

STAFF REPORT
January 10, 2008

No. 07PD100 - Planned Commercial Development - Final ITEM 38
Development Plan

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Midland Rushmore, LLC
REQUEST	No. 07PD100 - Planned Commercial Development - Final Development Plan

EXISTING
LEGAL DESCRIPTION

A portion of Tract E of Rushmore Crossing, Located in the S1/2 of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the Section Corner common to Sections 29, 30, 31, 32, T2N, R8E, BHM, Thence N61°19'15"E, a distance of 1346.73 feet, to the point of beginning; Thence, first course: curving to the left, on a curve with a radius of 131.67 feet, a delta angle of 13°13'34", a length of 30.40 feet, a chord bearing of S62°41'45"E, and chord distance of 30.33 feet, to the point of tangency; Thence, second course: S69°18'33"E, a distance of 350.61 feet, to the point of curve; Thence, third course: curving to the right, on a curve with a radius of 200.00 feet, a delta angle of 15°24'12", a length of 53.77 feet, a chord bearing of S61°36'27"E, and chord distance of 53.61 feet, to the point of tangency; Thence, fourth course: S53°54'21"E, a distance of 39.05 feet, to the point of curve; Thence fifth course: curving to the left, on a curve with a radius of 200.00 feet, a delta angle of 07°29'03", a length of 26.13 feet, a chord bearing of S57°38'52"E, and chord distance of 26.11 feet, to the point of tangency; Thence sixth course: S61°23'24"E, a distance of 363.05 feet, to the point of curve; Thence seventh course: curving to the right, on a curve with a radius of 200.00 feet, a delta angle of 08°19'57", a length of 29.09 feet, a chord bearing of S57°13'26"E, and chord distance of 29.06 feet, to the point of tangency; Thence eighth course: S28°46'21"W a distance of 26.32 feet; Thence ninth course: S73°46'22"W a distance of 5.38 feet; Thence tenth course: S28°46'21"W a distance of 138.00 feet; Thence eleventh course: S72°51'25"W a distance of 7.10 feet; Thence twelfth course: N61°23'34"W, a distance of 68.49 feet; Thence thirteenth course: S58°23'11"W, a distance of 21.36 feet; Thence fourteenth course: N61°23'47"W a distance of 8.90 feet; Thence fifteenth course: S28°36'48"W, a distance of

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32.34 feet; Thence sixteenth course: N61°23'32"W, a distance of 23.49 feet; Thence seventeenth course: N22°30'00"E a distance of 27.16 feet; Thence eighteenth course: N61°23'36"W, a distance of 104.28 feet; Thence nineteenth course: N28°36'37"E, a distance of 71.03 feet; Thence twentieth course: N61°23'20"W a distance of 131.58 feet; Thence twenty-first course: S20°41'44"W, a distance of 27.13 feet; Thence twenty-second course: N69°18'10"W, a distance of 85.33 feet; Thence twenty-third course: S20°41'44"W a distance of 31.43 feet; Thence twenty-fourth course: S69°18'03"E, a distance of 26.34 feet; Thence twenty-fifth course: S20°41'56"W, a distance of 51.33 feet; Thence twenty-sixth course: N69°18'03"W a distance of 246.34 feet; Thence twenty-seventh course: N20°41'44"E, a distance of 35.75 feet; Thence twenty-eighth course: N81°18'16"W, a distance of 31.51 feet; Thence twenty-ninth course: N08°41'44"E a distance of 21.78 feet; Thence thirtieth course: N69°18'16"W, a distance of 151.29 feet; Thence thirty-first course: N00°33'29"W, a distance of 53.45 feet; Thence thirty-second course: N20°41'56"E a distance of 118.52 feet; Thence thirty-third course: N69°17'49"W, a distance of 0.33 feet; Thence thirty-fourth course: N20°41'52"E, a distance of 48.74 feet, to the point of beginning

PARCEL ACREAGE	Approximately 4.110 acres
LOCATION	Southwest of the intersection of Eglin Street and E. North Street
EXISTING ZONING	General Commercial District (Initial Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Initial Planned Commercial Development)
South:	General Commercial District (Initial Planned Commercial Development)
East:	General Commercial District (Initial Planned Commercial Development)
West:	General Commercial District (Initial Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water

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DATE OF APPLICATION 12/14/2007
REVIEWED BY Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Final Development Plan be approved with the following stipulations:

