

STAFF REPORT
September 6, 2007

No. 07PD071 - Planned Commercial Development - Final Development Plan ITEM 49

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Cabela's Retail Inc.
REQUEST	No. 07PD071 - Planned Commercial Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 3 of Forefather Flats Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.68 acres
LOCATION	South of East Mall Drive
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	Light Industrial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/10/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Final 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. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
3. Prior to issuance of a building permit, 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;
4. Prior to issuance of a building permit, access, drainage and utility easements shall be recorded at the Register of Deed's Office as needed;
5. Prior to issuance of a building permit, construction details of the settlement plates in the

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- parking areas, aggregate piers under the utilities for the building and sub-drain system as per the geotechnical report shall be submitted for review and approval;
6. Prior to issuance of a building permit, 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 June, 2007 Traffic Impact Analysis and the Addendum dated August 17, 2007. In particular, all improvements shall be constructed by the year 2010 as per the Traffic Impact Analysis and the Addendum;
 7. Prior to issuance of a Certificate of Occupancy, the turn lane along E. Mall Drive and the underground conduit and appurtenances for the signalization at the intersection of E. Mall Drive and Access #4 shall be constructed;
 8. Prior to issuance of a Certificate of Occupancy, the screening fence along Interstate 90 shall be constructed;
 9. The trash compactor shall be located in compliance with the proposed plan. In particular, the trash compactor shall be located with the loading dock area, behind the screening fence;
 10. Prior to issuance of a building permit, the applicant shall submit a maintenance schedule for review and approval identifying the maintenance and disposal of waste from the dog runs and horse pens;
 11. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of the Planned Commercial Development. In addition, the portion of the roof that is flat shall be dark brown or black in color. All of the roof top mechanical equipment shall be screened along all four sides;
 12. Prior to issuance of a Sign Permit, the amount of proposed wall signage shall be reduced from 2,251 square feet to 1,131 square feet to comply with the Sign Ordinance or a Variance from the Sign Board of Appeals shall be obtained;
 13. A minimum of 341,632 landscaping points with a minimum of 11 planter islands shall be provided. In addition, the landscaping shall be designed to reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot and shall be planted with the specific size and plant material proposed. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary. In particular, due to the findings of the geotechnical report, the applicant shall closely monitor the landscaping and replace the plant material as needed;
 14. A minimum of 444 parking spaces shall be provided. In addition, nine of the parking spaces shall be handicap accessible spaces. Two of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;
 15. 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 currently adopted International Fire Code;
 16. The structure shall be used as a retail store with outdoor dog runs and horse pens and with temporary outdoor sales and display or a Major Amendment to the Commercial Development Plan shall be obtained. The temporary outdoor sales shall be conducted in compliance with Chapter 17.50.230 of the Rapid City Municipal Code. In addition, no overnight camping or overnight recreational vehicle parking or overnight kenneling shall be allowed;

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17. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Final Commercial Development Plan application or a subsequent Major Amendment; and,
18. 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:

The applicant has submitted a Final Commercial Development Plan to construct an 80,028 square foot retail sporting and hunting goods store to be known as "Cabela's" on the property. In addition, the applicant has submitted a SDCL 11-6-19 Review to construct a turn lane along E. Mall Drive to serve Phase One of the "Rapid Center" development, which includes the applicant's property, as per the Traffic Impact Study dated August 17, 2007.

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 (#07PL078) creating Lots 1, 2 and 3 of Forefather Flats Subdivision, which included Phase One and Two of the proposed "Rapid Center" development.

On July 26, 2007, the Planning Commission approved an Initial Commercial Development Plan (#07PD046) to construct an 80,028 square foot Cabela's retail store on Lot 3 of the 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 Final Commercial Development Plan and has noted the following considerations:

Design Features: The structural elevations identify a one story building with a peaked roof along a portion of the center of the structure. In addition, the elevations show the building constructed with a combination of stone, concrete masonry unit siding, log siding with chinking, heavy timber accents, translucent skyline panels and a standing seam steel roof. The applicant has also indicated that the structure will be earth tone in color with shades of brown and hunter green. Staff is recommending that the proposed structure(s) conform architecturally to the plans and elevations and color palette submitted as part of this Final

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Commercial Development Plan. In addition, the portion of the roof that is flat must be dark brown or black in color in order to reduce glare. All of the roof top mechanical equipment must also be screened along all four sides.

Traffic Impact Study: The applicant had originally submitted a Traffic Impact Analysis identifying that all phases of the project would be completed by the year 2030. However, the development schedule previously submitted identified that the project would be completed by the year 2010. Subsequently, the applicant submitted an Addendum dated August 17, 2007 to the Traffic Impact Analysis identifying that the project will be completed by the year 2010. The Addendum identifies that a turn lane along E. Mall Drive is needed at Access #4 to serve this phase of the development. In addition, the revised study identifies that the following improvements will be needed by the year 2010 when the project is completely built out:

- Improving E. Mall Drive to a five lane street;
- Signalization of the intersection of E. Mall Drive and E. North Street;
- Signalization of the intersection of E. Mall Drive and Access #2;
- Signalization of the intersection of E. Mall Drive and Access #4; and,
- Additional turn lanes along E. Mall Drive.

