

STAFF REPORT

August 7, 2003

No. 03PD033 - Planned Unit Development - Initial and Final Development Plan **ITEM 26**

GENERAL INFORMATION:

PETITIONER	Deb-N-Hads Investments, LLC for Hadcock Construction, Inc.
REQUEST	No. 03PD033 - Planned Unit Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 11 thru 13, Block 116; and, Lot N less the south three feet, Block 116, all in the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, South Dakota
PARCEL ACREAGE	Approximately .140 acres
LOCATION	429 Quincy Street
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	Central Business District
South:	Office Commercial District
East:	High Density Residential District
West:	Office Commercial District with a Planned Commercial Development
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	06/27/2003
REPORT BY	Jeff Marino

RECOMMENDATION:

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

Engineering Division Recommendations:

1. Prior to the issuance of a building permit the applicant shall submit additional information regarding the topography, grading, drainage plans, etc.;
2. Prior to the issuance of a building permit the applicant shall submit additional information showing all storm water being collected on site;
3. Prior to Planning Commission approval, the applicant shall submit a revised site plan showing six inch curbs or wheel stops located in the parking lot;

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Urban Planning Division Recommendations:

4. **Prior to Planning Commission approval, the applicant shall submit additional information showing compliance with 14 parking spaces for the proposed use;**
5. **Prior to Planning Commission approval, the applicant shall submit a lease agreement stating that seven parking stalls shall be available for their use at all times. If at any time less than 14 parking spaces are available for the use of the beauty salon, the site shall be considered not in compliance with the City of Rapid City Municipal Code, and the use shall be reduced to be in compliance with the available parking;**
6. Prior to Planning Commission approval, the applicant shall submit additional information regarding a business plan for all three floors of the facility including but not limited to the number of employees, hours of operation, types of uses, locations of uses, etc. In addition, the applicant shall submit a floor plan for the upper story and the basement identifying square footages for the anticipated uses;
7. Prior to Planning Commission approval, the applicant shall submit signage information showing compliance with all applicable sign codes at the site;
8. Prior to Planning Commission approval, the applicant shall submit outdoor lighting information verifying there shall be no negative impacts on surrounding land uses;
9. This Planned Unit Development grants approval that the front yard setback shall be reduced to 21 feet, the rear yard setback shall be reduced to six feet and the side yard setback shall be reduced to nine feet;
10. Lot N less the south three feet shall be used as a beauty and health salon and Lots 11 thru 16 shall be used as Single Family Residential with accessory structures for residential use. Any other use of the properties shall require a Major Amendment to the Planned Unit Development; and,
11. The Planned Unit Development shall be initiated within two years of the date of approval or it shall expire in accordance with the City of Rapid City Municipal Codes.

GENERAL COMMENTS: (Updates to the staff report are shown in bold.) This request was continued from the July 24, 2003 Planning Commission meeting to allow the applicant time to submit revised information. As per a conversation on July 30, 2003, the applicant has stated there are parking alternatives being explored through the City of Rapid City owned lots, in addition to private lots. The applicant is proposing to secure lease agreements for seven additional parking spaces in off-site parking lots surrounding the proposed beauty salon.

The applicant is proposing a Planned Unit Development located on the southeast corner of 5th and Quincy. The applicant is proposing a beauty salon in the structure on 5th and Quincy. The structure was originally constructed as a residential unit, and in 1990, a Use on Review was approved with three stipulations to allow Law Offices on the subject property in High Density Residential Zoning District. These stipulations were:

1. That this be limited to an office for one attorney and one secretary;
2. That two off-street parking stalls be provided and they be paved within one year of the date of approval; and
3. That the Use on Review be granted to Lawrence Beihlmeyer at 429 Quincy Street.

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In addition, on March 17, 2003, City Council approved a rezoning at this location from High Density Residential to Office Commercial. Beauty Shops are a permitted use in the Office Commercial Zoning District.

In 1986, the lot to the south of the proposed Planned Unit Development was rezoned to Office Commercial, and it is currently being used as professional office(s). The lots to the west of the proposed rezoning is zoned Office Commercial with a Planned Commercial Development, and it is being used for a bank.

