

STAFF REPORT
August 10, 2006

No. 06PD048 - Major Amendment to a Planned Commercial Development to expand the boundaries of a Planned Commercial Development and construct a parking lot **ITEM 50**

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Black Hills Health and Wellness
REQUEST	No. 06PD048 - Major Amendment to a Planned Commercial Development to expand the boundaries of a Planned Commercial Development and construct a parking lot
EXISTING LEGAL DESCRIPTION	Lots 2 thru 5 of Block 36 of Boulevard Addition, located in the NE1/4 SE1/4, Section 2, T1N, R7E, BHM; and Lots 17 thru 22 of Block 9 of Flormann Addition, located in the NW1/4 SW1/4, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .161 acres
LOCATION	1220 Mt. Rushmore Road, 722 and 732 Fairview Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	General Commercial District - Medium Density Residential District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/30/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development to expand the boundaries of a Planned Commercial Development and construct a parking lot 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. Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval showing the required accessible parking spaces and required setback along a single-family residential lot line;

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3. All site lighting shall be directed away from the adjacent rights-of-way and residential zoned properties;
4. Prior to Planning Commission approval, a sign package shall be submitted for review and approval showing **any additional** signage provided or a Major Amendment to the Planned Commercial Development must be obtained for any additional signage;
5. Prior to installation of any signage a sign permit shall be obtained;
6. Prior to Planning Commission approval, a revised landscape plan shall be submitted for review and approval with fifty percent of the plant material visible from the residential district;
7. The existing and proposed structure shall be fully fire sprinkled as per the 2003 International Fire Code and all applicable provisions of the International Fire Code shall be continually met;
8. Prior to issuance of a building permit, plans for the retaining wall shall be submitted for review and approval; and,
9. 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 August 1, 2006. All revised and/or added text is shown in bold print.** The subject property is located north of Fairview Street and east of Mount Rushmore Road. It is currently zoned General Commercial.

On August 8, 1993 City Council approved with stipulations a Planned Commercial Development on the subject property.

On June 6, 2006 City Council approved a Rezone and Comprehensive Plan Amendment from Medium Density Residential to General Commercial for Lots 21 thru 22 of Block 9, Flormann Addition.

The applicant is now requesting a Major Amendment to the Planned Commercial Development to expand the boundaries of the Planned Commercial Development and construct a parking lot on the east portion of the subject property.

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for planned developments 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.

Setbacks: Staff noted that the applicant's site plan meets all the setback requirements found in Section 17.18.050 of the Rapid City Municipal Code.

Building Height: Staff noted that the applicant's plans meet all the building height requirements found in Section 17.18.060 of the Rapid City Municipal Code.

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Parking: Section 17.50.270 of the Rapid City Municipal Code requires 46 parking spaces be provided. Staff noted that 59 parking spaces were shown on the plan with two accessible spaces being provided. Staff noted that for 59 parking spaces two standard accessible parking spaces and one van accessible handicap space shall be provided per Section 17.50.270 of the Rapid City Municipal Code. Staff also noted that every commercial parking area that abuts a single-family residential lot along a side lot line shall be set back a distance of not less than twelve feet. The site plan shows the parking lot on the east side of the subject property located approximately three feet from a single-family residential lot along a side lot line. Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval showing the required accessible parking spaces and required setback along a single-family residential lot line.

Lighting: All site lighting shall be directed away from the adjacent rights-of-way and residential zoned properties.

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 **any additional** 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 signage a sign permit shall be obtained.

Screening: Staff noted that the plans indicate a six foot high opaque ornamental screen fence along the north and east side of the proposed parking lot meeting all the requirements of Section 17.18.080 of the Rapid City Municipal Code.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires landscaping to be provided. The landscape plan submitted shows 28,249 landscaping points provided which exceeds the 27,690 points required. However, Section 17.18.090 requires that fifty percent of the plant material shall be visible from the residential district whenever possible. Prior to Planning Commission approval, a revised landscape plan shall be submitted for review and approval with fifty percent of the plant material visible from the residential district.

Fire Safety: Staff noted that the occupancy is classified as a type B occupancy and the existing and proposed structure shall be fully fire sprinkled as per the 2003 International Fire Code.

Retaining Wall: Staff noted that any retaining wall over four feet in height shall be designed by a Registered Professional Engineer. Prior to issuance of a building permit, plans for the retaining wall shall be submitted for review and approval.

Notification: **As of this writing, the required sign has been posted on the property and the receipts from the required notification of surrounding property owners have been returned.**

On July 27, 2006 this item was continued to the August 10, 2006 Planning

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Commission Meeting to allow the applicant to submit the required information. As of August 1, 2006 the required information has not been submitted.

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