

STAFF REPORT  
September 23, 2004

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**No. 04PD052 - Major Amendment to a Planned Commercial Development      ITEM 17**

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GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Menard, Inc.
REQUEST	<b>No. 04PD052 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Lots 1, 2, 3 & 6, all of Tract A, Menard Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 44.08 acres
LOCATION	East of Eglin Street lying adjacent to the intersection of Eglin Street and East Anamosa Street
EXISTING ZONING	General Commercial District (PCD)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District
East:	General Agriculture District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/27/2004
REVIEWED BY	Todd Tucker / David L. Johnson

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

1. Prior to any construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the additions;
2. Prior to issuance of a Building Permit, drainage and grading plans must be submitted;
3. Fire sprinklers and the fire alarm system shall be expanded into the proposed additions. Additionally, plans for the system expansions shall be submitted to the Fire Department for review and approval prior to any installation;
4. The provided fire gate area shall allow for quick access by responding fire apparatus to the lumber yard;
5. All applicable provisions of the Uniform Fire Code shall be continually met;
6. Prior to Planning Commission approval, a revised site plan shall be submitted showing 12 handicapped parking stalls in compliance with Section 17.50.270 of the Rapid City Municipal Code;

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7. The parking plan shall continually comply with all requirements of the Zoning Ordinance;
8. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance;
9. Prior to Planning Commission approval, a revised plan showing the proposed fence to be an opaque screening fence. In addition, the required screening fence shall not be constructed of chain link with slats;
10. A Building Permit shall be obtained for any fencing over six feet in height;
11. A fence height exception, to allow a 13 foot high screening fence, shall be obtained prior to issuance of the Building Permit for the proposed fence, or revised plans shall be submitted showing the proposed fence as a structural wall which would not qualify as a fence;
12. Prior to Planning Commission approval, the current outdoor storage shall be brought into compliance with Section 17.18.020 of the Rapid City Municipal Code; and,
13. The proposed structures shall conform architecturally to the plans and elevations submitted.

**GENERAL COMMENTS:** The subject property is located south of East North Street at the southeast corner of Eglin Street and Anamosa Street and is the current location of the Menard's retail store. On June 2, 1997 a Planned Commercial Development – Final Development Plan (#1588) was approved by the City Council with three stipulations. Those stipulations of approval were as follows:

1. That prior to the issuance of a Building Permit, minor modifications to the plan will be made as required by the Engineering Department;
2. That prior to the issuance of a Building Permit, the applicant shall provide a revised landscape plan which complies with the Rapid City Municipal Code Landscape Requirements;
3. That prior to City Council action on the Final Development Plan for the PCD, a final road improvements agreement shall be executed between the City and the applicant.

The applicant is now proposing to construct a 70 foot by 390 foot garden center overhang on the west side of the existing building and a 2,750 square foot addition to the existing receiving area and loading dock. The applicant is also proposing to install a 13 foot high wrought iron fence with a flattened expanded metal mesh attached to the inside of the fence. The applicant is also proposing to add 37 parking stalls to the existing parking lot. The proposed additions to the existing structure and parking lot combined with previous additions meet the requirements for a Major Amendment to a Planned Commercial Development.

**STAFF REVIEW:** Staff has reviewed the proposed Major Amendment to a Planned Commercial Development and has noted the following issues:

**Building Permit:** Staff noted that a Building Permit must be obtained prior to any construction, and a Certificate of Occupancy must be obtained prior to occupancy.

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Drainage and Grading: Staff noted that no drainage or grading plans were submitted, for the proposed parking lot expansion, with the application. Prior to issuance of a Building Permit, drainage and grading plans must be submitted.

Fire Safety: Staff noted that fire sprinklers and the fire alarm system must be expanded into the proposed additions. Plans for the system expansions must be submitted to the Fire Department for review and approval prior to any installation.

Staff noted that the fire gate area shall be required to allow for quick access by responding fire apparatus to the lumber yard. The access can be through the use of a Knox Box key system with the box being located at or very near the gate.

Parking: The applicant's site plan shows 37 additional parking stalls bringing the total off-street parking stalls provided to 603. The submitted site plan shows 10 handicapped stalls provided with two being "van accessible". However, Section 17.50.270 of the Rapid City Municipal Code requires 12 handicapped stalls be provided. Prior to Planning Commission approval, a revised site plan must be submitted showing 12 handicapped parking stalls in compliance with Section 17.50.270 of the Rapid City Municipal Code.

Landscaping: Staff noted that the submitted site plan shows compliance with all provisions of the Landscaping Ordinance found in Section 17.50.300 of the Rapid City Municipal Code.

Fencing: As previously indicated, the submitted plans show a 13 foot high wrought iron fence with a flattened expanded metal mesh attached to the inside of the fence. Section 17.18.020 of the Rapid City Municipal Code requires that all outdoor storage at building materials sales yard and lumber yards be screened by a seven-foot fence, wall or mass planting. As such, staff is recommending that a revised plan showing the proposed fence to be an opaque screening fence. In addition, the required screening fence shall not be constructed of chain link with slats. Staff noted that a fence with a maximum height of eight feet is allowed in the General Commercial Zoning District. Section 15.40.040 of the Rapid City Municipal Code requires that a Building Permit be obtained for all fences over six feet in height. As such, a fence height exception must be obtained prior to issuance of a Building Permit for the proposed fence or show the proposed fence as a structural wall which would not qualify as a fence.

Existing Violations: Staff noted that there is currently storage of building materials in the parking lot in front of the building which is a violation of the of Section 17.18.020 which requires that all outdoor storage shall be screened by a seven foot fence, wall or mass planting. As such, the current outdoor storage must be brought into compliance prior to Planning Commission approval.

Staff is recommending approval of the Major Amendment to a Planned Commercial Development with the previously stated stipulations.