

STAFF REPORT  
July 26, 2007

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**No. 07PD046 - Planned Commercial Development - Initial Development Plan**      **ITEM 51**

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GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	<b>No. 07PD046 - Planned Commercial Development - Initial Development Plan</b>
EXISTING LEGAL DESCRIPTION	A parcel of Land located in the SW1/4, Section T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: Commencing at the center one-quarter (C1/4) corner of said Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota thence S00°02'40"E 496.04' to a point on the south quarter line of aforesaid Section 28 and on the southerly right-of-way line of East Mall Drive, said point being the Point of Beginning; thence following said south quarter line of Section 28 S00°02'40"E a distance of 924.66'; to the northerly right-of-way line of Offutt Street; thence following said northerly right-of-way line of Offutt Street N89°50'04"W a distance of 2052.28'; thence N67°14'23"W a distance of 614.15' to the easterly right-of-way line of Dyess Avenue; thence following said easterly right-of-way line of Dyess Avenue N00°08'30"W a distance of 678.69' to the aforesaid southerly right-of-way line of East Mall Drive; thence following said southerly right-of-way line of East Mall Drive S89°57'47"E a distance of 1016.65'; thence N89°53'22"E a distance of 1602.91' to the aforesaid south quarter line of Section 28 and the Point of Beginning, having an area of 53.71 acres
PARCEL ACREAGE	Approximately 53.71
LOCATION	East of Dyess Avenue and north of Interstate 90
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Agriculture District - Light Industrial District - General Commercial District (Planned Development Designation)
South:	Light Industrial District
East:	General Commercial District
West:	General Commercial District

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PUBLIC UTILITIES                      City sewer and water  
DATE OF APPLICATION                6/29/2007  
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 submittal of a Final Commercial Development Plan application for proposed Phase Three and Four, a Preliminary Plat shall be reviewed and approved to ensure that all of the infrastructure improvements for the development have been addressed. In addition, a Final Plat shall be reviewed and approved prior to issuance of a Certificate of Occupancy to ensure that legal access and utility easements are in place as needed;
4. Prior to submittal of a Final Commercial Development Plan application, the Traffic Impact Study recommendation shall be revised and submitted for review and approval identifying that the entire project will be complete by the year 2010 as per the date previously submitted by the developer or a new development schedule shall be submitted. The Traffic Impact Study shall also be revised to include truck traffic and pedestrian access. In addition, the construction plans shall be revised to include all improvements needed as per the revised Traffic Impact Study. The applicant shall also 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. Upon submittal of a Final Commercial Development Plan application, revised structural elevations and a complete building materials list and color palette for the Cabela's' structure, including the color of that portion of the roof that is flat, shall be submitted for review and approval. 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, the revised elevations shall show screening from all four sides of all roof top mechanical equipment. Upon submittal of a Final Commercial Development Plan for each phase of the balance of the property, complete elevations showing all sides of all future 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;
6. Upon submittal of a Final Commercial Development Plan application, a complete landscaping plan shall be submitted for review and approval identifying specific plant material. The landscaping plan shall comply with all requirements of the Zoning Ordinance. The landscaping plan shall include mature landscaping along the proposed

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- chain link fence to reduce headlight glare between the traffic along Offutt Street and Interstate 90;
7. 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 proposed Joint Identification Signs shall be revised to comply with the Sign Code with a maximum height of 15 feet and a maximum area of 200 square feet or a Variance from the Sign Board of Appeals shall be obtained or the Ordinance shall be amended to allow the proposed signage;
  8. Upon submittal of a Final Commercial Development Plan application for each phase of the development, a complete parking plan in compliance with the Parking Regulations shall be submitted for review and approval. In addition, loading dock areas and the truck route through the site shall be identified. Phase One of the development, which includes a 80,028 square foot retail store, requires that a minimum of 401 parking spaces be provided. Nine of the parking spaces shall be handicap accessible spaces with one of the handicap spaces being "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;
  9. 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 rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
  10. 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;
  11. 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;
  12. The currently adopted 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 current adopted International Fire Code;
  13. The Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
  14. The structures shall be used as retail, home improvement center, restaurant, convenience store, hotel, business offices and a visitor's center 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. No overnight camping or overnight recreational vehicle

