

STAFF REPORT  
February 9, 2006

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**No. 05PD091 - Major Amendment to a Planned Commercial Development**      **ITEM 15**

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GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for CSU Properties
REQUEST	<b>No. 05PD091 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Lot 1 of Professional Plaza Subdivision, Section 36, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.12 acres
LOCATION	550 North 5th Street
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:	Public District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/28/2005
REVIEWED BY	Karen Bulman / Emily Fisher

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

- 1. In addition to the office uses allowed with the Planned Commercial Development, the uses allowed within the Major Amendment to a Planned Commercial Development shall be the addition of a waterfall feature, the relocation of the dumpster, and wall signs as per the site plans submitted;**
- 2. A sign permit shall be obtained prior to installation of the wall signs and the provisions of the Sign Code shall be continually met. Any additional signage on the property will require a Major Amendment to the Planned Commercial Development;**
- 3. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met and all required landscaping shall be maintained in a live vegetative state;**
- 4. All provisions of Section 17.50.270, the minimum Off-Street Parking Requirements**

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- of the Rapid City Municipal Code shall be continually met;
5. All requirements of the 2003 International Fire Code shall be continually met;
  6. The structure screening the dumpster shall be constructed as per the submitted site plan;
  7. All stipulations of the Planned Commercial Development (02PD025) shall be continually met to include:
    1. All access, turnarounds and parking areas shall comply with all requirements of the Uniform Fire Code and the Rapid City Street Design Criteria Manual;
    2. A building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy;
    3. The use of the structures shall be limited to those uses permitted in the Office Commercial District. Additional uses such as those allowed as a Use on Review in the Office Commercial Zoning District may be allowed with the approval of a Major Amendment to this Planned Commercial Development;
    4. All signs shall conform to the design and location as shown in the sign package submitted as part of the Planned Commercial Development. A minimal amendment may be reviewed and approved by the Planning Director for any changes to the sign package that are deemed insignificant and continue to comply with all requirements of the Sign Code;
    5. All lighting, excluding street lighting, shall be directed to reflect away from the adjacent residential development, and shall be situated to not reflect directly onto any public rights-of-way creating a traffic hazard;
    6. The proposed structures shall conform architecturally to the plans and elevations submitted as part of this Planned Commercial Development; and,
  8. The Major Amendment to a 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:** This staff report has been revised as of February 1, 2006. All revised and/or added text is shown in bold print. A Planned Commercial Development - Initial and Final Development Plan (02PD025) to construct a 12,276 square foot office building on the subject property was approved by the Planning Commission on March 27, 2003 with 18 stipulations. Those stipulations were:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, the applicant shall provide construction plans for the installation of required barriers or guardrails for any pedestrian walkways adjacent to walls and grade changes of more than 30 inches;
2. Prior to issuance of a Certificate of Occupancy, the applicant shall complete and file any additional utility easements necessary for constructing, accessing and maintaining public infrastructure;

Fire Department Recommendations:

3. All Uniform Fire Codes must be continually met;
4. Prior to issuance of a Certificate of Occupancy, the facility(s) addresses shall be posted.

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- Said numbers shall be a minimum of twelve inches in height and displayed on a contrasting background;
5. All access, turnarounds and parking areas shall comply with all requirements of the Uniform Fire Code and the Rapid City Street Design Criteria Manual;
  6. Prior to issuance of a Building Permit for the proposed parking area, the Fire Department shall have reviewed and approved plans to ensure that adequate emergency vehicle access and circulation is being provided;
  7. Prior to issuance of a Building Permit, the applicant shall submit building plans showing the provision of a fire sprinkler system throughout the proposed structure;

Building Inspection Division Recommendations:

8. A building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy;

Urban Planning Division Recommendations:

9. All provisions of Section 17.50.270, the Minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met;
10. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met;
11. The use of the structures shall be limited to those uses permitted in the Office Commercial District. Additional uses such as those allowed as a Use on Review in the Office Commercial Zoning District may be allowed with the approval of a Major Amendment to this Planned Commercial Development;
12. All signs shall conform to the design and location as shown in the sign package submitted as part of the Planned Commercial Development. A minimal amendment may be reviewed and approved by the Planning Director for any changes to the sign package that are deemed insignificant and continue to comply with all requirements of the Sign Code;
13. All provisions of the Sign Code shall be continually met;
14. 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;
15. All lighting, excluding street lighting, shall be directed to reflect away from the adjacent residential development, and shall be situated to not reflect directly onto any public rights-of-way creating a traffic hazard;
16. The proposed structures shall conform architecturally to the plans and elevations submitted as part of this Planned Commercial Development;
17. Prior to Planning Commission approval of the Initial and Final Development Plan, the applicant shall provide written documentation from the affected utility companies identifying that they have reviewed and approved the miscellaneous document dedicating the utility easement(s) necessary for the relocation of existing utilities and installation of future utilities; and,
18. Prior to Planning Commission approval of the Initial and Final Development Plan, the applicant shall file a miscellaneous document with the Pennington County Register of Deeds dedicating utility easement(s) necessary for the relocation of existing utilities and installation of future utilities. In addition, the miscellaneous document shall include

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temporary utility easement(s) for the existing utilities until the necessary utility relocations have been completed. The applicant shall provide a copy of the filed document to the Rapid City Planning Department.

