

STAFF REPORT

April 26, 2007

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

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 SW1/4, the SE1/4 SW1/4, the SW1/4 SE1/4 and the NW1/4 SW1/4 of Section 29 and the NE1/4 SE1/4, the SE1/4 SE1/4 and the NW1/4 SE1/4 of Section 30 and the NE1/4 NW1/4 and the NW1/4 NE1/4 of Section 32 in T2N, R8E of the BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southwest Corner of said Section 29 in T2N, R8E, BHM; Thence S89°53'53"E a distance of 2845.59' to the Point Of Beginning; said point being on the southerly right-of-way line of Century Road; Thence following the said southerly right-of-way line of Century Road N89°47'40"E a distance of 63.38' to the westerly right-of-way line of U.S. Highway 16 (E. North St.); Thence following said westerly right-of-way line of U.S. Highway 16 (E. North St.) S26°02'24"W a distance of 340.04'; Thence departing the said westerly right-of-way line of U.S. Highway 16 (E. North St.) and following the northerly line of a railroad right-of-way 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' to the easterly right-of-way line of Cambell Street; Thence leaving said northerly line of a railroad right-of-way and following the said easterly right-of-way line of Cambell Street N00°05'30"E a distance of 53.06'; Thence N00°05'55"W a distance of 145.01' to the northerly right-of-way line of Sunnyside Avenue; Thence following the said northerly right-of-way line of Sunnyside Avenue N89°54'01"W a distance of 450.93'; Thence leaving said northerly right-of-way line of Sunnyside Avenue 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 127.34'; Thence

STAFF REPORT

April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial ITEM 24
Development Plan

N89°31'29"W a distance of 331.74'; Thence N00°03'13"E a distance of 182.19'; Thence N60°50'50"W a distance of 467.74'; Thence with a curve turning to the right with an arc length of 48.41', with a radius of 536.00', with a chord bearing of S05°50'50"E, with a chord length of 48.40'; Thence S86°44'26"W a distance of 72.00'; Thence with a curve turning to the left with an arc length of 137.80', with a radius of 464.00', with a chord bearing of N11°46'03"W, with a chord length of 137.30'; Thence N89°45'36"W a distance of 556.68'; Thence N00°01'26"W a distance of 459.98'; Thence S89°52'52"W a distance of 80.00'; Thence N00°00'41"W a distance of 714.10' to the southerly right-of-way line of Interstate 90; Thence following said southerly right-of-way line of Interstate 90 S89°58'06"E a distance of 40.69'; Thence with a curve turning to the right with an arc length of 222.11', with a radius of 2910.85', with a chord bearing of S87°51'22"E, with a chord length of 222.06'; Thence with a curve turning to the right with an arc length of 744.77', with a radius of 2144.34', with a chord bearing of S76°01'11"E, with a chord length of 741.04'; Thence with a curve turning to the right with an arc length of 222.14', with a radius of 2909.18', with a chord bearing of S63°52'56"E, with a chord length of 222.09'; Thence S61°41'41"E a distance of 149.70'; Thence S35°19'03"E a distance of 72.16'; Thence S61°13'39"E a distance of 514.33'; Thence S61°13'39"E a distance of 37.62'; Thence S00°05'30"W a distance of 10.20'; Thence S32°34'43"E a distance of 146.11'; Thence S85°21'33"E a distance of 269.28'; Thence S61°12'06"E a distance of 124.77'; Thence S41°24'18"E a distance of 132.93'; Thence S61°12'12"E a distance of 225.04'; Thence S68°31'49"E a distance of 352.96'; Thence S61°12'05"E a distance of 175.04'; Thence S49°53'16"E a distance of 102.02'; Thence S61°34'04"E a distance of 125.02'; Thence S74°46'01"E a distance of 102.02'; Thence S60°49'53"E a distance of 320.31'; Thence S61°13'00"E a distance of 849.95'; Thence with a curve turning to the right with an arc length of 92.74', with a radius of 604.00', with a chord bearing of S57°44'09"E, with a chord length of 92.65' and intersecting the westerly right-of-way line of U.S. Hwy 16 (E. North St.); Thence following said westerly right-of-way line of U.S. Hwy 16 (E. North St.) with a curve turning to the right with an arc length of 630.81', with a radius of 604.00', with a chord bearing of S23°25'03"E, with a chord length of 602.53' to the northerly right-of-

STAFF REPORT

April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial ITEM 24 Development Plan

