

STAFF REPORT
March 27, 2008

No. 08PD010 - Planned Commercial Development - Final Development Plan ITEM 65

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Midland Rushmore
REQUEST	No. 08PD010 - Planned Commercial Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	<p>A portion of Tract E of Rushmore Crossing, located in the S½ of the SW¼, of Section 29, and in the NE¼ of the NW¼, and the NW¼ of the NE¼ of Section 32, 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 N82 37'15"E, a distance of 1996.91 feet, to the point of beginning; Thence first course: S53 03'27"E, a distance of 289.19 feet, to the point of curve; Thence second course: curving to the left, on a curve with a radius of 200.00 feet, a delta angle of 08 18'41", a length of 29.01 feet, a chord bearing of S57 12'48"E, and chord distance of 28.99 feet, to the point of tangency; Thence third course: S61 22'08"E, a distance of 218.47 feet, to the point of curve; Thence fourth course: curving to the right, on a curve with a radius of 200.00 feet, a delta angle of 01 03'23", a length of 3.69 feet, a chord bearing of S60 50'23"E, and chord distance of 3.69 feet, to the point of tangency; Thence fifth course: S60 18'45"E, a distance of 228.27 feet; Thence sixth course: S28 36'26"W, a distance of 18.08 feet; Thence seventh course: N61 21'34"W, a distance of 0.17 feet; Thence eighth course: S28 36'23"W, a distance of 1.33 feet; Thence ninth course: S61 23'22"E, a distance of 0.17 feet; Thence tenth course: S28 36'23"W, a distance of 2.00 feet; Thence eleventh course: N61 23'31"W, a distance of 0.58 feet; Thence twelfth course: S28 36'27"W, a distance of 20.00 feet; Thence thirteenth course: S61 23'31"E, a distance of 0.58 feet; Thence fourteenth course: S28 36'28"W, a distance of 2.00 feet; Thence fifteenth course: N61 23'22"W, a distance of 0.17 feet; Thence sixteenth course: S28 36'23"W, a distance of 1.33 feet; Thence seventeenth course: S61 23'22"E, a distance of 0.17 feet; Thence eighteenth course: S28 36'23"W, a distance of 2.00 feet; Thence nineteenth course: N61 23'34"W, a distance of 0.83 feet; Thence twentieth course: S28 36'27"W, a distance of 13.67 feet; Thence twenty-first course: S61 23'22"E, a distance of</p>

STAFF REPORT
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0.17 feet; Thence twenty-second course: S28 36'27"W, a distance of 5.33 feet; Thence twenty-third: N61 23'22"W, a distance of 0.17 feet; Thence twenty-fourth course: S28 36'26"W, a distance of 17.67 feet; Thence twenty-fifth course: S61 24'22"E, a distance of 0.17 feet; Thence twenty-sixth course: S28 36'27"W, a distance of 10.33 feet; Thence twenty-seventh course: N61 23'32"W, a distance of 10.33 feet; Thence twenty-eighth course: N28 36'38"E, a distance of 0.33 feet; Thence twenty-ninth course: N61 23'34"W a distance of 278.33 feet; Thence thirtieth course: S28 36'26"W, a distance of 43.33 feet; Thence thirty-first course: N61 23'34"W, a distance of 94.67 feet; Thence thirty-second course: N28 36'26"E, a distance of 17.16 feet; Thence thirty-third: N61 22'14"W, a distance of 162.00 feet; Thence thirty-fourth course: N28 36'24"E a distance of 16.60 feet; Thence thirty-fifth course: N61 23'34"W, a distance of 109.33 feet; Thence thirty-sixth course: S28 35'58"W, a distance of 56.25 feet; Thence thirty-seventh course: N61 39'08"W a distance of 26.67 feet; Thence thirty-eighth course: N28 36'26"E, a distance of 16.02 feet; Thence thirty-ninth course: N61 23'20"W, a distance of 92.67 feet; Thence fortieth course: N28 36'41"E a distance of 18.54 feet; Thence forty-first: N72 51'25"E a distance of 7.10 feet; Thence forty-second: N28 46'21"E a distance of 138.00 feet; Thence forty-third: N73 46'22"E a distance of 5.38 feet; Thence forty-fourth: N28 46'21"E a distance of 26.32 feet, to the point of beginning

PARCEL ACREAGE	Approximately 2.227 acres
LOCATION	Southwest of the intersection of Eglin Street and East North Street
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water

STAFF REPORT
March 27, 2008

No. 08PD010 - Planned Commercial Development - Final Development Plan ITEM 65

DATE OF APPLICATION 2/29/2008

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. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. 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;
3. Prior to issuance of a Certificate of Occupancy, a minimum of 341 parking spaces shall be constructed within 300 feet of the main entry into the building(s). In addition, eight of the parking spaces shall be handicap accessible spaces with one of the spaces being "van" handicap accessible. Landscaping and lighting shall also be constructed within the parking lot as per the previously approved parking plans;
4. 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;
5. The proposed structure(s) shall conform architecturally to the plans, elevations and color palette submitted as part of this Planned Commercial Development Plan;
6. The roof top mechanical equipment shall be screened from view along the front and side(s) of the buildings. In addition, the roof top mechanical equipment and the screening shall be camouflaged in color to match the color of the roof;
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,

STAFF REPORT
March 27, 2008

No. 08PD010 - Planned Commercial Development - Final Development Plan ITEM 65

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 75,615 square feet of retail space as a part of Phase Two of the Rushmore Crossing's "Soft Power District". In particular, the applicant has indicated that the commercial building will consist of eight 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.

Roof Top Units: The structural elevations show a parapet along the front of the building, which will screen the roof top equipment along the north elevation of the structure. Staff is

STAFF REPORT
March 27, 2008

No. 08PD010 - Planned Commercial Development - Final Development Plan ITEM 65

recommending that a parapet also be provided along the sides or ends of the building to also provide a screen along the east and west ends of the structure. In addition, staff is recommending that the roof top mechanical equipment and the screening be camouflaged in color to match the color of the roof.

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 341 parking spaces be constructed within 300 feet of the main entry into the building(s). In addition, 8 of the parking spaces must be handicap accessible spaces with one of the handicap spaces being "van" accessible. 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 March 27, 2008 Planning Commission meeting if these requirements have not been met.