

# STAFF REPORT

March 9, 2006

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## No. 06PD006 - Major Amendment to a Planned Unit Development

ITEM 27

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### GENERAL INFORMATION:

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| PETITIONER                    | Johnny Sundby  |
| REQUEST                       | <b>No. 06PD006 - Major Amendment to a Planned Unit Development</b>   |
| EXISTING<br>LEGAL DESCRIPTION | Lot 1 of Lot H Revised, Harter Addition, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE                | Approximately .62 acres  |
| LOCATION                      | 770 Sheridan Lake Road   |
| EXISTING ZONING               | Office Commercial District (Planned Unit Development)  |
| SURROUNDING ZONING            |  |
| North:                        | Office Commercial District (Planned Commercial Development)  |
| South:                        | Park Forest District   |
| East:                         | Medium Density Residential District  |
| West:                         | No Use District  |
| PUBLIC UTILITIES              | City sewer and water   |
| DATE OF APPLICATION           | 2/2/2006   |
| REVIEWED BY                   | Travis Tegethoff / Bob Dominicak   |

### RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Unit Development be approved 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. A sign permit shall be obtained prior to construction of any signage;
3. The construction of the office building shall comply with the colors and materials identified on the submitted drawings and photos and shall be similar in design character with the approved studio/office;
4. The parking and landscaping shall continually comply with all requirements of the Zoning Ordinance and the approved site plan. All landscaping shall be maintained in a live vegetative state at all times;
5. All signage shall comply with the design package submitted and shall comply with all applicable requirements of the adopted sign code. Any changes to signage including quantity, color, materials, and size will be required to go through a major amendment (17.50.070 (A));
6. The noise levels emitted from the HVAC system shall not exceed 65 DNL at the property

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- line. If concerns are raised regarding the noise levels, the owner shall conduct testing and provide documentation for review and approval by the Growth Management Director that the noise levels are in compliance with the 65 DNL standards or shall construct all necessary improvements to comply with the standards;
7. Prior to issuance of a certificate of occupancy, curb stops must be installed on the water service lines and access and maintenance easements to the curb stops be provided;
  8. All applicable provisions of the International Fire Code shall be continually met; and,
  9. Construction of the office building shall occur within two years of the date of the approval of the Major Amendment to a Planned Unit Development, or another Major Amendment to a Planned Unit Development must be obtained.

GENERAL COMMENTS: The applicant has submitted for a Major Amendment to a Planned Unit Development. In particular, the applicant is proposing to construct an office building in lieu of the four unit multi-family building approved as part of the Final Development Plan.

On September 1, 2005, the Planning Commission approved a Planned Unit Development – Initial and Final Development Plan to allow the construction of a commercial building and a four plex in the Medium Density Residential Zoning District for the subject property.

On September 6, 2005, City Council approved an Amendment to the Comprehensive Plan and a Rezoning from Medium Density Residential District to Office Commercial District for the subject property.

The subject property is located at the northeast corner of Sheridan Lake Road and Canyon Lake Drive. The photo studio/office and detached storage building are currently under construction.

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for planned development amendments identified in Section 17.50.070 of the Rapid City Municipal Code.

Building Permits: Staff noted that a building permit shall be obtained prior to any construction and a certificate of occupancy obtained prior to occupancy.

Sign Permit: Staff noted that a sign permit shall be obtained prior to construction of any signage.

Air Quality Permit: Staff noted that the area of disturbance does not exceed one acre. As such, an Air Quality Permit is not required.

Design Features: Staff noted that the drawings and photos submitted with the application for the Major Amendment to the Planned Unit Development match the colors and materials previously approved as part of the Planned Unit Development – Initial and Final Development Plan.

Setbacks: Staff noted that as part of the approved Planned Unit Development – Initial and Final Development Plan a minimum 35 foot setback shall be provided from the west property line. Staff also noted that a reduction in the east side yard setback was granted reducing the

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required setback from 25 feet to 15 feet for the studio/office, from 25 feet to 12 feet for the accessory storage building and from 25 feet to 13.5 feet for the multi-family structure. Staff noted that the applicant's site plan meets all the setback requirements as per the approved Planned Unit Development – Initial and Final Development Plan.

Access: Staff noted that an exception was granted to reduce the driveway separation on Canyon Lake Drive from the intersection with Sheridan Lake Road from 230 feet to 170 feet as part of Planned Unit Development – Initial and Final Development Plan.

Parking: Staff noted that the proposed parking plan meets the minimum requirements of Section 17.50.270 of the Rapid City Municipal Code.

Landscaping: Staff noted that the proposed landscape plan meets the minimum requirements of Section 17.50.300 of the Rapid City Municipal Code and the approved Planned Unit Development – Initial and Final Development Plan.

Signage: Staff noted that all signage shall comply with the design package submitted and shall comply with all applicable requirements of the adopted sign code. Any changes to signage including quantity, color, materials, and size will be required to go through a major amendment (17.50.070 (A)).

Screening: Staff noted that the locations and screening of dumpsters and exterior air handling units were indicated on the plans. The noise levels emitted from the HVAC system shall not exceed 65 DNL at the property line. If concerns are raised regarding the noise levels, the owner shall conduct testing and provide documentation for review and approval by the Growth Management Director that the noise levels are in compliance with the 65 DNL standards or shall construct all necessary improvements to comply with the standards.

Utilities: Staff noted that prior to issuance of a certificate of occupancy, curb stops must be installed on the water service lines and access and maintenance easements to the curb stops be provided.

Fire Safety: Staff noted that the number and location of the existing fire hydrants in the area are adequate for the proposed development. Staff also noted that the proposed office building does not need to be fire sprinkled.

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 March 9, 2006 Planning Commission meeting if these requirements have not been met.

Staff is recommending approval of the Major Amendment to a Planned Unit Development with the above stated stipulations.