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- parking shall be allowed;
15. Upon submittal of a Final Commercial Development Plan application for Phase One of the development, the site plan shall be revised eliminating the outdoor kenneling and animal comfort/wash stations or the Ordinance shall be amended to allow the use in the General Commercial District or the applicant shall appeal the decision of the Growth Management Director that the use is not an accessory use to the retail store as per Chapter 17.50.190 of the Rapid City Municipal Code to the Zoning Board of Adjustment;
  16. Upon submittal of a Final Commercial Development Plan application, an exterior entrance for the visitor information center shall be shown on the proposed commercial structure;
  17. Upon submittal of a Final Commercial Development Plan application, all outdoor display and sales areas shall be shown;
  18. Upon submittal of a Final Commercial Development Plan application, the site plan shall be revised to show the location of pedestrian walkways, benches, trash receptacles, bike racks and other amenities;
  19. Upon submittal of a Final Commercial Development Plan application, the site plan shall be revised to show the location of the recreational vehicle dump station and design plans shall be submitted for review and approval;
  20. Upon submittal of a Final Commercial Development Plan application, the most western approach along the south side of E. Mall Drive shall be aligned with the proposed approach along the north side of E. Mall Drive;
  21. Upon submittal of a Final Commercial Development application, a drainage plan in compliance with the East Mall Drive Drainage Plan shall be submitted for review and approval. In particular, drainage calculations for the on-site storm sewer shall be submitted for review and approval. In addition, drainage easements shall be recorded as needed;
  22. Upon submittal of a Final Commercial Development application, a detailed grading plan, including erosion and sediment control measures, shall be submitted for review and approval;
  23. Upon submittal of a Final Commercial Development application, access and utility easements shall be recorded at the Register of Deed's Office as needed;
  24. Upon submittal of a Final Commercial Development application, water and sewer plans shall be submitted for review and approval;
  25. Upon submittal of a Final Commercial Development application, a revised site plan shall be submitted for review and approval identifying that a minimum 25 foot setback is being provided along all rights-of-way. In addition, the monument signs along Interstate 90 shall be located outside of any access aisles;
  26. 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,
  27. 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

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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:

The applicant has submitted an Initial Commercial Development Plan to allow a commercial development on 53.71 acres. The commercial development will include approximately 569,000 square feet of commercial use(s) to be known as "Rapid Center". The applicant has also indicated that the development will be constructed in four phases.

On June 4, 2007, the City Council approved a Preliminary Plat application (#07PL060) to create three lots, which included Phase One and Phase Two of the proposed "Rapid Center" development.

On June 18, 2007, the City Council approved a Fence Height Exception (#07FV003) to allow a six foot high galvanized chain link fence to be constructed along the south side of the property as it abuts Interstate 90.

On June 20, 2007, the City approved a Final Plat creating Lots 1, 2 and 3 of Forefather Flats Subdivision, which included Phase One and Two of the proposed "Rapid Center" development.

The property is located east of Dyess Avenue and north of Interstate 90 and is currently void of any structural development.

STAFF REVIEW:

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

Traffic Impact Study: The Traffic Impact Study identifies that all phases of the project will be completed by the year 2030. However, the development schedule previously submitted identifies that the project will be completed by the year 2010. As such, staff is recommending that prior to submittal of a Final Commercial Development Plan application, a revised Traffic Impact Study recommendation be revised and submitted for review and approval identifying that the entire project will be completed by the year 2010 as per the schedule previously date submitted by the developer or a new development schedule shall be submitted. The Traffic Impact Study must also be revised to include truck traffic and pedestrian access. In addition, the construction plans must be revised to include all improvements needed as per the revised Traffic Impact Study. The applicant must also 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.

Design Features: The applicant has submitted structural elevations for Phase One of the development which identifies an 80,028 square foot Cabela's retail store to be constructed on Lot 3 of Forefather Flats Subdivision. The structural elevations identify a one story building with a peaked roof along a portion of the center of the structure. The balance of the roof has been designed as a flat roof. The applicant has submitted a letter of intent

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identifying that the building will feature timber accents, standing seam steel roofing and concrete. To date a complete list of building materials and a color palette have not been submitted for review and approval. The structural elevations do not identify the direction the structure will be located on the property; however, it appears that the back of the building will face Interstate 90 right-of-way. Other than the entry along the front of the store, the building is lacking in architectural detail. As such, revised structural elevations must be submitted identifying additional design features along the building. As an example, banding with alternate color schemes, cornices, arches, decorative brick work, decorative metal work, additional roof details etc. could be incorporated into the design of the proposed building. In addition, the elevations must be revised to show a separate entrance and signage for the visitor's information center.

