

STAFF REPORT  
July 21, 2005

---

**No. 05PD039 - Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment**

---

**ITEM 47**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 05PD039 - Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment</b>
EXISTING LEGAL DESCRIPTION	Located in S1/2 NW1/4 S1/2, Government Lot 3, and the S1/2, Government Lot 4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2 and Lot 4, Block 1, Big Sky Business Park, Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.77 acres
LOCATION	North of Homestead Street between Elk Vale Road and Timmons Boulevard
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	No Use District
East:	Office Commercial District (Planned Development Designation)
West:	Light Industrial District - General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/10/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment be approved with the following stipulations:

STAFF REPORT  
July 21, 2005

---

**No. 05PD039 - Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment**

---

**ITEM 47**

1. Prior to any construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy;
2. An Air Quality Permit shall be obtained;
3. The use allowed within the Planned Commercial Development shall be limited to a grocery store and an on-sale liquor establishment. Alternative uses may be approved through the Major Amendment processes;
4. Prior to Planning Commission approval, the applicant shall submit revised color elevation drawings showing an increase in the architectural features of the structure;
5. Prior to Planning Commission approval, a revised site plan showing a screening wall located between the mechanical equipment, dumpster and loading dock on the west side of the proposed structure and Elk Vale Road;
6. Prior to Planning Commission approval, the applicant shall provide a revised site plan showing the location of the roof top mechanical equipment for review and approval;
7. The proposed structure shall conform architecturally to the plans and elevations submitted;
8. The proposed structure shall conform to all setback requirements of the General Commercial Zoning District;
9. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
10. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;
11. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;
12. The proposed structure shall be fully fire sprinklered and fire alarmed as per the International Fire Code;
13. All applicable provisions of the International Fire Code shall be continually met;
14. Prior to Planning Commission approval, the applicant shall submit a revised site plan showing the location of the gas, electricity and communication lines located within the public right-of-way;
15. Prior to Planning Commission approval, the applicant shall submit a revised sheet showing the water main and all sanitary and storm sewer crossings. In addition, the applicant shall include any areas requiring encasement in accordance with the Rapid City Standard Specifications for Public Works Construction Section 8.3;
16. Prior to Planning Commission approval, the applicant shall submit a profile of the water main to the fire hydrant;
17. Prior to Planning Commission approval, the applicant shall submit a revised drainage plan showing the location of all existing drainage structures and indicate how the existing drainage structures will accommodate the proposed construction;
18. Prior to Planning Commission approval, the comments on the construction drawings shall be addressed and the red lined drawings shall be returned; and,
19. 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.

## STAFF REPORT

July 21, 2005

---

### **No. 05PD039 - Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment**

---

**ITEM 47**

**GENERAL COMMENTS: (This Staff Report was revised on July 11, 2005. All revised and/or added text is shown in bold text.) This item was continued at the July 7, 2005 Planning Commission meeting to allow time for the applicant to make the necessary revisions to the submitted plans and to submit the additional required information.**

The subject property is located on the west of Timmons Boulevard and east of Elk Vale Road between Berniece Street and Homestead Street. On October 10, 2002, the Planning Commission approved a Planned Development Designation (02PD054) for a 30 acre unplatted parcel of land that included the subject property. On June 28, 2005, a Final Plat was approved creating the subject property. The applicant is requesting approval of a Planned Commercial Development – Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment on the subject property.

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

**Building Permit:** Staff noted that a Building Permit must be obtained prior to initiation of construction and that a Certificate of Occupancy must be obtained prior to occupying the building.

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

**Design Features:** The submitted site plan identifies that an approximate 24,520 square foot structure is proposed to be constructed on the subject property. The submitted building elevation drawings show that the proposed structure will be approximately 24 feet in height. The exterior of the proposed structure will be finished with masonry block walls with earth tone colors with accent bands of concrete block also in earth tone colors.

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 and to promote compatibility with adjacent land uses. 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 including architectural design.

Staff noted that the property located to the east of the subject property is at a higher elevation and is proposed to be developed with residential structures. Staff also noted that the subject property is bordered on the west by Elk Vale Road which is a major corridor, bringing traffic into the City from the Interstate. Due to the location of the proposed structure in such close proximity to residential properties to the east and its proximity to Elk Vale Road, staff feels it would be appropriate for the applicant to revise the building elevations to improve and expand the architectural features of the structure. Additional stone and rock work or other features could be added with a minimal increase in the cost of the construction that would greatly increase the aesthetic appearance of the proposed structure. As such, staff recommends that the applicant submit revised color elevation drawings showing an

## STAFF REPORT

July 7, 2005

---

### **No. 05PD039 - Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store**      **ITEM**

---

increase in the architectural features of the structure prior to Planning Commission approval.

**As of this writing, the applicant has not submitted a revised color elevation drawing of the proposed structure.**

Staff also noted that concerns have been raised regarding the screening of the mechanical equipment, dumpster and loading dock. The applicant indicated that the mechanical equipment will be located on the west side and on the roof of the proposed structure. As previously indicated Elk Vale Road is adjacent to the subject property on the west side. Staff is recommending that a screening wall be erected between the mechanical equipment, dumpster and loading dock on the west side of the proposed structure and Elk Vale Road to serve as a visual buffer between the street and the mechanical equipment, dumpster and loading dock. In addition, the applicant's site plan does not show the location of the proposed roof top mechanical equipment. Prior to Planning Commission approval, the applicant shall provide a revised site plan showing the location of the roof top mechanical equipment for review and approval to insure the parapet wall of the proposed structure adequately screens the roof top units from Elk Vale Road and the residential properties located to the east of the subject property.

