

STAFF REPORT
November 10, 2005

**No. 05PD069 - Planned Commercial Development - Initial and Final
Development Plan**

ITEM 31

GENERAL INFORMATION:

PETITIONER	Alliance of Architects for Ray Elliott
REQUEST	No. 05PD069 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	West 72.15 feet of the North 60 feet, Lot 1, Block 36, Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.0 acres
LOCATION	1204 Mount Rushmore Road
EXISTING ZONING	Office Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/14/2005
REVIEWED BY	Karen Bulman / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan be approved with the following stipulations:

1. That the use of the property shall be limited to the following: professional offices which include real estate, insurance, appraiser, accountants and one unit apartment located on the second floor. Any other use must be approved as a Major Amendment to the Planned Commercial Development;
2. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met;
3. Prior to obtaining a building permit, a revised landscaping plan shall be submitted for review and approval;
4. That signage for the property shall be limited to one two-faced ground sign and one wall sign. The size of the ground sign shall be limited to five foot in height and six foot in width and shall be indirectly lighted. The size of the wall sign shall be limited to four square feet and shall be indirectly lighted (no back lighted signs shall be allowed);

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5. That the clear sight vision requirement be waived for the proposed sign to be located at the intersection of Clark Street and Mt Rushmore Road;
6. That all requirements of the 2003 International Fire Code shall be continually met to include the provision of smoke detection devices;
7. That the site shall be graded to insure that no additional steps are required in the reconstruction of the Clark Street sidewalk;
8. That the screening fence requirement be waived along the east property line;
9. That a Certificate of Occupancy shall be obtained prior to occupancy of the building;
10. That one paved off-street parking space be provided on site and the exceptions to the city standards be granted for the eighteen percent slope and the size of the driveway width; and
11. The Planned Commercial Development approval shall expire if the use is not undertaken 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 1204 Mt. Rushmore Road. Property located north, south and east of the subject property is zoned Medium Density Residential District. Property located west of the subject property is zoned General Commercial District. A Planned Commercial Development – Initial and Final Development Plan was approved by the City Council on October 6, 1997 with ten stipulations. Those stipulations were:

1. That the site shall be graded to insure that no additional steps are required in the reconstruction of the Clark Street sidewalk;
2. That the use of the property shall be limited to the following: professional offices which include real estate, insurance, appraiser, accountants and one unit apartment locate on the second floor;
3. That a two year limit shall be placed on the approval of this Development Plan. If the structure is not restored and occupied in this time frame, no use may occupy the structure until an alternative Initial and Final Development Plan has been submitted and approved;
4. That signage for the property shall be limited to one, two face ground sign and one wall sign. The size of the ground sign shall be limited to five foot in height and six foot in width and shall be indirectly lighted. The size of the wall sign shall be limited to four square feet and shall be indirectly lighted (no back lighted signs shall be allowed);
5. That the site shall be secured at all times, all weeds and grass shall be continually cut and the yard area maintained, snow and ice shall be removed from the sidewalks, and no litter or junk shall be allowed on the site;
6. That Section 17.50.300 of the Rapid City Municipal Code (Landscape Ordinance) shall be continually met;
7. That prior to City Council approval, a revised site plan including grading and drainage design shall be submitted showing five parking stalls be provided on-site;
8. That the screening fence requirement be waived along the east property line and a railing system shall be installed along the east property line;
9. That the clear sight vision requirement be waived for the proposed sign to be located at the intersection of Clark Street and Mt Rushmore Road; and
10. That a Certificate of Occupancy shall be obtained prior to occupancy of the building.

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On May 18, 2005, the property owner was notified that the stipulation indicating that a two year limit was placed on the approval of the Development Plan. As the time limit has passed, an Initial and Final Planned Commercial Development Plan must be submitted and all development of the property must comply with the requirements of the Rapid City Municipal Code. As such, the applicant has submitted this current application.

STAFF REVIEW: Staff has reviewed the Planned Commercial Development and has noted the following considerations:

Land Use: The applicant is proposing to locate a 704 square foot office on the main floor and a 704 square foot apartment on the second floor. This is the same request that was submitted by the applicant in 1997. The location and size of the lot precludes any high traffic generating use. Staff recommends that the uses established for the original Planned Development continue for this application. Office uses will be limited to include real estate, insurance, appraiser, and accountant offices. Any other use must be approved as a Major Amendment to the Planned Commercial Development.

Parking: The subject property has limited space available for parking. In 1997, staff had indicated that three parking spaces could be located on the site, but only with the ability to back onto Clark Street. Any off-street parking is difficult based on the size of the parking area and the location of the adjacent building located on the lot line. The approach to the subject property is nine feet wide and rises at an eighteen percent slope. The City's maximum allowable design standard for slope is sixteen percent. As the grades exceed the Street Design Criteria Manual, an exception to the City standards would need to be granted if parking is required. In addition, the driveway approach would need to be reconstructed to increase the width to meet the current requirements of sixteen feet for commercial lots. A turning radius of 25.5 feet is required for an average vehicle. It appears that at least one parking stall could be constructed on site and allow enough room to turn around. Staff recommends that at least one paved off-street parking space be provided on site and the exceptions to the city standards be granted for the eighteen percent slope and the size of the driveway width.

Landscaping: The applicant has provided a landscaping plan indicating the presence of existing landscaping. Staff has reviewed that landscaping plan and noted some discrepancies in the location of landscaping materials. As such, a revised landscaping plan, indicating 3,433 landscaping points, shall be submitted prior to obtaining a building permit.

Fire Code: All requirements of the 2003 International Fire Code must be continually met to include the addition of smoke detection devices. Due to the mixed occupancy of commercial and residential uses, it is highly recommended that the structure is fully fire sprinklered.

Signage: Staff has reviewed the signage stipulations provided for the original Planned Commercial Development. The two story brick house on the subject property was built in 1883. Although the property is not in any Historic District, it has been restored to reflect a

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home of the late 1880's. Any signage for the property should reflect the historic nature of the property. As such, staff concurs with the stipulations placed on the original Planned Commercial Development relative to signage. Those stipulations are: that signage for the property shall be limited to one two-faced ground sign and one wall sign. The size of the ground sign shall be limited to five foot in height and six foot in width and shall be indirectly lighted. The size of the wall sign shall be limited to four square feet and shall be indirectly lighted (no back lighted signs shall be allowed).

As of this writing, the required Planned Commercial Development sign has been posted on the property but the receipts from the required certified mailings have not been returned. Staff will notify the Planning Commission on November 10, 2005 if this requirement has not been met. Staff has received one objection regarding the proposed Planned Commercial Development.