

STAFF REPORT
July 26, 2007

**No. 07PD037 - Planned Commercial Development - Final ITEM 47
Development Plan**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07PD037 - Planned Commercial Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	The unplatted portion of the W1/2 NE1/4 SE1/4, Section 30, T2N, RA Tract of land located in the W1/2 NE1/4 SE1/4 and the E1/2 NW1/4 SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Commencing at the East Quarter Corner (E1/4) of said Section 30 Thence S66°45'19"W a distance of 1023.63'; to the eastern most corner of the subject Tract, said eastern most corner being the Point of Beginning; Thence with a curve turning to the left with an arc length of 327.53', with a radius of 650.00', with a chord bearing of S52°55'43"W, with a chord length of 324.08'; Thence N51°30'25"W a distance of 218.05'; Thence S89°59'19"W a distance of 73.68'; Thence N00°00'41"W a distance of 467.52' to the southerly right-of-way line of Interstate Route 90; Thence following the said the southerly right-of-way line of Interstate Route 90; with a curve turning to the right with an arc length of 490.15', with a radius of 2144.34', with a chord bearing of S76°43'44"E, with a chord length of 489.08'; Thence departing the said the southerly right-of-way line of Interstate Route 90; S00°00'41"E a distance of 231.96'; Thence S22°56'58"E a distance of 69.09'; to the Point of Beginning, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.75 acres
LOCATION	South of Interstate 90 and east of LaCrosse Street and north of Eglin Street
EXISTING ZONING	General Commercial District (Initial Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Initial Planned Commercial Development)

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East:	General Commercial District (Initial Planned Commercial Development)
West:	General Commercial District (Initial Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/11/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Final Development Plan be **denied without prejudice at the applicant's request.**

GENERAL COMMENTS:

(Update, July 13, 2007. All revised and/or added text is shown in bold print.) This Final Commercial Development Plan was continued at the July 5, 2007 Planning Commission meeting to allow the applicant to submit additional information. The applicant has subsequently submitted a Major Amendment to the Initial Planned Commercial Development (File #07PD048) eliminating approximately 32 acres from the boundary of the Planned Development, including the subject property. In addition, the applicant has submitted a separate Initial and Final Planned Commercial Development (File #07PD049) for this property. As such, staff is recommending that this Final Planned Commercial Development application be denied without prejudice at the applicant's request.

(Update, June 22, 2007. All revised and/or added text is shown in bold print.) This item was continued at the June 21, 2007 Planning Commission meeting to allow the applicant to submit additional information. However, as of this writing, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the July 26, 2007 Planning Commission meeting.

(Update, June 8, 2007. All revised and/or added text is shown in bold print.) This item was continued at the June 7, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the July 5, 2007 Planning Commission meeting.

The applicant has submitted a Final Commercial Development Plan to allow a 52,732 square foot commercial building to be constructed on the subject property. The applicant has indicated that the commercial building will contain "Furniture Row" with individual tenants of "Sofa Mart", "Denver Mattress", "Oak Express" and "Bedroom Expressions". This is being proposed as Phase Two of the Rushmore Crossing commercial development.

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

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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.
- 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.

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 subdivide a 117.29 acre parcel into 15 commercial lots and two detention pond lots. The Layout Plat included the subject property.

On April 26, 2007, the Planning Commission approved an Initial Commercial Development Plan (File #07PD019) to construct approximately 861,000 square feet of new commercial development on 127 acres, which included the subject property.

On May 21, 2007, the City Council approved a 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 with stipulations.

On May 24, 2007, the Planning Commission approved a Final Commercial Development Plan application (#07PD032) to construct a 131,748 square foot commercial building. In addition, the Final Commercial Development Plan included Eglin Street right-of-way between LaCrosse Street and E. North Street and the entryways into the development at the intersections of Eglin Street and LaCrosse Street and Eglin Street and E. North Street. The proposed commercial building, a "Target" store, was approved as Phase One of the Rushmore Crossing commercial development.

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.

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STAFF REVIEW: Staff has reviewed the Final Commercial Development Plan and has noted the following considerations:

Design Features: The applicant has submitted elevations of the proposed structure identifying that the building is one story with store fronts for each of the proposed tenants along the north side of the building. In addition, a store front for "Sofa Mart" is proposed along the east side of the building. A screened loading dock area is proposed along the south side of the building. Windows and signage are being proposed along the west side of the building. The structure will be constructed with E.I.F.S. wall finish, concrete masonry unit wall finish, wood fascia, wood timber accents and a metal roof. The submitted color palette identifies the colors as "Brick Red", "Barn Red", "Surrey Beige", "Navajo Bluff", "Aztec Gold", "Teakwood", "Sunset Yellow" and "Antique Bronze". In general, the color scheme includes shades of beige, gold and red.

Staff had previously met with the future tenant and discussed designing the store fronts to face towards Interstate 90. It was identified at that time that the façade along the south and west side of the building must also include store front features since they face Eglin Street and LaCrosse Street. In particular, it was noted that Eglin Street, extending east from LaCrosse Street, will serve as an entryway to the Rushmore Crossing commercial development. As noted above, the screened loading dock area is being proposed along the south side of the building as it abuts Eglin Street and a large area of bare wall is shown along the west elevation which is visible from LaCrosse Street. Staff has reviewed the "Design Guidelines and Material Directory" that was submitted by Midland Atlantic for the Rushmore Crossing development and noted that the elevations as submitted do not comply with those design guidelines. Staff has noted that revised design features, materials and color palettes will need to be utilized to bring the proposed elevations into compliance with the Rushmore Crossing Design Guidelines. In particular, banding with alternate color schemes, cornices, arches, decorative brick work, decorative metal work, etc. could be incorporated into the design of the proposed building. In addition, store front facades similar to those shown along Interstate 90 need to be added to the south side of the building. Staff is recommending that the Final Commercial Development Plan be continued to allow the applicant to submit revised elevations in compliance with the Rushmore Crossing Design Guidelines.

