

STAFF REPORT

April 5, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan ITEM 45

GENERAL INFORMATION:

PETITIONER

Dream Design International, Inc.

REQUEST

No. 07PD019 - Planned Commercial Development - Initial Development Plan

EXISTING

LEGAL DESCRIPTION

A parcel of land located in the SW1/4 of the SW1/4, the SE1/4 of the SW1/4, the SW1/4 of the SE1/4 and the NW1/4 of the SW1/4 of Section 29 and the NE1/4 of the SE1/4 and the SE1/4 of the SE1/4 of Section 30 and the NE1/4 of the NW1/4 and the NW1/4 of the NE1/4 of Section 32, in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Commencing at a point, said point being the common corner of Sections 29, 30, 31 and 32 of T2N, R8E, BHM; thence S89°53'53"E a distance of 2845.59' to the Point Of Beginning; thence N89°47'40"E a distance of 63.38'; thence S26°02'24"W a distance of 340.04'; thence with a curve turning to the right with an arc length of 759.14', with a radius of 2954.92', with a chord bearing of N71°01'21"W, with a chord length of 757.05'; thence N63°54'32"W a distance of 136.37'; thence N63°07'09"W a distance of 73.30'; thence N63°03'41"W a distance of 199.66'; thence with a curve turning to the left with an arc length of 1728.24', with a radius of 2123.30', with a chord bearing of N86°22'53"W, with a chord length of 1680.93'; thence N00°05'30"E a distance of 53.06'; thence N00°05'55"W a distance of 145.01'; thence N89°54'01"W a distance of 450.93'; thence N00°07'26"E a distance of 92.70'; thence N29°09'10"E a distance of 475.27'; thence N60°50'50"W a distance of 973.51'; thence with a curve turning to the left with an arc length of 385.34', with a radius of 536.00', with a chord bearing of N29°01'49"W, with a chord length of 377.10'; thence N49°37'34"W a distance of 11.21'; thence N06°26'29"W a distance of 14.58'; thence with a curve turning to the left with an arc length of 46.34', with a radius of 650.00', with a chord bearing of N34°15'38"E, with a chord length of 46.33'; thence N32°13'06"E a distance of 161.14'; thence with a curve turning to the right with an arc length of 118.97', with a radius of 550.00', with a chord bearing of N38°24'54"E, with a chord length of 118.74'; thence with a curve turning to the right with an arc length of 48.38', with a radius of 549.52', with a chord bearing of

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N53°03'27"E, with a chord length of 48.37', thence with a curve turning to the right with an arc length of 85.35', with a radius of 545.00', with a chord bearing of N54°08'02"E, with a chord length of 85.26', thence N62°10'16"E a distance of 115.08'; thence with a curve turning to the right with an arc length of 389.76', with a radius of 550.00', with a chord bearing of S89°01'26"E, with a chord length of 381.66', thence with a curve turning to the right with an arc length of 35.52', with a radius of 549.52', with a chord bearing of S60°56'49"E, with a chord length of 35.51', thence with a curve turning to the right with an arc length of 36.25', with a radius of 546.33', with a chord bearing of S63°07'43"E, with a chord length of 36.25', thence S61°13'39"E a distance of 82.65'; thence S64°19'57"E a distance of 67.76'; thence S61°13'39"E a distance of 897.99'; thence with a curve turning to the right with an arc length of 139.48', with a radius of 550.00', with a chord bearing of S53°57'46"E, with a chord length of 139.10', thence S38°54'51"E a distance of 65.91'; thence with a curve turning to the right with an arc length of 81.91', with a radius of 545.00', with a chord bearing of S35°30'38"E, with a chord length of 81.83', thence S31°12'19"E a distance of 16.15'; thence S33°47'32"E a distance of 110.77'; thence S31°12'19"E a distance of 48.39'; thence with a curve turning to the left with an arc length of 319.16', with a radius of 650.00', with a chord bearing of S45°16'18"E, with a chord length of 315.96', thence S50°09'15"E a distance of 27.87'; thence S61°13'39"E a distance of 92.02'; thence S63°48'53"E a distance of 110.77'; thence S61°13'39"E a distance of 614.39'; thence S55°31'01"E a distance of 50.25'; thence S61°13'39"E a distance of 87.15'; thence S63°48'53"E a distance of 110.77'; thence S61°13'39"E a distance of 346.29'; thence with a curve turning to the right with an arc length of 127.89', with a radius of 450.00', with a chord bearing of S53°05'09"E, with a chord length of 127.46', thence S36°52'16"E a distance of 43.34'; thence S43°13'39"E a distance of 103.53'; thence with a curve turning to the left with an arc length of 258.75', with a radius of 555.00', with a chord bearing of S56°35'02"E, with a chord length of 256.42', thence with a curve turning to the left with an arc length of 157.51', with a radius of 555.00', with a chord bearing of S78°04'13"E, with a chord length of 156.98', returning to the Point Of Beginning, having an area of 3,471,402 square feet, 79.69 acres.