The applicant has submitted this Major Amendment to a Planned Commercial Development for a re-location of the dumpster and for the addition of a waterfall feature on the northwest corner of the property. The developed property is located southeast of the intersection of Fifth Street and North Street.

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

Landscaping: The site plan submitted with this request indicated that 30,000 landscaping points were required on site. A second site plan submitted depicted landscaping on the property, but did not indicate the required number of points. The Landscaping Ordinance also requires that fifty percent of the required landscaping must be within twenty feet of the parking area, that landscaping islands must be provided at a ratio of one island for every fifty parking spaces and that landscaping must be provided along the north, south and east sides of the property to provide a buffer to the adjacent residential properties. Staff is requesting that the applicant submit a revised landscaping plan that complies with all the requirements of the Landscaping Ordinance. **A revised landscaping plan has been submitted indicating that all the requirements of the Landscaping Ordinance have been met. Two 100 foot square foot landscaping planting areas are proposed to be located at the entrance to the parking lot. All planting materials within this landscape area may not obstruct the sight triangle and shall not exceed two and one-half feet above the surface of the parking lot. (Revised 2-1-06)**

Parking Lot: The site plan submitted with this request indicated that 60 parking stalls were required and located on the property, with three of them being handicap accessible parking stalls including one van-accessible stall. However, the site plan was not clear and staff could not verify the location of the stalls. In addition, the applicant has relocated the dumpster within the parking lot. As such, there may be a potential loss of parking spaces due to this relocation. Prior to Planning Commission approval, a revised and legible parking plan must be submitted for review and approval. **A revised site plan has been submitted indicating that the screened dumpster will be located at the northeast corner of the parking lot. The revised plan indicates that the parking lot meets all the requirements of the Parking Regulations. (Revised 2-1-06)**

Dumpster: Elevations of the fence to screen the dumpster have not been provided to date. Prior to approval by the Planning Commission, elevations indicating the materials and dimensions of the screened fencing around the dumpster must be provided. **The applicant has submitted a revised site plan indicating that the dumpster will be located at the northeast corner of the parking lot outside of the 26 foot access aisle and behind the required front yard setback. The dumpster will be housed within an eleven foot wide, six foot deep and eight foot high structure with a gabled roof. The materials for the structure will be lap siding and asphalt shingles to match the existing office building.**

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**Two four foot doors located on the north side of the structure will allow access to the dumpster and also allow some storage on site. The accessory structure to screen the dumpster shall be constructed as per the submitted site plan. (Revised 2-1-06)**

Waterfall feature: The site plan submitted does not indicate the dimensions of the waterfall, but does indicate that the waterfall feature is partially located within a right-of-way. The waterfall feature should be removed from the right-of-way or a request must be submitted to the City Council to allow a structure in the right-of-way. Prior to approval by the Planning Commission, a revised site plan must be submitted for review and approval showing the location of the waterfall feature. In addition, an elevation of the waterfall feature must be submitted indicating the dimensions of the feature as well as a description of the waterfall feature. **A revised site plan has been submitted indicating that the waterfall feature is not located within the right-of-way. The waterfall feature is located adjacent to the northwest property line and will be approximately six feet in height. The rock structure will be located seven feet from the west property line and seven feet from the north property line. The water will be re-circulated through river rock and not form a pool of water. (Revised 2-1-06)**

Additional changes: The applicant has indicated that additional signs may be placed on the property. Any additional changes to the Planned Commercial Development must be submitted for review and approval by the Planning Commission. In addition, all site plans must be stamped by a registered engineer or architect. **A sign package has been submitted for wall signs located on the front and back of the building. The two foot by eight foot front wall sign of individual gold letters will state "The Professional Plaza" and will be located above the front entrance. The three signs located on the south or rear of the building will be individual black letters indicating the name and the businesses located in the building and will total 74 square feet. The signs meet all the requirements of the Sign Code. A sign permit shall be obtained prior to any installation of the signs. Any additional signage on the property will require a Major Amendment to the Planned Commercial Development. (Revised 2-1-06)**

As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the January 26, 2006 Planning Commission meeting if these requirements have not been met. Staff has received one inquiry and one objection regarding the proposed amendment at the time of this writing. **As of this writing, the sign has been posted on the property and the receipts from the certified mailing have been returned. (Revised 2-1-06)**

Staff is recommending that the Major Amendment to a Planned Commercial Development be continued to the February 9, 2006 Planning Commission meeting to allow the applicant to submit the revised information. **Staff is requesting that the Major Amendment to a Planned Commercial Development be approved as per the stated stipulations. (Revised 2-1-06)**