way line of Century Road; Thence following said northerly right-of-way line of Century Road S89°47'40"W a distance of 196.40' to easterly line of the vacated portion of Century Road; Thence following the said easterly line of vacated portion of Century Road 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' to the Point of Beginning, having an area of 5,502,105 Square Feet, 126.311 Acres. Area "A" An Area of Land dedicated to public street purposes located in the NE1/4 SW1/4, of Section 30 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southeast Corner of said Section 30 in T2N, R8E, BHM; Thence N59°32'17"W 3117.36' to the Point of Beginning; said point being on the westerly right-of-way line of Rapp Street; Thence following said westerly right-of-way line of Rapp Street S00°13'30"E a distance of 103.69'; Thence departing said westerly right-of-way line of Rapp Street with a curve turning to the left with an arc length of 61.19', with a radius of 350.00', with a chord bearing of S67°33'46"W, with a chord length of 61.11'; Thence S62°33'15"W a distance of 18.92' to the easterly right-of-way line of LaCrosse Street; Thence following said easterly right-of-way line of LaCrosse Street N27°26'45"W a distance of 100.00'; Thence departing said easterly right-of-way line of LaCrosse Street N62°33'15"E a distance of 19.30'; Thence with a curve turning to the right with an arc length of 108.98', with a radius of 450.00', with a chord bearing of N69°29'33"E, with a chord length of 108.72' to the aforesaid westerly right-of-way line of Rapp Street, which is the Point of Beginning, having an area of 10,427 square feet, 0.239 acres. Area "B" An Area of Land dedicated to public street purposes located in the NW1/4 SE1/4, of Section 30 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southeast Corner of said Section 30 in T2N, R8E, BHM; Thence N54°58'03"W 2737.47' to the Point of Beginning; said point being on the westerly right-of-way line of Pine Street as it intersects the northerly right-of-way line of Eglin Street (formerly Farnwood Avenue); Thence following said northerly right-of-way line of Eglin Street (formerly Farnwood Avenue) S89°59'07"W a distance of 379.55' to the intersection with the easterly right-of-way line of

STAFF REPORT

April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial ITEM 24 Development Plan

Rapp Street; Thence following said the easterly right-of-way line of Rapp Street N00°04'20"W a distance of 19.89'; Thence departing said easterly right-of-way line of Rapp Street with a curve turning to the right with an arc length of 39.50', with a radius of 450.00', with a chord bearing of N87°27'50"E, with a chord length of 39.49'; Thence N89°58'43"E a distance of 100.33'; Thence N44°22'07"E a distance of 13.99'; Thence with a curve turning to the left with an arc length of 64.87', with a radius of 44.00', with a chord bearing of N47°53'39"W, with a chord length of 59.15'; Thence S89°52'19"W a distance of 68.17'; Thence with a curve turning to the right with an arc length of 38.40', with a radius of 106.00', with a chord bearing of N79°44'56" W, with a chord length of 38.19' to the easterly right-of-way line of Rapp Street; Thence following said easterly right-of-way line of Rapp Street N00°04'20"W a distance of 70.79'; Thence departing said easterly right-of-way line of Rapp Street with a curve turning to the left with an arc length of 43.42', with a radius of 47.00', with a chord bearing of S63°39'52"E, with a chord length of 41.89'; Thence N89°52'19"E a distance of 68.17'; Thence with a curve turning to the right with an arc length of 147.64', with a radius of 103.00', with a chord bearing of S49°03'54"E, with a chord length of 135.32'; Thence S44°28'32"E a distance of 27.98'; Thence N89°58'44"E a distance of 152.16' to the aforesaid westerly right-of-way line of Pine Street; Thence following the aforesaid westerly right-of-way line of Pine Street S00°06'41"E a distance of 21.67' to the Point of Beginning, having an area of 21,941 square feet, 0.504 acres. Area "C" An Area of Land dedicated to public street purposes located in the NW1/4 SE1/4, of Section 30 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southeast Corner of said Section 30 in T2N, R8E, BHM; Thence N48°55'59"W 2391.93' to the Point of Beginning; said point being on the westerly right-of-way line of Spruce Street as it intersects the northerly right-of-way line of Eglin Street (formerly Farnwood Avenue); Thence following said northerly right-of-way line of Eglin Street (formerly Farnwood Avenue) N89°58'43"W a distance of 360.05' to the intersection of the easterly right-of-way line of Pine Street; Thence departing said northerly right-of-way line of Eglin Street (formerly Farnwood Avenue) and following said easterly right-of-way line of Pine Street

STAFF REPORT

April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan ITEM 24

N00°06'41"W a distance of 21.40'; Thence departing said easterly right-of-way line of Pine Street N89°56'38"E a distance of 359.99' to the aforesaid westerly right-of-way line of Spruce Street; Thence following the aforesaid westerly right-of-way line of Spruce Street S00°03'22"W a distance of 21.89' to the Point of Beginning, having an area of 7,793 square feet, 0.179 acres.

PARCEL ACREAGE	Approximately 127.233 acres
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 **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 submittal of a Final Commercial Development Plan application, all necessary changes shall be made to the site plan(s) as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
3. **Prior to approval of a Final Commercial Development Plan application, a Preliminary Plat shall be reviewed and approved to insure that all of the infrastructure improvements for the development have been addressed. In**

STAFF REPORT
April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial ITEM 24
Development Plan

