

STAFF REPORT  
December 6, 2007

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**No. 07PD094 - Major Amendment to a Planned Commercial Development**      **ITEM 36**

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GENERAL INFORMATION:

APPLICANT	Tom Rau- Remax Realtors
AGENT	Tom Rau- Remax Realtors
PROPERTY OWNER	PCP LLLC
REQUEST	<b>No. 07PD083 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Lot 7 of SSJE Subdivision, located in the SW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.23 acres
LOCATION	1331 Jess Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District - Low Density Residential District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/25/2007
REVIEWED BY	Jonathan Smith/ Ted Johnson

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development be approved with the following stipulations:

1. Knollwood Drainage Basin Fees shall be paid prior to the issuance of a building permit;
2. Prior to Planning Commission approval, topographic information and a grading plan shall be submitted to insure that all requirements of the Knollwood Drainage Basin Design Plan are being met;
3. Prior to Planning Commission approval, a pavement section design and specifications shall be submitted for review and approval;

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4. Prior to Planning Commission approval, existing and proposed sewer service line locations shall be identified;
5. Prior to City Council approval, a revised site plan shall be submitted for review and approval showing the proposed approach shifted to the east to align with Kermit Street or that a minimum 50 foot off-set from the end of Kermit Street radius to the proposed approach shall be provided;
6. Prior to issuance of a certificate of occupancy, handicap ramps shall be installed in accordance with City Code;
7. Prior to issuance of a Certificate of Occupancy, all fire codes shall be complied with;
8. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;
9. The building shall be a maximum 15,000 square foot one story structure with metal siding and a metal-pitched roof. The building shall be colored in hues of tan with a four foot high black and red colored band located along the top of the structure. In addition, two 4 foot by 20 foot mounted wall signs shall be located on the north side of the structure. A third mounted wall sign, also measuring 4 foot by 20 foot, shall be located on the west side of the structure. The signs shall incorporate the same color design as the structure and shall be lighted. Prior to City Council approval, a revised floor plan shall be submitted for review and approval identifying a display window along the front of the proposed building;
10. Prior to City Council approval, a revised landscaping plan shall be submitted for review and approval identifying an irrigation system to serve the proposed landscaping;
11. A 4,000 square foot area of the proposed building shall be used as a muffler shop and shall meet the minimum requirements established for a vehicle service establishment as identified in the General Commercial Zoning District. In addition, the remaining 11,000 square feet of the proposed building shall be used as an office/retail use with an associated distribution/wholesaling use. Any other type of use will require a Major Amendment to the Planned Commercial Development;
12. A minimum of 57 parking spaces shall be provided with three of the spaces being handicap accessible. The parking lot and the interior circulation on the property shall be paved. All provisions of the Off-Street Parking Ordinance shall be continually met. Any change in use shall trigger a review of the off-street parking requirements to insure compliance with the provisions of Section 17.50.270 of the Off-Street Parking Ordinance; and,
13. The Final Commercial Development Plan approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council, 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 4,000 square feet of an existing building to be an exhaust system repair service, and the remaining 11,000 square feet of an existing building to be used for retail and office space. The property is located at 1331 Jess Street. Currently a 15,000 square foot structure is located on the site. An automotive exhaust system repair business (Exhaust Pro) occupies 4,000 square feet of the structure. The remaining 11,000 square feet of the structure is currently vacant.

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On October 25, 2007 Planning Commission approved a Major Amendment to a Planned Commercial Development (#07PD083) to allow a gymnastics academy use within the vacant portion of the facility, and approved a reduction of parking to 63 off-street parking spaces in lieu of 84 required off-street parking spaces required for the combined uses. The applicant's agent has indicated that a lease could not be negotiated with the individuals who proposed to locate a gymnastics academy on this site. As such, the owner is requesting that the building no longer be authorized to be used for a gymnastics academy and the previously approved uses be re-authorized.

The original Final Planned Commercial Development (#00PD039) was approved by City Council on September 5, 2000 with the following stipulations.