**As of this writing, the applicant has not submitted a revised drawing showing the location of the roof top mechanical equipment.**

Setbacks: The proposed structure is set back 138 feet from the front property line along Timmons Boulevard. The submitted site plan shows that the proposed structure will be set back 45 feet from the north side property line and 143 feet from the south side property line with a 30 foot rear yard setback. The proposed setbacks are in compliance with the zoning regulations.

Parking: The Rapid City Municipal Code requires that 128 off-street parking stalls, with five being handicapped accessible, be provided for the proposed development. The applicant's site plan shows a total of 149 off-street parking stalls with six being handicapped accessible. However, the site plan does not show any van accessible handicapped stalls provided. Prior to Planning Commission approval, a revised site plan must be submitted showing a minimum of one van accessible handicapped stall as per Section 17.50.270 of the Rapid City Municipal Code.

**On July 5, 2005, the applicant submitted a revised site plan showing six handicapped accessible stalls with one being a van accessible handicapped stall.**

Landscaping: The proposed Planned Residential Development will require that a minimum of 96,030 landscaping points be provided with a minimum of 48,015 points located either in or within 20 feet of the parking lot. Staff also noted that a minimum of three landscaping islands must be provided based on the number of parking stalls provided. The applicant's landscape plan shows 97,300 landscaping points being provided with 59,250 points located either in or within 20 feet of the parking lot. The applicant's site plan also shows 11 landscaping islands provided. Staff also noted that numerous trees and shrubs are located

## STAFF REPORT

July 7, 2005

---

### **No. 05PD039 - Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store      ITEM**

---

along the west property line and will provide a landscaping buffer between the proposed structure and Elk Vale Road. The proposed landscaping plan is in compliance with Section 17.50.300 of the Rapid City Municipal Code.

Lighting: The applicant's site plan does not show any exterior or parking lot lighting to be provided. Prior to Planning Commission approval, a lighting plan must be submitted showing the location of all exterior lighting to be provided including all parking lot lighting. Staff also noted that all site lighting will need to be directed away from the adjacent rights-of-way and adjacent properties. In addition, the applicant must show the location of all existing and proposed street lights.

**On July 5, 2005, the applicant submitted a revised site plan showing the location of the proposed parking lot lighting.**

Signage: The subject property has two frontages with 375 linear feet along Timmons Boulevard and 375 linear feet along Elk Vale Road. The total street frontage of the subject property is 750 feet which would allow a total of 1,500 square feet of signage on the subject property. The applicant has not submitted any information regarding the size or location of any signage on the subject property. Prior to Planning Commission approval, the applicant must submit a detailed sign package including the size and location of any ground and wall signs. Staff recommends that no off-premise, flashing or electronic motion signs be permitted.

**On July 8, 2005, the applicant submitted a sign package showing that there will be a 384 square foot pole sign located along Timmons Boulevard. The applicant also identified that 402 square feet of wall signage will be located on the proposed structure. The total signage proposed for the subject property is 786 square feet which is less than the 1,500 square feet allowed by the Sign Code. The proposed signage is in compliance with the Sign Code.**

Fire Safety: The proposed structure must be fully fire sprinklered and alarmed/detected as per the International Fire Code. Staff also noted that the access lanes through the development will accommodate Fire Department apparatus. The proposed structure must have 12 inch address numbers and be plainly visible from the public right-of-way.

Utilities: Staff noted that the site plan submitted does not show the location of the gas, electricity and communications lines within the public right-of-way. As such, the applicant must submit a revised site plan showing the location of the gas, electricity and communication lines located within the public right-of-way prior to Planning Commission approval.

**On July 11, 2005, staff met with the applicant to discuss the additional information needed on the site plan. The applicant indicated that a revised site plan showing the required information is being developed. However, as of this writing, a revised site plan showing the gas, electricity and communication lines has not been submitted.**

Staff also noted that the applicant submitted two drawings showing the water main.

## STAFF REPORT

July 7, 2005

---

### **No. 05PD039 - Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store      ITEM**

---

However, the correct drawing for the water main design is on a separate sheet of paper and not incorporated into the plan set. Prior to Planning Commission approval, the applicant must submit a revised sheet showing the water main and all sanitary and storm sewer crossings. Staff also noted that the applicant must submit a profile of the water main to the fire hydrant. In addition, the applicant must include any areas requiring encasement in accordance with the Rapid City Standard Specifications for Public Works Construction Section 8.3.

**As of this writing, a revised site plan showing the water main and all sanitary and storm sewer crossings has not been submitted, nor has a profile of the water main to the fire hydrant been submitted or any identification of the areas requiring encasement. However, on July 11, 2005 the applicant indicated that the revised drawings are being developed.**

Drainage: Staff noted that the applicant did not show the location of the existing drainage structures located on the subject property. As such, the applicant must submit a revised drainage plan showing the location of all existing drainage structures and indicate how the existing drainage structures will accommodate the proposed construction prior to Planning Commission approval.

**As of this writing, the applicant has not submitted a drainage plan showing the location of all existing drainage structures identifying how the existing drainage structures will accommodate the proposed construction. However, on July 11, 2005, the applicant indicated that a drainage plan is in the process of developed.**

Red Line Comments: Staff noted that red line comments addressing required revisions and changes have been made on the Planned Commercial Development construction plans. Staff noted that the comments must be addressed and the red lined drawings must be returned prior to Planning Commission approval.

Notification: As of this writing, the required sign has not been posted on the property and the receipts from the required notification of surrounding property owners have not been returned. Staff will notify the Planning Commission at the July 7, 2005 Planning Commission meeting if these requirements have not been met.

**The required sign has been posted on the subject property and the receipts from the required notifications have been returned.**

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