

STAFF REPORT

March 4, 2004

No. 04PD002 - Planned Commercial Development - Initial and Final Development Plan

ITEM 12

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc. for GBA, Inc.
REQUEST	No. 04PD002 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 1 and 2, Autumn Hills Plaza Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.95 acres
LOCATION	5312 and 5324 Sheridan Lake Road
EXISTING ZONING	General Commercial District/Planned Development Designation
SURROUNDING ZONING	
North:	Low Density Residential District/Planned Residential Development
South:	General Commercial District/Planned Development Designation
East:	General Commercial District/Planned Development Designation
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	01/23/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final 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 issuance of a building permit, the applicant shall sign a developmental lot agreement;**
3. **Prior to issuance of a building permit, revisions to the drainage plan and erosion control plan shall be submitted for review and approval;**

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4. Prior to issuance of a building permit, revisions to the water and sewer plans shall be submitted for review and approval;
5. Prior to issuance of a building permit, the utility and drainage easement located along the common lot line of the two lots shall be vacated or a Major Amendment to the Planned Commercial Development shall be submitted for review and approval relocating the commercial structure outside of the easement;
6. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre.
7. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan;
8. The proposed commercial structure shall be used as a restaurant, retail sales, professional and business offices and/or storage as shown on the applicant's site plan. Any other use shall require a Major Amendment to the Planned Commercial Development. In particular, a Major Amendment to the Planned Commercial Development shall be required in order to allow on-sale liquor on the subject property;
9. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development;
10. A minimum of 76,023 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
11. A minimum of 36 parking spaces shall be provided with two handicap accessible spaces. One of the handicap spaces shall be "van" accessible. In addition, seven stacking lanes shall be provided for the restaurant's drive through window and three stacking lanes shall be provided for the coffee shack's drive through window. All provisions of the Off-Street Parking Ordinance shall be continually met;
12. A six foot high wood privacy fence shall be constructed in compliance with the location and design plans submitted as a part of the Planned Commercial Development;
13. All Uniform Fire Codes shall be met; and,
14. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years;

GENERAL COMMENTS:

This item was continued at the February 19, 2004 Planning Commission meeting to allow the applicant to submit additional information. This Staff Report has been revised as of February 25, 2004. All revised and/or added text is shown in bold print. The applicant has requested approval of an Initial and Final Planned Commercial Development on the above legally described property. The applicant has indicated that a 9,000 square foot commercial structure will be located on the property. In particular, the

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applicant has indicated that a 1,000 square foot area will be used as a restaurant, a 7,000 square foot area will be used for retail sales and/or professional and business offices and a 1,000 square foot area will be used as storage. In addition, the applicant has indicated that a coffee shack will be constructed south of the commercial structure.

The applicant has also indicated that in the future a 4,180 square foot restaurant may be constructed west of the commercial structure as Phase Two of the development. The applicant has indicated that a Major Amendment to the Planned Commercial Development will be submitted if and/or when the restaurant is to be constructed.

In 1999, the City Council approved a Planned Development Designation for four commercial lots located along Sheridan Lake Road, including the subject property. The subject property is located approximately 350 feet north of the Catron Boulevard/Sheridan Lake Road intersection on the east side of Sheridan Lake Road and is currently void of any structural development.

STAFF REVIEW:

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

Developmental Lot/Platting: The subject property includes two existing platted lots. The applicant's site plan identifies that the commercial structure will be constructed across the common lot line between the two lots. As such, the applicant must sign a developmental lot agreement to allow the two lots to be developed as one property with a common parking lot and landscaping plan or the property must be platted into one parcel.