Staff is recommending that upon submittal of a Final Commercial Development Plan application, revised structural elevations and a complete building materials list and color palette for the Cabela's structure, including the color of the roof, be submitted for review and approval. In addition, the revised elevations must show screening along all roof top mechanical equipment. In addition, upon submittal of a Final Commercial Development Plan for each future phase of the development, complete elevations showing all sides of all future structures must be submitted for review and approval. In addition, a complete list of building materials and color palette must be submitted for review and approval.

Uses: The applicant has indicated that the development will be used as retail, a home improvement center, restaurants, convenience stores, hotels, business offices and a visitor's information center. In addition, the applicant has indicated that no overnight camping or parking of recreational vehicles will be allowed on the property. The applicant has also indicated that outdoor kennels and animal comfort stations are being proposed within the parking lot area of the Cabela's site. However, the General Commercial District does not allow outdoor kenneling or stabling of animals. In addition, Chapter 17.50.190 of the Rapid City Municipal Code states that permitted accessory uses shall be customarily incidental to the principal use established on the same lot. The outdoor kenneling and stabling of animals is not customarily incidental to a retail store. As such, staff is recommending that upon submittal of a Final Commercial Development Plan, the site plan be revised eliminating the outdoor kenneling and animal comfort/wash stations or the Ordinance must be amended to allow the use in the General Commercial District or the applicant must appeal the decision of the Growth Management Director that the use is not an accessory use to the retail store as per Chapter 17.50.190 of the Rapid City Municipal Code to the Zoning Board of Adjustment. Staff is also recommending that the proposed development allow retail, home improvement center, restaurant, convenience store, hotel, business offices and a visitor's center 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 must be reviewed and approved as a part of the Final Commercial Development Plan application or a subsequent Major Amendment must be obtained. No overnight camping or overnight recreational vehicle parking will be allowed.

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Parking:

The proposed 80,028 square foot retail store proposed in Phase One of the development requires that a minimum of 401 parking spaces be provided. Nine of the parking spaces must be handicap accessible with one of the spaces being "van accessible". To date, the applicant has not identified the specific use(s) in Phases Two, Three and Four of the proposed development. As such, staff is recommending that upon submittal of a Final Commercial Development Plan application for each phase of the development, a complete parking plan in compliance with the Parking Regulations be submitted for review and approval. In addition, loading dock areas and the truck route through the site must be identified and submitted for review and approval.

Signage: On July 18, 2007, the applicant submitted an application to establish a Development Complex boundary within the subject property in order to allow three Joint Identification Signs for the development. Staff is currently reviewing the request. The applicant has also submitted a sign package identifying the Joint Identification Signs as two 70 foot high by 20 foot wide monument signs along Interstate 90 and one forty foot high by 14.5 foot wide monument sign along E. Mall Drive. The Joint Identification Sign Ordinance states that "the total area of all signs on each frontage shall not exceed 200 square feet". In addition, "the maximum height of a joint identification sign shall be 15 feet". To date, no additional signage has been identified for the proposed development.

Staff is recommending that upon submittal of a Final Commercial Development Plan application for each phase of the development, 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 proposed Joint Identification Signs must be revised to comply with the Sign Code with a maximum height of 15 feet and a maximum area of 200 square feet or a Variance from the Sign Board of Appeals must be obtained or the Ordinance must be amended to allow the proposed signage.

Landscaping: A landscape plan has been submitted identifying 1,770,529 landscape points being provided within the development. However, the proposed plant material has not been identified. In addition, the landscape plan does not show landscaping along portions of the property as it abuts Interstate 90. The Northeast Neighborhood Area Future Lane Use Plan identifies a 500 foot landscape buffer on the general commercial designations adjacent to Interstate 90. In addition, the Fence Height Exception approved by the City Council on June 18, 2007, stipulated that "as a part of a Final Commercial Development Plan, a landscaping plan, with mature landscaping, shall be submitted for review and approval to provide a buffer reducing the headlight glare between the traffic within the development and Interstate 90". Staff is recommending that upon submittal of a Final Commercial Development Plan application, a complete landscaping 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. In addition, the landscaping plan must include mature landscaping along the proposed chain link fence to reduce headlight glare between the traffic along Eglin Street and Interstate 90.

Lighting Plan: As a part of a Final Commercial Development Plan application, a complete

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lighting package identifying the design of the proposed lighting must 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.

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 current adopted International Fire Code. Staff is recommending that all current adopted International Fire Codes be continually met.

Dumpster: As a part of a Final Commercial Development Plan application, 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 application, 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.

Legal Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. As of this writing, staff has not received any calls or inquiries regarding this proposal.