

STAFF REPORT
April 5, 2007

No. 07PD020 - Major Amendment to a Planned Commercial Development **ITEM 48**

GENERAL INFORMATION:

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| PETITIONER | ARC International, Inc. for First Western Condominium Association |
| REQUEST | No. 07PD020 - Major Amendment to a Planned Commercial Development |
| EXISTING LEGAL DESCRIPTION | Tract A of Block 4 of Riverside Addition located in SE1/4 of SE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 2.7 acres |
| LOCATION | 333 West Boulevard |
| EXISTING ZONING | General Commercial District (Planned Commercial Development) |
| SURROUNDING ZONING | |
| North: | General Commercial District - Flood Hazard District |
| South: | Light Industrial District |
| East: | General Commercial District |
| West: | General Commercial District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 3/9/2007 |
| REVIEWED BY | Vicki L. Fisher / Emily Fisher |

RECOMMENDATION:

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

1. Prior to Planning Commission approval, the landscaping on the site shall be revised to comply with the previously approved landscape plan or a revised landscape plan shall be submitted for review and approval showing the relocation of landscape materials from the northeast corner of the site as it abuts Omaha Street. In addition, the landscape material shall be planted prior to Planning Commission approval or surety shall be posted for the improvement;
2. A minimum of 228 parking spaces shall be provided. In addition, seven of the parking spaces shall be handicap accessible spaces. One of the handicap spaces shall be "van" accessible. In addition, 15 stacking lanes shall be provided for the bank teller drive through windows. All provisions of the Off-Street Parking Ordinance shall be continually

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- met;
3. The proposed commercial structure shall be used as a bank, retail sales, professional and business offices, medical facilities, a commercial coffee kiosk and storage. Any other use shall require a Major Amendment to the Planned Commercial Development;
 4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 5. An Industrial Pre-treatment Permit shall be obtained as needed prior to issuance of a building permit;
 6. All Uniform Fire Codes shall be met;
 7. The structure(s) shall continue to conform architecturally to the plans and elevations and color palette submitted as part of the original Planned Commercial Development Plan (#04PD047);
 8. All signage shall conform to the design, color and location as shown in the approved sign package submitted as a part of the Major Amendment to the Planned Commercial Development (#05PD063);
 9. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Commercial Development or a subsequent Major Amendment; and,
 10. 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;

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Commercial Development to allow medical facilities and a commercial coffee kiosk to be located within the existing commercial building on the subject property.

On September 9, 2004, the Planning Commission approved a Final Planned Commercial Development (#04PD047) to allow a commercial building to be constructed on the subject property. On November 23, 2005, the Planning Commission approved a Major Amendment to the Planned Commercial Development (#05PD063) to expand the boundaries of the Planned Commercial Development, to relocate a dumpster, to relocate sidewalks along a portion of the property and to modify the design of a sign proposed to be located along the north lot line of the subject property.

The property is located in the southwest corner of the intersection of Omaha Street and West Boulevard. Currently, a three story commercial structure has been construction on the site.

STAFF REVIEW:

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

Use: The use of the site was previously approved to allow a bank, retail sales, professional and business offices, storage and associated accessory use(s). A 140 square foot commercial coffee kiosk with a 400 square foot seating area has been constructed in the lobby of the

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first floor of the building. In addition, the applicant has indicated that a 3,485 square foot dental clinic is proposed on the third floor of the building. Neither use was previously reviewed and approved as a part of the Planned Commercial Development. However, the uses are permitted within the General Commercial District. As such, staff is recommending that the commercial structure be used as a bank, retail sales, professional and business offices, medical facilities, a commercial coffee kiosk and storage. Any other use shall require a Major Amendment to the Planned Commercial Development.

Parking: The previously approved uses and the proposed uses as identified, require a minimum of 232 parking spaces. However, the previously approved Planned Commercial Development reduced the parking requirement from 232 parking spaces to 228 parking spaces. As such, staff is recommending that a minimum of 228 parking spaces continue to be provided. In addition, seven of the parking spaces must be handicap accessible spaces. One of the handicap spaces must be "van" accessible. In addition, 15 stacking lanes must be provided for the bank teller drive through windows. All provisions of the Off-Street Parking Ordinance must be continually met.

Landscaping: During the review of the previously approved Planned Commercial Development, staff noted that Omaha Street and West Boulevard serve as gateways into the City, and as such, recommended that the landscaping plan be designed to provide a focal point to enhance the entry way to the community. The approved landscape plan provided 99,150 landscaping points on the property with a majority of the points provided along Omaha Street and an additional 72,350 landscaping points within the West Boulevard right-of-way. However, a portion of the landscape material was not planted along the northeast corner of the subject property as it abuts Omaha Street. The applicant has submitted a site plan identifying that the landscaping was "adjusted" in this area but the site plan does not identify where the plant material was relocated. As such, staff is recommending that prior to Planning Commission approval, the landscaping on the site be revised to comply with the previously approved landscape plan or a revised landscape plan must be submitted for review and approval showing the relocation of landscape materials from the northeast corner of the site as it abuts Omaha Street. In addition, the landscape material must be planted prior to Planning Commission approval or surety must be posted for the improvement.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned nor has the sign been placed on the property. Staff will notify the Planning Commission at the April 5, 2007 Planning Commission meeting if these requirements have not been met. Staff has not received any calls or inquires regarding this proposal.