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PARCEL ACREAGE	Approximately 79.69
LOCATION	Southwest of the intersection of I-90 and U.S. Highway 14 and 16
EXISTING ZONING	Medium Density Residential District - General Agriculture District - General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District - Medium Density Residential District - General Commercial District (Planned Commercial Development) - Low Density Residential District
East:	General Commercial District
West:	General Commercial District - Medium Density Residential District - General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/9/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial Development Plan be continued to the April 26, 2007 Planning Commission meeting to allow the applicant to submit a revised legal description expanding the boundaries of the development and to submit additional information.

GENERAL COMMENTS:

The applicant has submitted an Initial Commercial Development Plan to construct approximately 747,323 square feet of new commercial development on 80 acres. In particular, the applicant has indicated that the development will be a phased project and will include commercial uses such as hotels, furniture stores, a restaurant core, and various retail and office uses.

The applicant has previously submitted and the City is currently reviewing the following applications:

- Preliminary Plat application (#07PL038) to subdivide 126.54 acres into 24 commercial lots and to vacate a 30 foot wide private access easement, to vacate a portion of a section line highway located between Sections 29 and 32, to vacate a portion of a section line highway located between Sections 29 and 30, to vacate a portion of Rapp Street and to vacate a 66 foot wide public access easement.

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- Variance to the Subdivision Regulations application (#07SV013) to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Interstate 90, Spruce Street, E. North Street, Sunnyside Avenue and Cambell Street, to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Rapp Street and the proposed access easements, and, to waive the requirement to dedicate additional right-of-way along Cambell Street and the access easements.
- Vacation of Right-of-way request (#07VR002) to vacate a portion of Rapp Street currently located in an H Lot.
- Vacation of Right-of-way request (#07VR003) to vacate a portion of Farnwood Avenue, also located within an H Lot.
- Amendment to the Comprehensive Plan request (#07CA010) to change the land use designation of a portion of the subject property, or 0.04 acres, from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development.
- Rezoning request (#07RZ015) to change the zoning designation of the 0.04 acre parcel from General Agriculture District to General Commercial District.
- Planned Development Designation request (#07PD016) for the 0.04 acre parcel, which was administratively approved with stipulations on March 10, 2007.

On August 1, 2005, the City Council approved a Layout Plat (#05PL085) to subdivide a 95.28 acre parcel into 17 commercial lots. The Layout Plat included the subject property.

On February 6, 2006, the City Council approved Tax Increment District #56 for the construction of streets, traffic signals, a regional drainage detention dam, high pressure water main and sanitary sewer main and the relocation of power lines associated with the proposed Rushmore Crossing project.

On October 2, 2006, the City Council approved a Layout Plat (#06PL142) to subdivide a 117.29 acre parcel into 15 commercial lots and two detention pond lots. The Layout Plat included the subject property.

The property is located between LaCrosse Street and E. North Street on the south side of Interstate 90 and is currently void of any structural development. The commercial development is to be known as "Rushmore Crossing".

STAFF REVIEW:

Staff has reviewed the Initial Commercial Development Plan and has noted the following considerations:

Planned Development Boundary: The Rushmore Crossing Development encompasses approximately 126 acres. However, the Initial Commercial Development Plan includes only that portion located south of Eglin Street, or approximately 80 acres. On March 27, 2007, staff met with the applicants and their consultant and it was identified that the boundaries of the plat would be revised to include the entire 126 acres, with the exception of a small area along Spruce Street. The expanded boundaries will include the area for the development

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complex signs and the area north of Eglin Street. As such, staff is recommending that the Initial Commercial Development Plan be continued to allow the applicant to submit the revised legal description expanding the boundaries as identified.

Signage: The sign package includes two monument signs at the entrance along LaCrosse Street and E. North Street, respectively. In addition, two monument signs are proposed along Interstate 90. The sign package also identifies signage on the walls of the proposed commercial buildings. The applicant has indicated that a monument sign will also be proposed on each lot for each respective commercial use. To date, the sign package does not include the individual monument signs. As such, staff is recommending that a revised sign package be submitted for review and approval. In addition, the applicant must demonstrate that the sign package is in compliance with the Sign Code or the Sign Code must be amended as needed or an appeal must be reviewed and approved by the Sign Code Board of Appeals.

It appears that the two signs along E. North Street are located in the street right-of-way. As such, staff is recommending that prior to submittal of a Final Commercial Development Plan, the signs be relocated outside of the right-of-way or a portion of the right-of-way must be vacated to allow the proposed signage.

Design Features: The applicant has submitted elevations of the proposed structures to be located within the 80 acre parcel. In particular, the elevations identify that the structures are one story with a parapet along portions of the front roof line of the buildings. In addition, heavy cornices, brackets and decorative brickwork are designed throughout the development. The buildings will be constructed with brick, integral color concrete masonry, cultured stone and synthetic stucco. In addition, colored canvas awnings, blade canopies and covered entries are proposed. To date, a color scheme for the buildings has not been submitted for review and approval. In addition, the elevations do not include all sides of the propose structures and/or the loading dock areas. Elevations of any structural development within the expanded boundaries of the Planned Commercial Development must also be submitted for review and approval. Staff is recommending that upon submittal of a Final Commercial Development Plan, complete elevations of all of the proposed structures and a proposed color palette be submitted for review and approval.

