

STAFF REPORT
January 5, 2006

No. 05PD083 - Major Amendment to a Planned Commercial Development **ITEM 26**

GENERAL INFORMATION:

PETITIONER	McDonald's USA, LLC
REQUEST	No. 05PD083 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Lots 17 through 26 in Block 26 of South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .93 acres
LOCATION	720 Cleveland Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	12/8/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION:

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

1. A Sign Permit shall be obtained prior to construction of any signage. In addition, the signs shall be constructed as per the submitted elevations and the locations shall be as per submitted plans. Any additional signage shall be approved through a Major Amendment to the Planned Residential Development;
2. All stipulations of the previous Planned Commercial Development (05PD046) shall be continually met; and,
3. An exception to allow 49 off-street parking spaces in lieu of the required 51 spaces is hereby granted with three being handicapped accessible and one of those being "van accessible".

GENERAL COMMENTS: The subject property is located north of Cleveland Street east of Mount Rushmore Road and west of Seventh Street. The applicant has removed the existing restaurant located on the subject property and constructed a new restaurant on the subject

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property. The applicant is requesting approval of a Major Amendment to the Planned Commercial Development – Initial and Final Development Plan.

On July 21, 2005, the Planned Commercial Development – Initial and Final Development Plan (05PD046) was approved by the Planning Commission with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the structure;
2. The uses allowed within the Planned Commercial Development shall be limited to a restaurant;
3. The proposed structure shall conform architecturally to the plans and elevations submitted;
4. A minimum 15 foot front yard setback shall be provided for the proposed structure;
5. All side and rear setbacks shall be in compliance with the General Commercial Zoning District requirements;
6. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;
7. The signage shall comply with the submitted sign package or an amendment to the Planned Commercial Development shall be obtained;
8. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance;
9. The parking plan shall continually comply with all other requirements of the Zoning Ordinance;
10. An exception to the Street Design Criteria Manual to allow three driveway approaches on the subject property is hereby granted;
11. The proposed structure shall be fully fire sprinkled and alarmed as per the International Fire Code;
12. All applicable provisions of the International Fire Code shall be continually met;
13. Prior to Planning Commission approval, a revised grading and drainage plan shall be submitted for review and approval addressing the drainage, runoff and erosion of the alley;
14. Prior to issuance of a Building Permit, a utility plan shall be submitted showing all utility lines including water and wastewater service lines. In addition, the utility plan shall also show the existing water and wastewater service lines abandoned at the tap as per City specifications. The utility plan shall also show the post indicator valve in accordance with Standard Detail 8-5 of the Standard Specifications for Public Works Construction 2004 Edition; 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.

The applicant has requested additional ground signs for the property and has requested approval of a reduction in the parking requirements.

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

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Signage: The Planned Commercial Development included the approval of several wall signs for the subject property. The subject property is permitted 534 square feet of on-site signage. The submitted plans showed a total of 171 square feet of wall signage. The applicant's original site plan for the Planned Commercial Development did not show the location of any ground signs on the subject property. Therefore, a revised site plan and elevation drawing of the ground signage has been submitted for review and approval with this Major Amendment. A list of the ground signs include:

1. The original pylon pole sign located on the southwest corner of the property.
2. Two menu boards, each approximately 56 square feet in size in the drive thru lanes.
3. One lighted reader board with changeable letters. This board is approximately 60 square feet in size and will be located on a nine foot pole near the southeast entrance into the property. The reader board will be outside of the public right-of-way and any sight triangles.
4. A lighted clearance sign approximately eleven feet in height and twenty square feet in size to include a drive thru sign of approximately nine square feet, a bang bar, and an arch logo and banner. This sign will be located at the beginning of the drive thru lane.
5. An additional drive thru sign approximately sixteen square feet in size located at the southeast entrance of the subject property.
6. Exit and entrance signs, each approximately fifteen square feet in size.

Staff noted that no off-site signs shall be allowed. Staff also noted that a separate Sign Permit must be obtained prior to installation of any sign on the property.

Major Amendment stipulations: The stipulations of the previous Major Amendment to a Planned Commercial Development (05PD046) as listed above shall be continually met.

Parking Plan: The Rapid City Municipal Code requires that 51 off-street parking stalls with three stalls being handicapped accessible be provided for the proposed development. The applicant's site plan shows a total of 49 off-street parking stalls with three being handicapped accessible and one of those being "van accessible". The applicant is requesting a reduction in the number of required off-street parking spaces from 51 to 49 due to the limited space available for safe traffic patterns on site. As such, it appears that 49 off-street parking spaces will be sufficient and provide a safe parking lot for cars and pedestrians. Staff recommends approval of the reduction in parking spaces.

The Rapid City Municipal Code also requires that a minimum of seven stacking stalls be provided for the drive-through window. The applicant's site plan shows that eight drive-through stacking stalls are provided. With the approval of the reduced parking spaces, the submitted parking plan is in compliance with Section 17.50.270 of the Rapid City Municipal Code.

Notification: As of this writing, the required sign has been posted on the property but the receipts from the required notification of surrounding property owners have not been returned. Staff will notify the Planning Commission at the January 5, 2006 Planning Commission meeting if this requirement has not been met.

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Staff recommends approval of the Major Amendment to a Planned Commercial Development – Initial and Final Development Plan with the above stated stipulations.