Staff is recommending that prior to issuance of a Certificate of Occupancy, the turn lane along E. Mall Drive and the underground conduit and appurtenances for the signalization at the intersection of E. Mall Drive and Access #4 be constructed. In addition, prior to issuance of a building permit, the applicant must enter into an agreement with the City regarding the construction and timing of the balance of the street improvements as identified in the June, 2007 Traffic Impact Analysis and the Addendum dated August 17, 2007. In particular, all improvements shall be constructed by the year 2010 as per the Traffic Impact Analysis and the Addendum.

Geotechnical Report: The applicant has submitted an initial geotechnical report indicating that details of the settlement plates in the parking areas, aggregate piers under the utilities for the building and sub-drain system will be needed. As such, staff is recommending that prior to issuance of a building permit, the information be submitted for review and approval as per the geotechnical report.

Landscaping: A minimum of 341,632 landscaping points are required. In addition, 11 planter islands must be provided. The applicant's site plan identifies that 365,404 landscape points are being provided with 21 planter islands. Staff is recommending that a minimum of 341,632 landscaping points with 11 planter islands be provided. In addition, the landscaping must be designed to reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot and must be planted with the specific size and plant material proposed. All landscaping must be continually maintained in a live vegetative state and replaced as necessary. In particular, due to the findings in the geotechnical report, the applicant must closely monitor the landscaping and replace the plant material as needed.

Signage: The applicant has submitted a sign package identifying wall signs along the north, south and east side of the proposed building. No ground signs are being proposed. The accumulative square footage of the proposed wall signage equals 2,251 square feet.

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However, the Sign Ordinance allows a maximum of 1,131 square feet of signage on the property. As such, staff is recommending that prior to issuance of a Sign Permit, the amount of proposed wall signage be reduced from 2,251 square feet to 1,131 square feet to comply with the Sign Ordinance or a Variance from the Sign Board of Appeals must be obtained.

Parking: The proposed 80,028 square foot retail store with outdoor sales areas requires that a minimum of 444 parking spaces be provided. Nine of the parking spaces must be handicap accessible with two of the spaces being "van accessible". The applicant has submitted a parking plan showing 466 parking spaces with ten of the spaces being handicap accessible. In addition, four of the spaces are "van accessible". The parking plan also shows 28 recreational vehicle parking spaces. Staff is recommending that a minimum of 444 parking spaces be provided. In addition, nine 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.

Use: The applicant has indicated that the store will be used as an 80,028 square foot retail sporting and hunting goods store to be known as "Cabela's". The applicant has also indicated that two outdoor display areas and a temporary tent sales area will be provided. The areas will typically be used to sell seasonal items and occasionally may include larger items such as boats, trailers or special merchandise. In addition, the applicant has indicated that outdoor dog runs and horse pens will be provided to allow customers to temporarily pen their animals while they are shopping. No over night kenneling is proposed. The applicant has indicated that recreational vehicle parking will also be provided. In addition, the applicant has indicated that no overnight camping or parking of recreational vehicles will be allowed on the property. Staff is recommending that the structure be used as a retail store with outdoor dog runs and horse pens and with temporary outdoor sales and display or a Major Amendment to the Commercial Development Plan must be obtained. The temporary outdoor sales must be conducted in compliance with Chapter 17.50.230 of the Rapid City Municipal Code. In addition, no overnight camping, overnight recreational vehicle parking or overnight kenneling will be allowed.

The City Council is currently reviewing an Ordinance Amendment to allow dog runs and horse pens as a Conditional Use in the General Commercial District. However, to date, the Ordinance has not been approved. As such, staff is recommending that prior to issuance of a building permit for the dog runs and the horse pens, the Ordinance Amendment be approved by the City Council or the site plan must be revised eliminating the use. If the Ordinance Amendment is approved, the dog runs and horse pens must be constructed in compliance with the applicant's proposed plan. In addition, landscaping must be provided and continually maintained in a live vegetated state around the dog runs and horse pens as shown on the site plan. In addition, staff is recommending that prior to issuance of a building permit, the applicant submit a maintenance schedule for review and approval identifying the maintenance and disposal of waste from the dog runs and horse pens.

Easements: The site plan identifies two accesses to the Cabela's store extending south from E. Mall Drive, across adjacent properties. The previously recorded Final Plat document did not secure access easements in compliance with this site plan. In addition, the construction plans show the extension of storm sewer across Lot 1 and the extension of public water and sewer mains outside of easements. As such, staff is recommending that prior to issuance of

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a building permit, access, drainage and utility easements be recorded at the Register of Deed's Office as needed and copies submitted to the Growth Management Department.

Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. To date, staff has not had any calls of inquiry regarding this proposal.