

STAFF REPORT
January 10, 2008

No. 07PD096 - Major Amendment to a Planned Commercial Development **ITEM 35**

GENERAL INFORMATION:

APPLICANT/AGENT	NWE Management for Autumn Hills Properties
PROPERTY OWNER	Autumn Hills Properties
REQUEST	No. 07PD096 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Lots 2 and 3 of Block 1 of Stoney Creek South Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.38 acres
LOCATION	5622 and 5734 Sheridan Lake Road
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Low Density Residential District - General Agriculture District
West:	Low Density Residential District
PUBLIC UTILITIES	Public Water and Sewer
DATE OF APPLICATION	12/10/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

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

1. Upon approval by the Growth Management Director, banners may be allowed for grand openings; however, in no case shall the banner be displayed for a time period of more than 15 days. In addition, banners shall not exceed 60 square feet, and shall only be allowed when installed on the primary building(s);
2. Upon approval by the Growth Management Director, a single mounted electronic message board sign may be allowed to be used for grand openings and shall not be displayed for a time period more than 15 days. In addition, the portable, trailer mounted, electronic message board sign shall not be placed within any parking stall, drive aisle, public right-of-way or site triangle;
3. Prior to the display of any temporary signs the applicant shall obtain a Temporary Sign

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- Permit.
4. The provisions of the landscape ordinance shall be continually met; in addition, all landscaping shall be maintained in a live vegetative state; and,
 5. All applicable provisions of the Fire Code shall be continually met.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Commercial Development to revise the approved sign package to allow for additional temporary signage for grand openings. The subject property is located at 5622 and 5734 Sheridan Lake Road. More specifically the property is located southeast of the intersection of Sheridan Lake Road and Catron Boulevard. An Initial and Final Planned Commercial Development (#06PD025) was approved on the property on May 25, 2006. Currently, one commercial building of a two building strip mall is constructed while another commercial building is under construction. The property is zoned General Commercial District.

The original Planned Commercial Development (#06PD025) was approved with the following stipulations:

1. Prior to Planning Commission approval, the structural elevations shall be revised to show a parapet along all four sides of the proposed commercial building. Upon review and approval of the revised elevation(s), the proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Development Service Center Division;
4. Prior to issuance of a building permit, the plans shall be revised to show the four foot high landscaping wall designed and stamped by a Registered Professional Engineer;
5. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
6. The proposed commercial structure shall be used for retail, office, banking, Laundromat, restaurant and medial clinic(s) uses as allowed in the General Commercial District. In particular, no more than 7,363 square feet of restaurant area shall be allowed or additional parking shall be provided. In addition, no on-sale liquor use shall be allowed as a part of this Planned Commercial Development. The addition of the second building and/or any other use or change in use shall require a Major Amendment to the Planned Commercial Development;
7. A minimum of 104,035 landscaping points shall be provided. 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;
8. A minimum of 165 parking spaces shall be provided. Six of the spaces shall be handicap accessible with one of the handicap spaces being "van accessible". In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
9. 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

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- motorist or constitute a nuisance of any kind;
10. The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;
 11. The 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 particular, on-site fire hydrants shall be provided as needed. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structure(s) shall be fully fire sprinkled and fire alarmed as per the 2003 International Fire Code;
 12. Prior to issuance of a building permit, the applicant shall sign a developmental lot agreement for the two lots or the property shall be platted into one lot;
 13. 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; and,
 14. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment.

STAFF REVIEW:

Staff has reviewed the applicant's request and noted the following considerations:

SIGNAGE:

The applicant is proposing additional temporary signage for grand openings. The applicant is requesting the use of a 4 foot by 8 foot electronic message portable sign, which is mounted on a trailer. Section 15.28.50 D allows for a trailer mounted sign as long as the sign and the trailer does not exceed 1000 pounds. Staff has noted that the applicant's proposed trailer mounted electronic message sign weights 800 pounds and meets this requirement. The applicant has submitted a site plan identifying that the proposed portable sign will be located on the northeast portion of the property and be visible from Catron Boulevard. Staff has noted that the portable sign cannot be placed within any parking stall, drive aisle, or public right-of-way, and cannot be located within any site triangle.

The applicant is also requesting the use of a six foot by eight foot banner to be placed upon the building. Section 15.28.050 F permits banners for grand openings; however, the display of banners shall not exceed 15 days. Staff finds that is appropriate to allow temporary signs for grand openings of new businesses in accordance with the general purposes of the adopted sign regulations. However, to avoid abuse of the "grand openings" provisions the recommended language of the code gives discretion to the Growth Management Director. This is particularly important due to the proximity of residential development in the area.

PARKING:

The applicant's site plan identifies 170 off-street parking spaces, six of which are handicap spaces, three of which are van accessible. Staff has noted that 167 off-street parking spaces

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are required and that the applicant's site plan currently meets the minimum off-street parking standards set forth in Section 17.50.270. However it is important to note that the portable temporary sign cannot be located within the parking area, or the project may be in violation of the off-street parking requirements.

LANDSCAPING:

A minimum of landscaping 104,035 points is required. The applicant's site plan identifies that 104,190 points are being provided. Staff has noted that the applicant's site plan meets the minimal requirements of the Rapid City Municipal Code.

ELEVATIONS:

Current building elevations of the commercial structure include a façade constructed of earth-toned brick with pre-cast stone, metal awnings, and drivet accents. The applicant is proposing no changes to the elevations other than the installation of the temporary banners for grand openings flat against the wall of the primary structures.

NOTIFICATION:

The required sign has been posted on the property. As of this writing the white and green cards from the required mailings have not been returned. Staff will notify the Planning Commission at the January 10, 2008 meeting if cards have not been returned. Staff has had no calls or inquires stating objection to this request.

Staff recommends that the applicant's request be approved assuming compliance with the stated stipulations.