

STAFF REPORT
August 24, 2006

No. 06PD052 - Planned Commercial Development - Initial and Final Development Plan **ITEM 19**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 06PD052 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 1, Heartland Retail Center, Sections 27 and 34, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.84 acres
LOCATION	4030 Cheyenne Boulevard
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 water and sewer
DATE OF APPLICATION	7/14/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan 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. The parking plan shall continually comply with all requirements of the Rapid City Municipal Code and the approved parking plan;**
- 3. The lighting plan shall continually comply with all requirements of the Rapid City Municipal Code and the approved lighting plan;**
- 4. The sign package shall continually comply with all requirements of the Rapid City Municipal Code and the approved sign package;**
- 5. The landscape plan shall continually comply with all requirements of the Rapid City Municipal Code and the approved landscape plan;**
- 6. The structure shall be fully fire sprinkled and all applicable provisions of the International Fire Code shall be continually met;**

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7. **All construction shall comply with the approved building elevations; and,**
8. **The 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: **This staff report has been revised as of August 15, 2006. All revised and/or added text is shown in bold print.** The applicant is requesting approval of an Initial and Final Development Plan for a Planned Commercial Development. The subject property is located north of Cheyenne Boulevard and east of Elk Vale Road. Currently, the subject property is void of structural development. The applicant has submitted plans proposing to construct a car wash, convenience store, and an "on-sale liquor establishment" with video lottery on the subject property.

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for planned developments identified in Section 17.50.060 and an on-sale liquor establishment identified in Section 17.50.185 of the Rapid City Municipal Code and has noted the following issues:

1. *The request will not "adversely affect" the use of any place used for religious worship, school, park, playground, or similar use within a five hundred foot radius.*

There are no places of religious worship, schools or parks located within a 500 foot radius of the subject property. The surrounding properties to the north, south, east and west are zoned General Commercial District. The subject property is located adjacent to existing commercial uses.

2. *The requested use is "sufficiently buffered" with respect to residential areas so as not to "adversely affect" such areas.*

The subject property is currently zoned General Commercial District. The subject property is located adjacent to existing commercial uses. There are no residential structures located in the immediate area.

3. *The proposed use will not create an undue concentration of similar uses, so as to cause "blight, deterioration, or substantially diminish or impair property values."*

An on-sale liquor establishment is located in the hotel and water park complex north of the subject property. Staff does not find this request for an on-sale liquor use to constitute an undue concentration that would cause blight or deterioration or diminish land values in the surrounding area.

4. *The proposed use has been reviewed under Chapter 17.54.030 (E) Criteria for Review.*

Licensed Premises: Section 5.12.140 of the Rapid City Municipal Code stipulates that "It is unlawful for a licensee or his employees to offer for sale alcoholic beverages to be consumed on the licensed premises, if motor fuel is also sold to motor vehicles engaged in

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intrastate or interstate transportation on the same licensed premises, unless the structure or building in which the alcoholic beverages are sold and consumed is separated by at least one hundred feet from the building or structure where motor vehicle fuel is sold". The applicant's site plan identifies that the proposed on-sale liquor will have exterior access separate from the gas sales access and that no internal access between the gas sales area and the proposed on-sale liquor area will be provided.

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.

Parking Plan: The Rapid City Municipal Code requires that 45 off-street parking stalls and three stacking stalls for the car wash be provided for the proposed development. The applicant's site plan shows a total of 47 off-street parking stalls with two being handicapped accessible. However, only two stacking stalls are provided for the car wash. Staff also noted that the site plan and the floor plan for the car wash do not match. Prior to Planning Commission approval, a revised parking plan shall be submitted for review and approval.

On August 10, 2006 the applicant submitted a revised parking plan meeting the minimum requirements of Section 17.50.270 of the Rapid City Municipal Code.

Lighting: Section 17.50.270 requires that lighting be provided for all parking areas when evening usage is anticipated. Staff noted that no lighting package was submitted with the application. Prior to Planning Commission approval, a lighting package shall be submitted showing all lighting provided is arranged so as to provide security and to reflect light toward the parking areas.

On August 10, 2006 the applicant submitted a lighting package showing lighting provided in the fuel canopy and arranged so as to provide security and a to reflect light toward the parking areas and away from the adjacent properties.

Signage: Staff noted that no sign package was submitted with the application. Prior to Planning Commission approval, a sign package must be submitted showing all signage proposed.

On August 10, 2006 the applicant submitted a sign package for an "Amoco bp" facility identifying a "Shop" sign on the front of the structure and a "car wash" sign on the rear of the structure. The applicant also identified two - seven panel ground signs. Each ground sign will be 135 square foot in size and thirty feet in height. Staff noted that the proposed sign package meets the minimum requirements of Section 15.28 of the Rapid City Municipal Code. All changes to signage including quantity, color, materials, and size will be required to go through a Major Amendment as per Section 17.50.070 of the Rapid City Municipal Code.

Screening: Staff noted that the location of dumpsters or exterior air handling units was not indicated on the plans. Prior to Planning Commission approval, a revised plan must be submitted showing the location and screening of these items.

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On August 10, 2006 the applicant submitted a revised plan showing location and screening of dumpsters or exterior air handling units.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires landscaping to be provided. The landscape plan submitted shows 75,899 landscaping points provided which exceeds the 75, 503 points required. A minimum of fifty percent of the required landscaping shall be located in the parking lot or within twenty feet of the parking lot. The landscape plan submitted shows 437,539 landscaping points provided within the parking lot area which exceeds the 37,752 points required. Staff noted that the proposed landscape plan meets the minimum requirements of Section 17.50.300 of the Rapid City Municipal Code.

Fire Safety: Staff noted that the minimum fire flow shall be 1,500 GPM at 20 psi. The proposed structures shall be fully fire sprinkled as per the 2003 International Fire Code. Staff also noted that addressing of the structure shall be in compliance with the 2003 International Fire Code.

Easements: Staff noted that there is an existing West River Electric utility easement along the south property line. Staff also noted that the applicant is proposing two utility easements for water and sewer to the proposed structure. Staff is recommending that prior to Planning Commission approval, the applicant submit documentation from West River Electric allowing construction in the existing easement and reasons for providing the proposed utility easements.

On August 10, 2006 the applicant submitted a revised plan removing the proposed utility easements.

Drainage and Grading: Staff noted that the drainage and grading plans were previously approved through the building permit process.

Water and Wastewater System: Staff noted that the applicant shall submit documentation that an eight inch water service line is required. Staff also noted that plans shall be submitted for review and approval for sanitary sewer service for the car wash. Prior to Planning Commission approval, a revised utility plan shall be submitted for review and approval.

On August 10, 2006 the applicant submitted a revised utility plan meeting all the requirements as identified.

Design Standards: Staff noted that building elevations must indicate building materials and colors. Prior to Planning Commission approval, revised elevations must be submitted for review and approval.

On August 10, 2006, the applicant submitted building elevations indicating the structure will be constructed with Dryvit and masonry siding and will be earth tone in color.

Red line comments: Staff recommends that prior to Planning Commission approval, all redline

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comments shall be addressed.

On August 10, 2006, the applicant submitted revised plans addressing all red line comments.

Notification Requirement: As of this writing, the sign has been posted on the property and the certified mailings have been returned.

This item was continued to the August 24, 2006 Planning Commission Meeting to allow the issues as identified above to be addressed. On August 10, 2006 the applicant submitted revised plans for review and approval. Subsequently, staff has reviewed and approved the revised plans.

Staff recommends that the Planned Commercial Development – Initial and Final Development Plan be approved with the above stated stipulations.