1. Knollwood Drainage Basin Fees shall be paid prior to the issuance of a building permit;
2. Prior to Planning Commission approval, topographic information and a grading plan shall be submitted to insure that all requirements of the Knollwood Drainage Basin Design Plan are being met;
3. Prior to Planning Commission approval, a pavement section design and specifications shall be submitted for review and approval;
4. Prior to Planning Commission approval, existing and proposed sewer service line locations shall be identified;
5. Prior to City Council approval, a revised site plan shall be submitted for review and approval showing the proposed approach shifted to the east to align with Kermit Street or that a minimum 50 foot off-set from the end of Kermit Street radius to the proposed approach shall be provided;
6. Prior to issuance of a certificate of occupancy, handicap ramps shall be installed in accordance with City Code;
7. Prior to issuance of a Certificate of Occupancy, all fire codes shall be complied with;
8. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;
9. The building shall be a maximum 15,000 square foot one story structure with metal siding and a metal-pitched roof. The building shall be colored in hues of tan with a four foot high black and red colored band located along the top of the structure. In addition, two 4 foot by 20 foot mounted wall signs shall be located on the north side of the structure. A third mounted wall sign, also measuring 4 foot by 20 foot, shall be located on the west side of the structure. The signs shall incorporate the same color design as the structure and shall be lighted. Prior to City Council approval, a revised floor plan shall be submitted for review and approval identifying a display window along the front of the proposed building;
10. Prior to City Council approval, a revised landscaping plan shall be submitted for review and approval identifying an irrigation system to serve the proposed landscaping;
11. A 4,000 square foot area of the proposed building shall be used as a muffler shop and shall meet the minimum requirements established for a vehicle service establishment as identified in the General Commercial Zoning District. In addition, the remaining 11,000 square feet of the proposed building shall be used as an office/retail use with an associated distribution/wholesaling use. Any other type of use will require a Major Amendment to the Planned Commercial Development;

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12. A minimum of 57 parking spaces shall be provided with three of the spaces being handicap accessible. The parking lot and the interior circulation on the property shall be paved. All provisions of the Off-Street Parking Ordinance shall be continually met. Any change in use shall trigger a review of the off-street parking requirements to insure compliance with the provisions of Section 17.50.270 of the Off-Street Parking Ordinance; and,
13. The Final Commercial Development Plan approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council, or if the use as approved has ceased for a period of two years.

STAFF REVIEW:

Staff has reviewed the applicant's Major Amendment to a Planned Commercial Development request and noted the following considerations:

USE:

The applicant is requesting a Major Amendment to allow 4,000 square feet of the building to be used as a muffler shop and 11,000 square feet of the building to be used as an office/ retail use with an associated distribution/ wholesaling use. The applicant has indicated that a gymnastics academy use is no longer proposed for the vacant portion of the building due to difficulties in negotiating a lease agreement. This is consistent with the other uses located in the area and with the original approval granted for this property.

SIGNAGE:

Two 4 foot by 20 foot mounted wall signs shall be located on the north side of the structure. A third mounted wall sign, also measuring 4 foot by 20 foot, shall be located on the west side of the structure. The signs shall incorporate the same color design as the structure and shall be lighted. Staff has noted that prior to the installation of any additional signs the applicant is required to obtain a Sign Permit. The applicant is not proposing any specific signage at this time.

LANDSCAPING:

The applicant has submitted a landscape plan identifying 39,180 landscape points. The applicant's landscape plan identifies large trees, shrubs and grass. The site is required to have 38,753 landscape points per section 17.50.300. Staff has noted that the applicant's landscape plan meets the minimum requirements of section 17.50.300. All landscaping is required to be maintained in a live and vegetative state.

FIRE CODE:

Staff has noted that the building is currently fire sprinklered, and contains both fire alarm and fire detection devices. Staff has noted that additional fire protection measures may be addressed/ required at issuance of a Building Permit for any interior renovations. In addition the Fire Code shall be continually met.

ELEVATIONS:

The 15,000 square foot building on the property is a metal building with some brick veneer accents on the lower portion of the front elevation. The applicant is not proposing any changes to the elevations.

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PARKING:

Currently 63 off-street parking spaces are provided including three handicap accessible spaces, two of which are van accessible. The existing off-street parking lot complies with the minimum requirements of the code including a minimum of 57 off-street parking spaces.

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