

STAFF REPORT
July 6, 2006

No. 06PD039 - Major Amendment to a Planned Commercial Development to revise the landscape plan, the access and utility easement and the fence requirement **ITEM 23**

GENERAL INFORMATION:

PETITIONER	Centerline for DJS Holdings
REQUEST	No. 06PD039 - Major Amendment to a Planned Commercial Development to revise the landscape plan, the access and utility easement and the fence requirement
EXISTING LEGAL DESCRIPTION	Lot 2B of Lot B, Block 15, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .54 acres
LOCATION	1501 Cambell Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Flood Hazard District
South:	General Commercial District
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/9/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development to revise the landscape plan, the access and utility easement and the fence requirement 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 of the car wash addition;
2. Prior to Planning Commission approval, a sign package shall be submitted showing all signage provided or a Major Amendment to the Planned Commercial Development must be obtained for any additional signage;
3. Prior to installation of any signage a sign permit shall be obtained;

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4. The request to remove the requirement for a five to six foot high wooden privacy fence along the south property line is hereby granted;
5. Prior to issuance of a building permit, a revised landscape plan must be submitted for review and approval showing the lawn area to remain in the right-of-way;
6. Prior to issuance of a building permit, the applicant shall submit and obtain approval from of a vacation of a portion of an access and utility easement;
7. Prior to construction, the applicant shall obtain a DOT Right-of-Way Permit for work in the right-of-way;
8. The landscaping shall continually comply with the approved site plan and be maintained in a live vegetative state; and,
9. The Major Amendment to a Planned Commercial Development shall expire if the use has not commenced 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 applicant is requesting approval of a Major Amendment to a Planned Commercial Development to modify the previously approved landscape plan, access and utility easement and fence requirement. The subject property is located south of East St. James Street and west of Cambell Street. Currently, a car wash is located on the property.

On June 5, 1995 City Council approved with stipulations a Planned Commercial Development (PD1417) to allow a car wash and mini-storage facilities on the subject property.

On May 3, 1999 City Council approved a Preliminary and Final Plat (99PL033) creating two lots on the subject property.

On November 10, 1999 City Council Approved with stipulations a Major Amendment to a Planned Commercial Development (99PD028) to reduce the minimum required landscaping on the subject property.

The applicant has now submitted plans proposing to construct an addition onto the existing car wash, relocate the existing vacuum units and modify the previously approved landscape plan and fence requirements.

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for planned developments identified in Section 17.50.060 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 shall be obtained prior to occupancy of the car wash addition.

Signage: Staff noted that no sign package was submitted with the application. Prior to Planning Commission approval, a sign package shall be submitted for review and approval showing all signage provided or a Major Amendment to the Planned Commercial Development must be obtained for any additional signage. Staff also noted that prior to installation of any

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signage a sign permit shall be obtained.

Fencing: Staff noted that one of the stipulations of approval for the original Planned Commercial Development required a five to six foot wooden privacy fence with clearance for storm drainage be constructed along the south property line. Due the location of an existing access easement and the proposed landscaping between the building and the south property line staff would recommend removing the stipulation requiring the privacy fence along the south property line.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires landscaping to be provided. The landscape plan submitted shows 20,000 landscaping points provided which exceeds the 19,500 points required. However, the site plan indicates replacing the existing lawn area in the right-of-way with landscape rock. The landscape rock creates potential safety and aesthetic issues while the lawn area assists in reducing runoff from the car wash. Prior to building permit approval, a revised landscape plan must be submitted for review and approval showing the lawn area to remain in the right-of-way.

Fire Safety: Staff noted that the access and circulation through the site appears to accommodate Fire Department apparatus.

Access and Utility Easement: Staff noted that the site plan indicates a revised access and utility easement. Prior to issuance of a building permit, the applicant shall submit and obtain approval from City Council the vacation of a portion of an access and utility easement.

Right-of-Way Permit: Staff noted that the site plan indicates construction of a concrete apron in the right-of-way. Cambell Street is a state highway requiring a DOT Right-of-Way permit for any construction in the right-of-way. Prior to construction, the applicant shall obtain a DOT Right-of-Way Permit for work in the right-of-way.

Notification Requirement: As of this writing, the green cards from the required notification of surrounding property owners have not been returned. The sign has been posted on the property. Staff will notify the Planning Commission at the July 6, 2006 Planning Commission meeting if the mailing notification requirement has not be completed.

Staff recommends that the Major Amendment to a Planned Commercial Development be approved with the above stated stipulations.