

STAFF REPORT  
October 27, 2005

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**No. 05PD063 - Major Amendment to a Planned Commercial Development**      **ITEM 57**

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GENERAL INFORMATION:

PETITIONER	ARC International
REQUEST	<b>No. 05PD063 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Tract A, Block 4 and a portion of vacated 11th Street Right-of-Way, Riverside Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.67 acres
LOCATION	333 West Boulevard
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Light Industrial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/30/2005
REVIEWED BY	Vicki L. Fisher / Michelle Horkey

RECOMMENDATION:

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

1. The sidewalks along Eleventh Street and Rapid Street shall be constructed a maximum distance of two feet from the property line. All other sidewalk construction for the project shall comply with the previously reviewed and approved Planned Commercial Development;
2. The previously approved sign package shall be revised to allow a pole sign in lieu of a pylon sign along Omaha Street. In particular, the pole sign shall measure 27 feet high by 14 feet wide and be constructed ten feet above grade for a maximum height of 37 feet. In addition, the sign shall be a campus sign with no off-premise advertising allowed. The proposed sign shall also be revised eliminating the electronic sign, or reader sign. In addition, the proposed sign shall conform architecturally to the design plans and color palette submitted as a part of this Major Amendment to the Planned Commercial Development;

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3. The proposed dumpster location shall be relocated to the south side of the structure as shown on the previously reviewed and approved Planned Commercial Development. In addition, the dumpster shall be screened with a minimum four foot high opaque screening fence;
4. The boundaries of the previously approved Planned Commercial Development shall be expanded to include the vacated Eleventh Street right-of-way located along the west lot line of the property; and,
5. All of the previously approved stipulations of approval of the Initial and Final Planned Commercial Development shall continually apply with the changes as noted in stipulations 1 thru 4.

**GENERAL COMMENTS:**

The applicant has submitted a Major Amendment to a Planned Commercial Development. In particular, the applicant has requested to expand the boundaries of the Planned Commercial Development, to relocate a dumpster, to relocate sidewalks along a portion of the property and to modify the design of a sign proposed to be located along the north lot line of the property.

On September 9, 2004, the Planning Commission approved a Final Planned Commercial Development to allow a commercial building to be constructed on the subject property 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 or a Final Plat shall be approved combining the properties into one lot;
3. Prior to issuance of a building permit, civil and utility plans shall be submitted for review and approval. In addition, a grading, drainage and erosion control plan shall be submitted for review and approval;
4. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan;
5. The proposed commercial structure shall be used as a bank, retail sales, professional and business offices, storage and associated accessory use(s). Any other use shall require a Major Amendment to the Planned Commercial Development;
6. 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;
7. A minimum of 98,894 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance and the approved landscaping plan. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
8. The parking requirement shall be reduced from 232 parking spaces to 228 parking spaces. In addition, seven of the parking spaces shall be handicap accessible spaces. One of the handicap spaces shall be "van" accessible. In addition, 15 stacking lanes shall be provided for the bank teller drive through windows. All provisions of the Off-Street Parking Ordinance shall be continually met;

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9. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Commercial Development or a subsequent Major Amendment;
10. All Uniform Fire Codes shall be met; and,
11. 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;

The property is located in the southwest corner of the intersection of Omaha Street and West Boulevard. Currently, a three story commercial structure is under construction on the site.

**STAFF REVIEW:**

Staff has reviewed the Major Amendment to the Planned Commercial Development and has noted the following considerations:

**Boundary:** On October 17, 2005, the City Council approved a Vacation of Right-of-way request to vacate a portion of Eleventh Street located along the east lot line of the subject property. The applicant has submitted a site plan showing the ten feet of vacated right-of-way incorporated into the parking plan providing improved separation between parking aisles. As such, staff is recommending that the Major Amendment to the Planned Commercial Development to expand the boundaries be approved.

**Dumpster:** The previously approved Final Planned Commercial Development identified the dumpster and screening fence adjacent to the south side of the proposed commercial structure. The applicant is proposing to relocate the dumpster to the south lot line within a row of parking spaces. In addition, the applicant has submitted an elevation of a proposed four foot high screening fence to be constructed around the dumpster. Staff is concerned with the aesthetics of relocating the dumpster and screening fence to the south lot line, adjacent to Rapid Street. In addition, the dumpster and screening fence will create a potential site distance barrier between the vehicles parked within this row of parking spaces creating a safety issue. As such, staff is recommending that the proposed dumpster location remain at the south side of the structure as shown on the previously reviewed and approved Final Planned Commercial Development.

**Signage:** The previously approved Final Planned Commercial Development identified a pylon sign to be located along the north lot line, adjacent to Omaha Street. The applicant has submitted a revised sign package to allow a pole sign measuring 27 feet high by 14 feet wide, ten feet above grade, for a maximum height of 37 feet. In addition, the revised sign package identifies that an electronic sign, also known as a reader board, will be constructed along the bottom of the proposed sign. However, staff is concerned with the safety impact of allowing an electronic reader sign on property located at the intersection of Omaha Street and West Boulevard, a principal arterial and a collector street, respectively. In particular, the traffic at this intersection may be negatively impacted with the diversion of an electronic reader sign. The South Dakota Department of Transportation has submitted a copy of an accident report for this intersection over the last three years identifying that 23 accidents, 19

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accidents and 24 accidents have occurred in 2002, 2003 and 2004, respectively, for a total of 66 accidents.

In addition, Omaha Street and West Boulevard serve as gateways into the City and the electronic sign may distract from the many other amenities being provided on the site. As such, staff is recommending that the sign be revised eliminating the electronic sign. In addition, the sign must be a campus sign with no off-premise advertising allowed. Staff is also recommending that the proposed sign conform architecturally to the design plans and color palette submitted as a part of this Major Amendment to the Planned Commercial Development with the exception of the electronic sign.

Sidewalks: The applicant has submitted a site plan proposing to relocate the property line sidewalks along Eleventh Street and Rapid Street two feet from the property line. On October 19, 2005, the applicant submitted a revised site plan showing two overhead electric poles, an electric guy pole with wires and one pad mounted communication pedestal along the lot line abutting Eleventh Street. In addition, the site plan shows an underground electric line along the lot line abutting Rapid Street. The applicant indicated that the underground electric line was located accordingly due to a 30 inch water main located within this area of the right-of-way along the lot line.

Staff has reviewed the request and noted that a minimum five foot separation between the sidewalk and the street paved section along Eleventh Street and a minimum seven foot separation between the sidewalk and the street paved section along Rapid Street is being provided. The separation will provide pedestrian safety along the two sidewalk sections as well as a place for snow removal when needed. As such, staff is recommending that the sidewalks along Eleventh Street and Rapid Street be constructed a maximum distance of two feet from the property line as shown on the revised site plan. All other sidewalk construction for the project must comply with the previously reviewed and approved Planned Commercial Development.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the October 27, 2005 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.