

STAFF REPORT

September 6, 2007

No. 07PD064 - Major Amendment to a Planned Commercial ITEM 31 Development

GENERAL INFORMATION:

APPLICANT	Brendon Stuckey for Best Buy Stores, LP
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Brendon Stuckey for Best Buy Stores, LP
REQUEST	No. 07PD064 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	All of Lot 8R of Block 3 of the NW1/4 NE1/4 of Section 25, T2N, R7E, of the BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.01 acres
LOCATION	2320 Haines Avenue
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/10/2007
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development 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. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;

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3. The proposed structure shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan;
4. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. A sign permit must be obtained prior to installation of any signage;
5. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
6. All provisions of the Off-Street Parking Ordinance shall be continually met;
7. All outdoor lighting shall be reflected within the property boundaries so as to not 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;
8. The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;
9. All the adopted International Fire Codes shall be met; 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 a 3,144 square foot commercial structure to be located on the above legally described property. The proposed structure will be used as a lube/oil change service and car wash. Currently, Best Buy, a 30,481 square foot retail structure is located on the site.

On August 6, 2007 City Council approved a Preliminary Plat (#07PL088) for the property with stipulations.

On March 6, 2003 the Planning Commission approved an Initial Development Plan (#03PD008) for the site with stipulations.

On May 8, 2003 the Planning Commission approved a Final Development Plan (#03PD015) for the site with the following stipulations:

1. The applicant shall obtain a Right of Way work permit prior to any construction in the Right of Way;
2. The applicant shall submit additional information regarding a sediment control plan prior to issuance of a building permit;
3. All Uniform Fire Codes shall be continually met;
4. The landscaping shall be constructed as identified on the site plan as submitted and shall be maintained in a live vegetative state;
5. The architectural style of the building will be constructed as shown on the elevations submitted;
6. The lighting will be constructed in a way as to minimize the impacts on surrounding land uses and direct lighting away from adjacent properties;

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7. All signage shall be constructed as shown on the site plan as submitted; and
8. All parking shall be constructed as shown on the site plan as submitted.

STAFF REVIEW: Staff has reviewed the proposed Major Amendment to a Planned Commercial Development and has noted the following major issues:

Building Permits: Staff noted that a building permit must be obtained prior to any construction and a certificate of occupancy obtained prior to occupancy.

Setbacks: Staff noted that the applicant's site plan meets all the setback requirements required in Section 17.18.050 of the Rapid City Municipal Code.

Building Height: Staff noted that the applicant's plans meet all the building height requirements required in Section 17.18.060 of the Rapid City Municipal Code

Design Features: The applicant has submitted building elevations of the commercial structure identifying that the proposed building will be one story structure. The building will be constructed with slit face concrete block and brick. Staff is recommending that the proposed structure conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan.

Signage: Staff is recommending that all signage conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. Staff also noted that a sign permit must be obtained prior to installation of any signage.

Parking: Section 17.50.270 of the Rapid City Municipal Code requires parking to be provided. The parking plan submitted shows 164 spaces provided for the Best Buy retail store which exceeds the 153 spaces required. In addition the parking plan provides 12 stacking stalls for the proposed lube/oil change service and car wash and 6 parking stalls for employee parking. The proposed parking plan meets the minimum requirements of Chapter 17.50.270 of the Rapid City Municipal Code.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires landscaping to be provided. The landscape plan submitted shows 201,900 landscaping points provided which exceeds the 184,456 points required. The proposed landscape plan meets the minimum requirements of Chapter 17.50.300 of the Rapid City Municipal Code.

Fire: The Fire Department has indicated that all International Fire Codes must be met as a part of the design standards for the development. In particular, fire hydrants must be in place and operational prior to or in conjunction with building construction. In addition, the grades and location of access drives and/or streets must comply with the City Street Criteria Manual and the International Fire Code. An all weather drivable surface must be in place prior to any building construction on the site. The Fire Department has also indicated that an address must be posted on the site prior to or in conjunction with building construction. Staff is recommending that all International Fire Codes be continually met.

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Notification Requirement: As of this writing the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 6, 2007 Planning Commission meeting if the notification requirements have not been met.

Staff recommends that the Major Amendment to a Planned Commercial Development be approved with the above stated stipulations.