An eight foot wide utility and minor drainage easement is located along the interior sides of all side and rear lot lines of the two properties. **Staff is recommending that prior to issuance of a building permit, the utility and drainage easement located along the common lot line of the two lots be vacated or a Major Amendment to the Planned Commercial Development must be submitted for review and approval relocating the commercial structure outside of the easement.**

Coffee Shack: The applicant's site plan identifies that a coffee shack will be located south of the proposed commercial structure. However, structural elevations of the coffee shack have not been submitted for review and approval. In addition, drive up window(s) must be shown as well as three stacking lanes per drive up window. To date, the applicant has not submitted a list of building materials for the coffee shack or the color scheme of the building. **On February 17, 2004, the applicant submitted elevations for the coffee shack. In addition, the applicant submitted a list of building materials identifying that the structure will be constructed of wood and/or log with a peaked shingled roof and a similar natural color scheme as the commercial structure. Staff is recommending that the coffee shack conform architecturally to the plans and elevations submitted as a part of this Planned Commercial Development.**

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Commercial Structure: The applicant has submitted structural elevations of the commercial structure identifying that the proposed building will be one story with canopied drive through areas along the north and south of the building. To date, the applicant has not identified the location of the drive up window nor shown the stacking lanes for the drive up window. In addition, the applicant has not submitted a list of building materials for the commercial structure or the color scheme of the building. **On February 17, 2004, the applicant submitted revised elevations of the commercial structure eliminating the drive up window and canopy along the south side of the building. In addition, the applicant submitted a list of building materials identifying that the structure will be constructed with a combination masonry, cement board siding and a metal standing seam or membrane roof. The applicant has also indicated that a parapet cap will be located along the front of the building. In addition, the applicant has indicated that the color scheme of the building will be natural or earth tone colors. Staff is recommending that the commercial structure conform architecturally to the plans, elevations and color palette submitted as a part of this Planned Commercial Development.**

Retaining Wall/Screen Fence: The applicant's site plan identifies a retaining wall and a screen fence to be located along the east lot line and the north lot line, respectively. An eight foot wide utility and minor drainage easement is located along the north lot line and a 100 foot wide permanent drainage easement is located along the east lot line. It appears that the retaining wall is located within the 100 foot wide permanent drainage easement. As such, the site plan must be revised to relocate the retaining wall outside of the easement. The retaining wall is shown to support the adjacent parking lot, and as such, must be designed by a Professional Engineer. To date, elevations and a list of building materials as well as the color scheme of the retaining wall and the screen fence have not been submitted for review and approval. **On February 17, 2004, the applicant submitted elevations for the screening fence identifying that a six foot high wooden privacy fence will be located along the north lot line. In addition, the applicant has indicated that the fence will be constructed with the same design and color scheme as an existing six foot high privacy fence located on the adjacent property in order to maintain design consistency between the two properties. The applicant has also submitted a revised site plan eliminating the retaining wall from the site. Staff is recommending that the six foot high wood privacy fence be constructed in compliance with the location and design plans submitted as a part of the Planned Commercial Development.**

Drainage Information: To date, a drainage plan and an erosion control plan have not been submitted for review and approval. **On February 17, 2004, the applicant submitted a drainage plan and an erosion control plan for review and approval. Staff has indicated that minor revisions to the plans must be submitted for review and approval prior to issuance of a building permit.**

Water and Sewer Service Lines: To date, the applicant's site plan does not identify the location of water and sewer service lines. In addition the size and material of the lines must be submitted for review and approval. **On February 17, 2004, the applicant submitted a**

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water and sewer service line plan as requested. Staff has indicated that minor revisions to the plans must be submitted for review and approval prior to issuance of a building permit.

Landscaping: A minimum of 76,023 landscaping points are required. The applicant's site plan identifies that 76,180 points are being provided. However, the large trees located along the east lot line and north lot line are proposed to be planted within a drainage easement. The trees may impede drainage flows and/or future improvement(s) within the drainage easement and, as such, staff is recommending that the landscaping plan be revised to remove the trees from the easement.

