

STAFF REPORT
July 24, 2008

**No. 08PD030 - Planned Commercial Development - Initial and Final ITEM 23
Development Plan**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Balzer, LLC
REQUEST	No. 08PD030 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Parcel A of the SE1/4 of the SW1/4, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.44 acres
LOCATION	2700 Jackson Boulevard
EXISTING ZONING	Office Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Low Density Residential District
East:	Office Commercial District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/26/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

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

1. The property shall be used as a funeral home. Any expansion of use or any other use of the property shall require a Major Amendment to the Planned Commercial Development;
2. 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

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- adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
3. Prior to issuance of a sign permit the applicant shall remove the two parking stalls located on City owned property or provide a revised plan demonstrating that the parking stalls are not located on City owned property;
 4. The landscape requirement is hereby waived until such time as the building is expanded or removed and a new structure is built on the subject property. At the time the building is expanded or removed and a new structure is built the subject property shall conform to all of the regulations of the district in which it is located; and,
 5. The Planned Commercial Development shall expire if the use has not commenced 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.

GENERAL COMMENTS: The applicant has submitted a Planned Commercial Development – Initial and Final Development Plan for the existing funeral home located at 2700 Jackson Boulevard.

On April 24, 2003 Planning Commission approved a Planned Development Designation (#03PD012) in conjunction with a corresponding Rezoning request and Comprehensive Plan Amendment request.

Section 17.50.050(D)(4)(b) of the Rapid City Municipal Code states that no building permits or sign permits may be issued to property included in a PDD until after a final development plan is approved. The applicant is now proposing to construct a new sign on the property requiring a sign permit. No additional expansion of the facility or change in use is proposed at this time.

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for planned developments identified in Section 17.50.060 of the Rapid City Municipal Code.

Signage: The applicant submitted a sign package for a monument with a brick base on the south side of the property. Staff noted that the proposed sign package appears to meet the minimum requirements of Section 15.28 of the Rapid City Municipal Code. Staff recommends that 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.

Landscaping: 17.40.080 of the Rapid City Municipal Code states that when an Office Commercial District is adjacent to a residential district, landscaping shall be provided as regulated in the landscape regulations. Fifty percent of the plant material shall be visible

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from the residential district whenever possible. 56,326 landscape points are required for the property per Section 17.50.300 of the Rapid City Municipal Code and currently there are 33,433 landscape points provided on the site. However, the building permit for the existing funeral home was issued in 1967 and as previously noted there is no proposed expansion of the facility or change in use of the property at this time. As such, staff recommends that this requirement be waived until such time as the building is expanded or removed and a new structure is built on the subject property. At the time the building is expanded or removed and a new structure is built the subject property shall conform to all of the regulations of the district in which it is located.

Parking: The Rapid City Municipal Code requires that 45 off-street parking stalls be provided for the proposed development. The applicant's site plan shows a total of 74 off-street parking stalls being provided. However, two of the stalls appear to be located on City owned property. As such, staff recommends that prior to issuance of a sign permit the applicant must remove the two parking stalls located on City owned property or provide a revised plan demonstrating that the parking stalls are not located on City owned property.

Notification Requirement: As of this writing, the sign has not been posted on the property and the certified mailings have not been returned. Staff will notify the Planning Commission at the July 24, 2006 Planning Commission meeting if the legal notification requirements have not been completed.