential area. The addition of commercial traffic including larger truck and delivery vehicles will aggravate the existing congestion, and potentially increase noise on the surrounding residential land uses. It would further burden the local street network, raise significant issues and negatively impact the surrounding land uses.

In addition, there is a potential for people to drive from 32nd Street to Kinney Court through the parking lot of the proposed development. This traffic pattern could cause problems for the business as well as the surrounding land uses.

Loading Docks: The submitted site plan shows a loading dock at the site facing the residential neighborhood. There are serious potential aesthetic impacts and noise impacts associated with this scenario. Any loading docks should be located in such a way to have no impact on the existing residential land uses. **The site plan has been revised to show the loading dock moved from the rear of the structure to the west side. This move will help reduce the impact of the loading dock on the residences to the southeast of the structure. In addition, the loading dock will be blocked from the view of the surrounding land uses by a screening fence located along the southeast property line. In addition to the visual impacts, the applicant has submitted a business plan stating the number of full size delivery trucks will be limited, as to limit any noise impacts on the surrounding land uses.**

Outdoor Storage: The outdoor storage which is inherent with large scale warehouses of this type is not allowed in the General Commercial Zoning District. An inspection of the existing business location revealed an unsightly outdoor dumpster area with numerous pallets and other materials being stored at the rear of the building. The site plan does not appear to show the location of any dumpsters or trash receptacles at the site. In order to mitigate the aesthetic impacts of the trash receptacles as well as other impacts that may be involved, staff is recommending that additional screening and buffering for any trash receptacles at

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the site as well as any air handling units or electrical units be provided. Further, the applicant should be aware that no outdoor storage of pallets or other materials is allowed at this location. **The applicant has submitted a business plan stating there will be no outdoor storage located at the site. In addition, the revised site plan shows the location of trash receptacles at the site. These revisions help mitigate any impacts including visual and safety impacts on the surrounding land uses.**

Intensity of Use: Staff has identified serious concerns over the intensity of the use and the appropriateness of the use for this site. This type of use incorporates a large amount of truck traffic. The loading and unloading of construction materials along the south property boundary would negatively impact the surrounding residences. The Planned Development Designation identified the site as appropriate for General Commercial uses, if the impacts were mitigated, and it was an appropriate use for the site. It does not appear that the site is appropriate for this type of use. A less intense use with the potential for fewer amounts of trucks, no significant loading and unloading area, and no significant warehouse space would be more appropriate at this site. **The submitted business plan appears to be appropriate for the site. The business plan states there would be a minimal amount of heavy truck traffic at the site. In addition, the loading and unloading docks would not be servicing continuous heavy trucks. The submitted site plan also states the warehouse at the site will store sold products. The warehouse does not appear to be a holding location for other retail uses, which reduces the potential amount of heavy truck traffic in the area.**

Scale of Development: The submitted elevations of the building show the façade of the building as 22 feet high; in addition, the rear of the building is shown as 14 feet 6 inches high. The scale of this building exceeds the scale of the surrounding residential neighborhood. This architectural design appears to be obtrusive and negatively impacting of the surrounding land uses. A revised site plan and building elevations demonstrating that the impacts of the scale of the building have been mitigated shall be submitted for review and approval. **Revised elevations have been submitted showing additional design features for the structures. In addition, revisions to the elevations have been made which reduce the obtrusive architectural design by separating the front doors and adding additional façade improvements to the structures. These improvements will help reduce the negative impacts by making the appearance of the structure blend with the surrounding neighborhood.**

Landscaping Islands: Section 17.50.300 (E)1.c. of the City of Rapid City Municipal Code states, "Each island planter shall contain a minimum of one hundred square feet, and provide a minimum of one hundred square feet, and provide a minimum of for one tree with shrubs, groundcover and/or mulch covering at the base." The submitted site plan does not appear to show compliance with this portion of the Municipal Code. A revised site plan must be submitted showing additional landscaping buffers between the proposed use and the residential uses. **Prior to the issuance of a building permit, a revised site plan shall be submitted demonstrating that compliance with the required number of landscaping islands has been met.**

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Utilities: A revised site plan showing utilities being extended to the site through the public right of way along Kinney Avenue will need to be submitted for review and approval. The relocation of the utilities will need to be shown in order for staff to determine that the site will function adequately with the surrounding land uses. In addition, only a six inch water main is located at the site which may potentially restrict the amount of water available at the site at one time. In order to meet the required number of gallons per minute, the ability of the site to meet the fire flows must be demonstrated. **The applicant has submitted revised utility plans. Prior to the issuance of a building permit, verification will need to be made to identify any other water service lines to ensure the abandonment of the water main in the vacated Right of Way is not being used by somebody. In addition, the fire flows will still need to be verified, to ensure the site will be getting adequate water in the case of a fire.**

The required Major Amendment to a Planned Residential Development sign has been posted on the property; however, the receipts from certified mailing have not been returned as of the writing of this staff report. If the receipts are not returned prior to the public hearing before the Planning Commission, staff will notify the Commission. **All notification requirements have been met at this time.**

Staff is recommending the request for a Planned Commercial Development – Initial and Final Development Plan be approved with the previously stated stipulations. The revised site plans appear to mitigate the potential negative impacts on the surrounding land uses. The proposed use is more typical of a Light Industrial Zoning District. In fact, Black Hills Builders Supply is currently located on Deadwood Avenue on property zoned Light Industrial. While this type of use can be located in a General Commercial Zoning District if completely operated in a building with no outside storage, this use is not appropriate in such close proximity to the residential neighborhood. The site design proposed does not buffer the use and in fact introduces commercial and truck traffic into the residential neighborhood. For these reasons staff recommends the request be **approved with the previously stated stipulations.**