- addition, a Final Plat shall be reviewed and approved prior to issuance of a Certificate of Occupancy to insure that legal access and utility easements are in place as needed;
4. Prior to approval of a Final Commercial Development Plan application, the applicant shall enter into an agreement with the City regarding the construction and timing of street improvements to serve the development as identified in the Traffic Impact Study;
 5. Prior to approval of a Final Commercial Development Plan application, a Fence Height Exception shall be obtained to allow the proposed six foot high black or brown chain link fence along Interstate 90 right-of-way or the height of the fence shall be a maximum of four feet. In addition, a portion of Interstate 90 right-of-way shall be vacated to allow the proposed fence or the fence shall be removed from the right-of-way;
 6. Prior to submittal of a Final Commercial Development Plan application for that portion of the development located in the northwest corner of the property along Spruce Street, the site plan shall be revised to show the extension of Luna Avenue north from Eglin Street to Spruce Street or the applicant shall demonstrate an alternate street network to carry traffic through this area in compliance with the Traffic Impact Study;
 7. Upon submittal of a Final Commercial Development Plan application, complete elevations showing all sides of the proposed structures shall be submitted for review and approval. In addition, a complete list of building materials and color palette shall be submitted for review and approval;
 8. Upon submittal of a Final Commercial Development Plan application, a complete landscaping plan shall be submitted for review and approval identifying specific plant material. In particular, the landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, the landscaping plan shall include mature landscaping along the proposed chain link fence to reduce headlight glare between the traffic along Eglin Street and Interstate 90;
 9. Upon submittal of a Final Commercial Development Plan application, a complete sign package, including any proposed signage on the buildings and direction signs within the parking lot, shall be submitted for review and approval. In addition, the applicant shall demonstrate that the sign package is in compliance with the Sign Code or the Sign Code shall be amended as needed or an Appeal and/or Variance shall be reviewed and approved by the Sign Code Board of Appeals;
 10. Prior to submittal of a Final Commercial Development Plan application, the signs shall be relocated outside of E. North Street right-of-way or a portion of the right-of-way shall be vacated to allow the proposed signage;
 11. Upon submittal of a Final Commercial Development Plan application, a complete parking plan in compliance with the Parking Regulations shall be submitted for review and approval;
 12. Upon submittal of a Final Commercial Development Plan application, a complete lighting package identifying the design of the proposed lighting shall be submitted for review and approval. In addition, the lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and

STAFF REPORT
April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan ITEM 24

- rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
13. Upon submittal of a Final Commercial Development Plan application, the location and size of all dumpsters shall be submitted for review and approval. In addition, elevations of the screening fence for the dumpsters shall be submitted for review and approval and shall include building material(s) and the proposed color palette;
 14. Upon submittal of a Final Commercial Development Plan application, the location, size and noise rating of all exterior air handling equipment shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
 15. Upon submittal of a Final Commercial Development Plan application, the site plan shall be revised to show the location of the 48 inch RCP 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 shall be widened if necessary to provide adequate room for maintenance;
 16. 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 addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structures shall also have fire sprinkler systems and be fire alarmed as per the 2003 International Fire Code;
 17. The Air Quality Permit shall be amended to include the proposed development or a new Air Quality Permit shall be obtained prior to the start of any additional construction;
 18. The structures shall be used as retail, restaurant, hotel and business unless otherwise specifically authorized as a stipulation of the Final Commercial Development Plan application or a subsequent Major Amendment to the Commercial Development Plan shall be obtained. In addition, on-sale liquor use shall be reviewed and approved as a part of the Final Commercial Development Plan application or a subsequent Major Amendment shall be obtained;
 19. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Initial Commercial Development Plan, the Final Commercial Development Plan application or a subsequent Major Amendment; and,
 20. 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. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Commercial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

GENERAL COMMENTS:

(Update, April 17, 2007. All revised and/or added text is shown in bold print.) This

STAFF REPORT

April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan ITEM 24

item was continued at the April 5, 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.

The applicant has submitted an Initial Commercial Development Plan to construct approximately **861,000** square feet of new commercial development on **127** 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.
- 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 revised Layout Plat (#06PL142) to

STAFF REPORT
April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan **ITEM 24**

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 127 acres, with the exception of a small area along Spruce Street. The expanded boundaries will include the area for the development 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. **The applicant has submitted a revised legal description including the entire 127 acres.**

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.

Staff has reviewed the proposed sign locations and has notified the applicant of the design and location standards that must be met for the shopping center entrance signs, the joint identification signs, monument signs, and wall and directional signs. Staff is recommending that upon submittal of a Final Commercial Development Plan application, a complete sign package, including any proposed signage on the buildings and direction signs within the parking lot, 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 and/or Variance 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.

STAFF REPORT

April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan ITEM 24

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 proposed 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, **3,875** parking spaces for the proposed **861,000** 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.

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.

Infrastructure 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

STAFF REPORT
April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan **ITEM 24**

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. 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 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. **Staff is recommending that prior to submittal of a Final Commercial Development Plan, the applicant enter into an agreement with the City regarding the construction and timing of street improvements to serve the 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.

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 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.

Staff is also recommending that the landscaping plan include landscaping along the above referenced chain link fence to reduce headlight glare between the traffic along Eglin Street and Interstate 90. In particular, the landscaping must be mature at planting in order to provide an opaque buffer between the two roadways.

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

STAFF REPORT

April 26, 2007

No. 07PD019 - Planned Commercial Development - Initial Development Plan ITEM 24

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 been returned and the sign has been posted on the property. Staff has received several telephone calls of inquiry regarding this proposal.**