

STAFF REPORT
September 21, 2006

No. 06PD063 - Major Amendment to a Planned Commercial Development **ITEM 21**

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for William Donhiser
REQUEST	No. 06PD063 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Lots 2 and 3, Block 1, Stoney Creek South Subdivision, located in the NW1/4, SW1/4, SW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.192 acres
LOCATION	5622 and 5734 Sheridan Lake Road
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District (Planned Commercial Development)
East:	Low Density Residential District (Planned Residential Development)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/25/2006
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

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

1. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of the Planned Commercial Development Plan;
2. All signage shall conform architecturally to the design plans and color palette submitted as a part of the Planned Commercial Development. In particular, an eight foot X 9.75 foot ground sign located on top of a two foot high brick base shall be allowed at the entrance of the development. The sign shall be limited to a campus sign with no off-

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- premise advertising allowed. In addition, no electronic sign or reader sign shall be allowed. The sign(s) shall be constructed with similar building materials and color palette as the proposed structure. The lighting for the sign(s) shall be designed to preclude reflection on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 4. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Development Service Center Division;
 5. Prior to issuance of a building permit, the plans shall be revised to show the four foot high landscaping wall designed and stamped by a Registered Professional Engineer;
 6. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
 7. The proposed commercial structure shall be used for retail, office, banking, laundromat, restaurant and medial clinic(s) uses as allowed in the General Commercial District. In particular, no more than 7,363 square feet of restaurant area shall be allowed or additional parking shall be provided. In addition, no on-sale liquor use shall be allowed as a part of this Planned Commercial Development. The addition of the second building and/or any other use or change in use shall require a Major Amendment to the Planned Commercial Development;
 8. A minimum of 104,035 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 9. A minimum of 165 parking spaces shall be provided. Six of the spaces shall be handicap accessible with one of the handicap spaces being "van accessible". In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
 11. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 11. The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;
 12. The International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In particular, on-site fire hydrants shall be provided as needed. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structure(s) shall be fully fire sprinkled and fire alarmed as per the 2003 International Fire Code;
 13. 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; and,
 14. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment.

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GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Commercial Development to eliminate an access aisle along the rear of the proposed commercial structure(s).

On July 6, 2006 the Planning Commission approved a Final Commercial Development Plan to allow a commercial structure with a courtyard to be constructed on the subject property. However, the sign package was continued to the July 27, 2006 Planning Commission meeting to allow the Planning Commission to further consider a reader board/message board on the proposed entrance sign. The Planning Commission, subsequently, denied without prejudice the sign package at their August 10, 2006 Planning Commission meeting. On September 5, 2006, the City Council approved the sign package in part and denied without prejudice the proposal to place a reader board sign at the entrance of the property.

The property is located approximately 430 feet from the intersection of Catron Boulevard and Sheridan Lake Road and is currently void of any structural development.

As noted above, this Major Amendment to the Planned Commercial Development is to eliminate an access aisle previously proposed along the rear of the commercial structures.

STAFF REVIEW:

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

Access Aisle: The applicant has submitted a site plan showing the elimination of an access aisle along the rear of the commercial structures. The Fire Department staff has reviewed the revised site plan and indicated that it meets with their approval since the proposed structures will be sprinklered.

Staff has also noted that the site plan shows the relocation of a retaining wall along the rear of the structures. Staff is recommending that prior to issuance of a building permit, the plans be revised to show the four foot high retaining wall designed and stamped by a Registered Professional Engineer.

Dumpster: The site plan also shows the relocation of the dumpster(s) from the rear of the structures to the side of the structure(s). In addition, the applicant has submitted information identifying that the dumpsters will be screened along all four sides. Staff has reviewed and approved the proposed location and, as such, is recommending that the dumpster be located and screened as shown on the site plan.

Land Use: The applicant has indicated that no other part of the previously approved Commercial Development Plan has been changed except as noted above. As such, staff is recommending that the Major Amendment to the Commercial Development Plan be approved with the original stipulations of approval as outlined above.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning

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Commission at the September 21, 2006 Planning Commission meeting if these requirements have not been met.