1. Prior to Planning Commission approval, revised building elevations shall be submitted for review and approval showing that all roof top mechanical equipment is screened from view along all four sides of the equipment;
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 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 Certificate of Occupancy, a minimum of 694 parking spaces shall be constructed within 300 feet of the main entry into the building(s). In addition, 14 of the parking spaces shall be handicap accessible spaces. Landscaping and lighting shall also be constructed within the parking lot as per the previously approved parking plans;
5. Prior to issuance of a Certificate of Occupancy, Eglin Street shall be constructed from LaCrosse Street to E. North Street. In addition, the previously approved screening fence with landscaping shall be in place along Interstate 90;
6. The proposed structure(s) shall conform architecturally to the plans, elevations and color palette submitted as part of this Planned Commercial Development Plan;
7. 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. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
8. The dumpsters shall be located as shown on the site plan and screened on all four sides as proposed;
9. 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 structure(s) shall also have fire sprinkler systems and be fire alarmed as per the currently adopted International Fire Code;
10. 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 or a subsequent Major Amendment; and,

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11. 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 154,064 square feet of retail space as a part of Phase One of the Rushmore Crossing's "Soft Power District". In particular, the applicant has indicated that the commercial building will consist of separate individual stores. In addition, the building will be constructed as a shell and tenant finished as the spaces are leased.

On April 26, 2007, the Planning Commission approved an Initial Commercial Development Plan (File #07PD019) to construct approximately 861,000 square feet of new commercial development on 127 acres, which included the subject property.

On June 4, 2007, the City Council approved a Preliminary Plat application (#07PL038) to subdivide 126.54 acres into 24 commercial lots and to vacate a 30 foot wide private access easement, to vacate a portion of a section line highway located between Sections 29 and 32, to vacate a portion of a section line highway located between Sections 29 and 30, to vacate a portion of Rapp Street and to vacate a 66 foot wide public access easement.

On October 23, 2007, a Final Plat (#07PI126) was approved to create 18 lots as a part of the Rushmore Crossing development, including the subject property.

The property is located southwest of the intersection of Eglin Street and E. North Street 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 applicant has submitted structural elevations for the commercial structure identifying a one story building with several store fronts and a parapet along the front of the building. The applicant has indicated that the structure will be constructed with brick, integral color concrete masonry, cultured stone and synthetic stucco. In addition, canvas awnings, blade canopies and covered entries are shown. Staff has also noted that the rear of the building includes colored banding and recessed walls to enhance its appearance. In addition, the applicant has indicated that the roof will be tan or gray in color to minimize glare. Staff is recommending that the proposed structure(s) conform architecturally to the plans, elevations and color palette submitted as part of this Planned Commercial Development Plan.

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Roof Top Units: The applicant has indicated that the roof top units will be screened from view at the front of the building and will be painted to blend with the roofing ballast so as to be camouflaged. Even though this will minimize their appearance, staff is recommending that prior to Planning Commission approval, revised building elevations be submitted for review and approval showing that the roof top mechanical equipment is screened from view along all four sides of the equipment.

Parking, Landscaping and Lighting: The parking and landscaping for this phase of the development were previously reviewed and approved by the Planning Commission. In particular, on August 23, 2007, the Planning Commission approved a Final Commercial Development Plan application (#07PD060) to construct 1,057 parking spaces with landscaping and lighting within the eastern portion of the Rushmore Crossing development. In addition, on September 20, 2007, the Planning Commission approved a Final Commercial Development Plan application (#07PD074) to construct 1,250 parking spaces with landscaping and lighting within the western portion of the Rushmore Crossing development. Staff is recommending that prior to issuance of a Certificate of Occupancy, a minimum of 694 parking spaces be constructed within 300 feet of the main entry into the building(s). In addition, 14 of the parking spaces must be handicap accessible spaces. Landscaping and lighting must also be constructed within the parking lot as per the previously approved parking plans.

Signage: The applicant has submitted a sign package showing wall signs along the front of the building. Even though the tenant information is not shown, it appears that the location and size of the signage is in compliance with the Sign Code. As such, staff is recommending that all signage shall conform to the sign package submitted as a part of the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

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. The Fire Department staff has also indicated that the structures must be fully fire sprinklered. 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.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the January 10, 2008 Planning Commission meeting if these requirements have not been met.