

## STAFF REPORT

June 9, 2005

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### **No. 05PD033 - Planned Commercial Development - Initial and Final Development Plan to allow a Vendor Park**

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**ITEM 28**

#### GENERAL INFORMATION:

PETITIONER	Owen H. Emme and Summit, Inc.
REQUEST	<b>No. 05PD033 - Planned Commercial Development - Initial and Final Development Plan to allow a Vendor Park</b>
EXISTING LEGAL DESCRIPTION	Lot 1R Revised and 2R Revised, Summit Industrial Park and the balance of Lot X of Lot H2, NW1/4 of the SW1/4, Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.45 acres
LOCATION	3310 Deadwood Avenue
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	Light Industrial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	None
DATE OF APPLICATION	5/11/2005
REVIEWED BY	Todd Tucker / David L. Johnson

#### RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan to allow a Vendor Park be approved with the following stipulations:

1. Prior to initiation of any construction, including the parking lot, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the vendor park;
2. An Air Quality Permit shall be obtained;
3. Prior to issuance of a Building Permit, a Developmental Lot Agreement shall be recorded at the Pennington County Register of Deeds office;
4. A Temporary Use Permit shall be obtained for any temporary structures located on the subject property;
5. A minimum of 288 off-street parking stalls shall be provided as identified on the site plan. In addition, the motorcycle parking area shall be provided as shown on the submitted site plan;

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6. The site shall be secured so that vehicles may not enter the site and be posted with a "No Parking" or other appropriate signs when not in use as a vendor park;
7. No overnight camping shall be allowed on the site. In addition, a sign stating that "No Overnight Camping" shall be posted on the subject property at all times;
8. Prior to Planning Commission approval, a revised landscaping plan shall be submitted showing a minimum of five landscaping islands located within the parking lot as per Section 17.50.300 of the Rapid City Municipal Code;
9. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;
10. If any on-site signage is proposed, a sign package shall be submitted for review and approval prior to Planning Commission approval. In addition, a Sign Permit shall be obtained for any on-site signage;
11. Prior to Planning Commission approval, information shall be provided documenting how all trash receptacles will be secured to preclude trash from blowing around on the site, receptacles from being overturned and to indicate the scheduled for removing debris from the site;
12. Prior to Planning Commission approval, a grading and drainage plan including a sediment and erosion control plan shall be submitted for review and approval. In addition, the plan shall account for the capacity of downstream facilities;
13. The applicant shall be responsible for providing fire fighting water to the site during all vendor events;
14. The vendor park site shall be assigned one address with site numbers assigned to the separate vendor booths. In addition, the site numbers for vendor booths shall be painted on the ground or displayed on a sign; and,
15. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission or if the use as approved has ceased for a period of two years.

**GENERAL COMMENTS:** The subject property is located at the northeast corner of Deadwood Avenue and Tatanka Road. The applicant has indicated that at the present time the vendor park will only be used during the Sturgis Motorcycle Rally. However, the applicant has indicated that other possible uses of the vendor park in the future may include limited garage sales, car dealer sales, auctions and flea markets. The applicant is requesting a Planned Commercial Development – Initial and Final Development Plan to allow the subject property to be used for a vendor park.

**STAFF REVIEW:** Staff has reviewed the Planned Commercial Development – Initial and Final Development Plan and has noted the following issues:

**Building Permit:** Staff noted that a Building Permit must be obtained prior to initiation of any construction including the pavement of the parking lot and that a Certificate of Occupancy must be obtained prior to occupying the vendor park.

**Air Quality Permit:** Staff noted that the area of disturbance exceeds one acre in size. As such, an Air Quality Permit must be obtained.

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Developmental Lot Agreement: The proposed Planned Commercial Development – Initial and Final Development Plan is located on three separate parcels. The parcels are all owned by the same company. Due to the layout of the vendor park, parking lot and access aisles which are located on all three parcels, a Developmental Lot Agreement must be filed to legally tie the three separate parcels into one developmental lot. Prior to issuance of a Building Permit, a Developmental Lot Agreement must be recorded at the Pennington County Register of Deeds office.

Design Features: The purpose of a Planned Development is to provide deviation from conventional zoning and subdivision regulations in order to promote and encourage imaginative urban design. Section 17.50.050 of the Rapid City Municipal Code requires that all planned developments have a unified building and site development plan which address desirable design features.