Parking: The applicant has indicated that parking will be provided at a ratio of 4.5 parking spaces per 1,000 square foot gross floor area, 3,363 parking spaces for the proposed 747,323 square foot of commercial use. However, expanding the boundaries to include additional commercial development will require that a revised parking plan be submitted for the additional commercial use. Staff is recommending that upon submittal of a Final Commercial Development Plan, a complete parking plan in compliance with the Parking Regulations be submitted for review and approval.

Landscaping Plan: The applicant has submitted a landscape plan for the 80 acres demonstrating that 2,752,280 landscape points are being provided in lieu of the 2,723,973 points required. However, expanding the boundaries of the Planned Commercial Development will require that a revised landscape plan be submitted for review and

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approval. The landscape plan must also identify a landscape buffer along Interstate 90 as previously discussed with the applicants and their consultant. As such, staff is recommending that upon submittal of a Final Commercial Development Plan application, a complete landscape plan be submitted for review and approval identifying specific plant material. In particular, the landscaping plan must comply with all requirements of the Zoning Ordinance.

Lighting Plan: The site plan identifies lighting within the parking area. However, to date the design of the proposed lighting has not been submitted for review and approval. As such, staff is recommending that upon submittal of a Final Commercial Development Plan application, a complete lighting package identifying the design of the proposed lighting be submitted for review and approval. In addition, the lighting must be designed to be reflected within the property boundaries so as not to 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.

Infra-structure Improvements: Construction plans have been submitted for review and approval as a part of the associated Preliminary Plat application. The construction plans show the construction of access streets, utilities, and drainage improvements for the proposed commercial development. Staff is recommending that the Preliminary Plat be approved prior to approval of a Final Commercial Development Plan to insure that the site functions correctly for the proposed development. In addition, a Final Plat must be approved prior to issuance of a Certificate of Occupancy to insure that legal access and utility easements are in place as needed.

The Preliminary Plat identifies access easements to each of the proposed lots that do not abut right-of-way. However, the applicant should be aware that additional access easements or some other form of legal documentation must be recorded to secure internal circulation between the parking lots as a part of a Final Commercial Development Plan.

Drainage Pipe: A 48 inch RCP drainage pipe exists at a 30 foot depth within a proposed 30 foot wide easement. Staff is recommending that the site plan be revised to show the location of the drainage pipe and the easement between the proposed structures to insure that adequate room exists to maintain the pipe if needed. In addition, the width of the easement must be widened if necessary to provide adequate room for maintenance.

Traffic Impact Study: The Traffic Impact Study, prepared by Felsberg Holt and Ullevig, assumed 861,000 square foot of commercial development on the subject property. However, the applicant has indicated that a total of 900,000 square foot of commercial development is proposed within the development. As such, staff is recommending that the Initial Commercial Development Plan be continued to allow the Traffic Impact Study to be adjusted as identified. In addition, the construction plans must be revised to provide any additional street improvements as needed.

The Traffic Impact Study also identifies improvements along LaCrosse Street and the intersection of LaCrosse Street and E. Anamosa Street once warrants are met. In addition, the Traffic Impact Study identifies the extension of Luna Avenue to E. Anamosa Street once

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warrants are met. Staff is recommending that prior to Final Commercial Development approval, the applicant enter into an agreement with the City regarding the construction of street improvements to serve their development as identified in the Traffic Impact Study.

Fencing: The applicant has submitted construction plans with the associated Preliminary Plat showing the location of a proposed six foot high fence along Interstate 90. However, a maximum four foot high fence is allowed along a street right-of-way. As such, staff is recommending that prior to submittal of a Final Commercial Development Plan, the construction plans be revised to show the fence as a maximum four foot high fence or a Fence Height Exception to allow the proposed six foot high fence must be obtained.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). The Fire Department has also indicated that prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. In addition, the proposed structures must have fire sprinkler systems and be fire alarmed as per the 2003 International Fire Code. Staff is recommending that all International Fire Codes be continually met.

Dumpster: As a part of a Final Commercial Development Plan, the location and size of all dumpsters must be submitted for review and approval. In addition, the dumpsters must be screened and elevations of the screening fence must be submitted for review and approval.

Air Handling Equipment: As a part of a Final Commercial Development Plan, the location, size and noise rating of any exterior air handling equipment must be submitted for review and approval. In addition, the equipment must be screened from all adjacent properties, including rooftop equipment.

Air Quality Permit: An Air Quality Permit has been issued to allow the grading that is currently being done on the subject property. However, the Air Quality Permit must be amended to include the proposed development or a new Air Quality Permit must be obtained prior to the start of any additional construction.

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 Commission at the April 5, 2007 Planning Commission meeting if these requirements have not been met.