Landscaping Plan: A minimum of 166,192 landscape points are required on the lot. The applicant has submitted a landscaping plan showing 187,738 landscape points on the lot. However, the proposed landscaping along Eglin Street does not adequately buffer the loading area proposed along the south side of the building. As such, staff is recommending that the Final Commercial Development Plan be continued to allow the applicant to submit additional landscaping along Eglin Street as needed. Revising the structural elevations as noted above adding store front features along the south façade of the building may eliminate the need to provide additional landscaping along the south side of the property.

Signage: The sign package includes a "Monument Sign" along Interstate 90 and wall signs on the building. The proposed "Monument Sign" located along Interstate 90 is reviewed under the Joint Identification Sign Ordinance which states that "the total area of all signs on each

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frontage shall not exceed 200 square feet". In addition, "the maximum height of a joint identification sign shall be 15 feet". The Joint Identification Sign Ordinance also states that only one sign is allowed per right-of-way. The previously approved Final Planned Commercial Development for Rushmore Crossing included two joint identification signs between the Interstate 90 right-of-way and Eglin Street right-of-way. As such, no additional monument signs are allowed on the property. In addition, the sign elevation submitted with this application identifies the sign as 30 feet in height with three stacked chairs and an adjacent 30 foot high by 6.5 foot wide sign reading "Furniture Row" for an approximate 450 square foot sign area. Staff has also noted that the sign is located within the eight foot wide minor drainage and utility easement and the 25 foot wide major drainage easement. The site plan shows the major drainage easement as 20 feet in width; however, it must be revised to show a 25 foot wide major drainage easement as per the associated Preliminary Plat. Staff is recommending that the Final Commercial Development Plan be continued to allow the applicant to submit a revised sign package eliminating the monument sign as per the Joint Identification Sign Ordinance or the Ordinance must be amended to allow the proposed signage.

Parking: The proposed 52,732 square foot furniture store requires that a minimum of 99 parking spaces be provided. Four of the parking spaces must be handicap accessible with one of the spaces being "van accessible". The parking plan identifies 144 parking spaces with six handicap accessible spaces. In addition, one of the handicap spaces is "van accessible". Staff is recommending that a minimum of 99 parking spaces be provided as required. In addition, four of the parking spaces must be handicap accessible spaces. One of the handicap spaces must be "van accessible". All provisions of the Off-Street Parking Ordinance must be continually met.

Lighting Plan: The site plan identifies lighting within the parking area. Staff is recommending that lighting be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way to preclude creating a hazard to the passing motorist or constituting 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.

Access: The site plan identifies two approaches along Eglin Street to serve as access to the site. The western approach is designed as a right-in/right-out approach only. In addition, the construction plans show a painted "pork chop" island within the western approach to direct traffic. Staff is recommending that prior to Planning Commission approval, the construction plans be revised to show the "pork chop" island as a raised island with curb and gutter in lieu of a painted island in order to have any effectiveness in controlling traffic and

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insuring the approach operates as a right-in/right-out approach.

Grading/Drainage: Staff is recommending that prior to Planning Commission approval, a grading and drainage plan be submitted for review and approval. As noted above, the site plan must also be revised to show a 25 foot wide major drainage easement along the north lot line in lieu of a 20 foot wide easement. Widening the easement as identified will place five feet of the adjacent parking lot into the easement area. The grading and drainage plan must address whether the parking lot can be constructed within the easement or the site plan must be revised to relocate the parking area outside of the easement.

Water and Sewer Plans: The water and sewer plans must be revised to show the water mains west of the property located within a 25 foot wide easement, with ten feet separation from the main to the property line. In addition, the plans must be revised to show water and sewer service lines. Staff is recommending that the water and sewer plans be revised as identified prior to Planning Commission approval. In addition, staff is recommending that prior to Planning Commission approval, the construction plans be stamped by a South Dakota licensed Professional Engineer.

Retaining Walls: The site plan must be revised to show the proposed retaining wall outside of the eight foot wide utility and minor drainage easement. In addition, any retaining walls four feet in height or higher must be designed and stamped by a South Dakota licensed Professional Engineer.

Truck Traffic: As noted above, the loading dock area is located along the south side of the building. Staff is recommending that prior to Planning Commission approval, the applicant demonstrate that the trucks can maneuver in and out of the west docks.

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 structure must have fire sprinkler systems and be fire alarmed as per the currently adopted International Fire Code. Staff is recommending that the currently adopted International Fire Codes be continually met.

Trash: The applicant has indicated that each retail store within the development will have one 42 cubic yard internally loaded and enclosed compactor container and a corrugated materials baler for the recycling of trash. The baler and other recycling containers are located inside the store. The applicant has also indicated that the bales are picked up from the store on a weekly basis and in most cases by a local salvager. Staff is recommending that prior to issuance of a building permit, an Industrial Pre-treatment Permit be obtained for the proposed trash compactor container.

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

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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 one call of inquiry regarding this item.