STAFF REVIEW: Staff has reviewed the proposed Planned Unit Development – Initial and Final Development plan and has noted the following issues:

Parking: The submitted site plan shows nine parking spaces located within the Planned Development. Two parking spaces are for the neighboring residence, and the other seven parking spaces have been identified for the proposed beauty salon. However, the proposed beauty salon's floor plan shows eight proposed chairs for hair styling. If each of these chairs are being utilized, there will be eight customers and eight employees. Additional parking may be needed for clients waiting for an appointment. A minimum of 16 off-street parking spaces are required for the beauty shop, in addition to the two required parking spaces for the residential use. At the time of this writing, a business plan and/or a floor plan for the second story or basement has not been submitted for review. Any additional massage tables or expansion of uses in these areas of the structure could generate the need for additional parking. Based upon the information provided to date, a minimum of 18 parking spaces would be required for the use.

In addition, the site plan does not indicate curbs or wheel stops to be located where the parking lot abuts the sidewalks. Prior to the Planning Commission approval, a revised site plan must be submitted showing six inch curbs or wheel stops located in the parking lot where the parking lot abuts the sidewalks. **The applicant has stated that prior to Planning Commission approval, seven parking spaces will be secured through lease agreements in off-site parking areas from the beauty salon. The applicant has stated that, they are currently in the process of pursuing additional parking spaces through lease agreements in surrounding parking areas.**

Screening: Through the Planned Unit Development a screening fence would typically be required between a commercial use and a residential uses; however, as the neighboring residential property is part of the Planned Unit Development staff supports the request to waive the requirement for the screening fence at this location. In addition, the site plan shows a screening fence to the rear of the property which appears to be in compliance with the applicable codes.

Landscaping: There are 4,775 landscaping points required at the site. The applicant is proposing to add four new shrubs to an existing large tree, small tree, and 158 square yards of grass for a combination of 5,080 landscaping points which exceeds the landscaping

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requirement of 4,775 landscaping points. The proposed landscaping appears to be in compliance with the City of Rapid City Municipal code.

Signage: There does not appear to be any sign information submitted as part of the Planned Unit Development. Prior to Planning Commission approval, information regarding the location, size, color, wording, lighting, materials, etc. of all signs at the site will have to be submitted for review and approval. This will allow the Planning Commission to verify all signage at the site is in compliance with the City of Rapid City Municipal Code, and is appropriate based on the surrounding land uses. **City Staff met with the applicants on July 21, 2003 to discuss signage at the site. At this time, signage information was submitted stating the proposed sign for the beauty salon would match existing signage of the beauty salons on the north side of Quincy Street. The applicant stated the size, materials, color, and rhetoric will be consistent with the existing signs.**

Lighting: The submitted site plan does not appear to identify any lighting at the site. Prior to Planning Commission approval a revised site plan would need to be submitted to verify the lighting at the site would not have any negative impacts on the surrounding land uses. **The applicant submitted additional lighting information on July 21, 2003. The submitted lighting plan shows two 400 watt lights on the east and west sides of the building lighting the parking areas. The submitted site plan also shows three 75 watt lights lighting the doorways and the rear of the building. In addition, two decorative 60 watt lights will be located over the front door.**

Setbacks: The existing structural setbacks are legal non-conforming. Once the property was rezoned to the Office Commercial Zoning District the minimum required setbacks were 25 feet on all four sides. However, the setback on the rear yard is only six feet, the front yard setbacks are 31 feet and 23 feet, and the side yard setback is nine feet. Due to the non-conforming status of this structure and the surrounding land uses, staff is supporting these reductions in setbacks.

Construction Plans: Prior to the issuance of a building permit, information regarding drainage, topography, and grading must be submitted for review and approval to verify that the site is going to function properly with the surrounding land uses. The Engineering Division has indicated that storm water must be collected on site.

As of this writing, the receipts from the certified mailing have been returned, and the Planned Unit Development sign has been posted on the property. However, the signed green receipts have not been returned. Staff will notify the Planning Commission at the July 24, 2003 Planning Commission meeting if the notification requirements have not been met. Staff has not received any calls or letters concerning the proposed Planned Unit Development – Initial Development Plan.