The landscaping regulations states that a minimum of 50 percent of the required landscaping be located in the parking lot or within 20 feet of the parking lot. The applicant's site plan provides approximately 13 % of the landscaping in the parking lot or within 20 feet of the parking lot. **On February 24, 2004, the applicant submitted a revised landscaping plan removing the proposed landscaping from the drainage easement. In addition, the revised site plan identifies that 50% of the landscaping points are located in the parking lot or within 20 feet of the parking lot. Staff is recommending that the landscaping comply with the type and location of the landscaping plan submitted as a part of the Planned Commercial Development. In addition, all landscaping must be continually maintained in a live vegetative state and replaced as necessary.**

Parking: The uses proposed in Phase One of the development require that a minimum of 36 parking spaces be required with two of the spaces being handicap accessible. The applicant's site plan identifies that 37 parking spaces are being provided with two of the spaces being handicap accessible. **On February 17, 2004, the applicant submitted a revised site plan providing seven stacking lanes for the drive through window located on the north side of the commercial structure and three stacking lanes for the drive through window located on the south side of the coffee shack. Staff is recommending that the parking plan be constructed in compliance with the submitted site plan.**

Signage: A sign package has been submitted showing a total of 790 square foot area of wall mounted signs along the north and east sides of the commercial structure. The Sign Code allows a maximum of 450 square foot area of wall mounted signs on the entire property, including any signage proposed for Phase Two of the development. The applicant has also submitted an elevation of a pole mounted campus sign measuring nine feet wide by 22 feet in height. However, the pole mounted campus sign is shown to be located within an access and utility easement. Staff is recommending that the campus sign be relocated outside of the utility and access easement or that portion of the easement must be vacated. In addition, staff has noted that the campus sign must be utilized for on-premise messages only as per the Sign Code. Staff has also noted that the building materials for all of the signage as well as any illumination must be identified. **On February 17, 2004, the applicant submitted a revised sign package limiting the square footage of sign area**

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on the commercial structure(s) to 450 square feet as allowed by the Sign Code Ordinance. In addition, the applicant has indicated that the signage will be constructed with similar building materials and color schemes as the proposed buildings. The applicant has also indicated that the proposed signs will be internally illuminated. Staff is recommending that all signage conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development.

Fire: The Fire Department has indicated that all Uniform Fire Codes must be met as a part of the design standards for both phases of the development. In particular, fire hydrants must be in place and operational prior to or in conjunction with building construction. Depending on the type of building construction, occupancy, separations and access, the structure(s) may be required to be fully fire sprinklered. In addition, the grades of access drives and/or streets must comply with the City Street Criteria Manual and the Uniform Fire Code. An all weather drivable surface must be in place prior to any building construction on the site. The Fire Department has also indicated that an address must be posted on the site prior to or in conjunction with building construction. Staff is recommending that all Uniform Fire Codes be continually met.

Phase Two: The applicant has submitted a site plan identifying that a 4,180 square foot restaurant will be constructed west of the commercial structure as a part of Phase Two of the development. In addition, the site plan identifies that the coffee shack will be eliminated from the property. The site plan identifies that the restaurant will be located in an existing access and utility easement. As such, the applicant must vacate the access and utility easement or relocate the proposed restaurant prior to submittal of a Major Amendment to the Planned Commercial Development for Phase Two.

The parking regulations state that a minimum of 46 parking spaces be provided for the 4,180 square foot restaurant. The parking requirement for Phase One and Phase Two of the development will total 86 parking spaces with four of the spaces being handicap accessible. The applicant has submitted a site plan showing a total of 91 parking spaces being provided with four of the spaces being handicap accessible for both phases of the development. However, the site plan must be revised to provide one planter island within the parking lot as per Chapter 17.50.300 of the Landscaping Regulations.

The applicant has indicated that a Major Amendment to the Planned Commercial Development will be submitted for review and approval for Phase Two of the development. If on-sale liquor will be proposed within the future restaurant, then the Major Amendment must clearly identify the use. In addition, a Major Amendment to the Planned Commercial Development would be required if the restaurant identified in Phase One proposed to provide on-sale liquor.

Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. Staff has received numerous telephone calls regarding this proposal. To date, none of the callers have voiced

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opposition to the request.