The submitted site plan identifies that an approximate 173,000 square foot paved vendor park will be provided on the subject property. The submitted site plan shows that approximately 73,000 square feet of the vendor park will be devoted to retail sales. The remaining 100,000 square feet will be for walking paths, vehicular traffic and motorcycle parking. The applicant has indicated that temporary structures will be set up within the vendor areas during events. Staff also noted that a Temporary Use Permit must be obtained for any temporary structures located on the subject property.

Setbacks: The proposed vendor areas are set back 50 feet from the front property line along Tatanka Road and 30 feet from the front property line along Deadwood Avenue. The proposed vendor areas are set back from the east side lot line 30 feet and 320 feet from the rear property line. The vendor areas are in compliance with the setback requirements of the Light Industrial Zoning District.

Parking: The Rapid City Municipal Code requires that 365 off-street parking stalls, with eight being handicapped accessible, be provided for the proposed development. The applicant's site plan shows a total of 288 off-street parking stalls with eight being handicapped accessible. The applicant has indicated that the majority of the customers that will visit the vendor park will be motorcycle customers. The applicant has also provided a 20,000 square foot parking area on the vendor park site for motorcycle parking. The applicant is requesting that the required number of off-street parking stalls required be reduced from 365 to 288. Staff supports the reduction of off-street parking stalls as the vendor park will primarily serve customers with motorcycles.

Concerns have been raised with regards to the possibility unauthorized parking of vehicles at the vendor park site when events are not being held on the subject property. Staff is recommending that the site be secured to preclude vehicles from entering the site and posted with a "No Parking" sign when not in use as a vendor park.

Overnight Camping: Concerns have been raised about the possibility of overnight camping on the subject property. Staff is recommending that a sign stating "No Overnight Camping" be posted on the subject property at all times.

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Landscaping: The proposed Planned Residential Development will require that a minimum of 193,000 landscaping points be provided for the Planned Development. The submitted site plan shows that 155 large mature trees are currently located on the subject property providing a total of 310,000 landscaping points. Staff also noted that a minimum of five landscaping islands must be provided within the parking lot based on the number of parking stalls provided. The site plan shows five areas within the parking lot that are blacked out. However, the site plan does not identify any landscaping to be provided within the areas that appear to be landscaping islands. Prior to Planning Commission approval, a revised landscaping plan must be submitted showing a minimum of five landscaping islands located within the parking lot as per Section 17.50.300 of the Rapid City Municipal Code.

Lighting: The applicant has indicated that five 30 foot high light poles will be provided within the vendor park. Staff noted that all site lighting will need to be directed away from the adjacent rights-of-way and adjacent properties.

Signage: The subject property has 1,300 lineal feet of frontage allowing 2,600 square feet of signage on the subject property. The applicant's site plan does not show the location of any signage on site. If any on-site signage is proposed, a sign package must be submitted for review and approval prior to Planning Commission approval. Staff also noted that a Sign Permit must be obtained for any on-site signage.

Waste Disposal: The applicant has indicated that two six yard capacity dumpsters and 50 trash barrels will be provided at the vendor park. The applicant has indicated that the trash barrels will be emptied continuously throughout the day. Staff has concerns that the trash barrels and the trash deposited in the trash barrels may be disturbed due to the high winds in the area. As such, staff is recommending that information be provided documenting how all trash receptacles will be secured to preclude trash from blowing around on the site, receptacles from being overturned and to indicate the schedule for removing debris from the site prior to Planning Commission approval.

Grading and Drainage: Staff noted that a grading and drainage plan including a sediment and erosion control plan must be submitted for review and approval. Staff also noted that the plan must account for the capacity of downstream facilities.

Fire Safety: The submitted site plan shows that 20 foot wide access aisles are provided through the vendor park that should accommodate Fire Department apparatus. Staff noted that adequate circulation for Fire Department apparatus through the vendor park must be maintained at all times. Staff also noted that the applicant will be responsible for providing fire fighting water to the site as there is currently no water service provided to the subject property.

Addressing: The Pennington County Emergency Services Call Center staff has indicated that the vendor park site should be assigned one address with site numbers assigned to the separate vendor booths. Staff is recommending that site numbers for vendor booths should be painted on the ground or displayed on a sign.

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Staff is recommending approval of the Planned Commercial Development – Initial and Final Development Plan with the previously stated stipulations.