

STAFF REPORT  
August 7, 2008

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**No. 08PD031 - Major Amendment to a Planned Commercial Development**      **ITEM 41**

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GENERAL INFORMATION:

APPLICANT	Knights, LLC
AGENT	McCarthy Anderson, Inc.
PROPERTY OWNER	Knights, LLC
REQUEST	<b>No. 08PD031 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Lot A of Knights of Columbus Subdivision, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.7 acres
LOCATION	910 Fifth Street
EXISTING ZONING	Office Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Office Commercial District - High Density Residential District
South:	High Density Residential District
East:	High Density Residential District
West:	High Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/27/2008
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development be continued to the **August 21, 2008** Planning Commission meeting.

GENERAL COMMENTS:

**(Update, July 25, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 24, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the August 21, 2008 Planning**

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**Commission meeting.**

The applicant has submitted a Major Amendment to a Planned Commercial Development to revise the previously approved parking plan. In particular, the applicant is proposing to reduce the number of on-site parking spaces from 37 spaces to 33 spaces. In addition, the applicant is proposing to provide four additional parking spaces on an adjacent property.

On May 4, 2006, the Planning Commission approved an Initial and Final Planned Commercial Development (File #06PD023) to allow an assembly hall with offices within the existing structure on the subject property.

On November 9, 2006, the Planning Commission approved a Major Amendment to the Planned Commercial Development (File #06PD087) to expand the existing commercial structure and to allow office commercial use in the building, eliminating the assembly use that was previously approved. In particular, the Major Amendment to the Planned Commercial Development was approved with the following stipulations:

1. The structure shall be used for office(s). Any other use shall require a Major Amendment to the Planned Commercial Development;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. A minimum of 57,450 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;
4. The parking requirement is hereby reduced from 69 parking spaces to 37 parking spaces. Two of the parking spaces shall be handicap accessible with one of the handicap spaces being "van accessible". Any removal of the building in whole or part or any change in use shall require that additional parking be provided as per the City's adopted Off-Street Parking Ordinance;
5. The front yard setback is hereby reduced from 25 feet to 12.4 feet for the existing building. Any removal of the building in whole or part shall require that a minimum 25 foot front yard setback be provided;
6. The side yard setback is hereby reduced from 25 feet to .8 feet for the existing building. Any removal of the building in whole or part shall require that a minimum 25 foot side yard setback be provided;
7. The rear yard setback is hereby reduced from 25 feet to 7.7 feet for the existing building. Any removal of the building in whole or part shall require that a minimum 25 foot rear yard setback be provided;
8. A maximum lot coverage of 44% in lieu of 35% shall be allowed. Any removal of the building in whole or part shall require that a maximum 35% lot coverage be maintained;
9. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Initial and Final Planned Commercial Development. Any additional signage shall require a Major Amendment to the Planned Commercial Development;

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10. The dumpster shall be located as proposed on the site plan and shall be screened with an opaque screening fence;
11. All International Fire Codes shall be met. In particular, any change in use shall require that the building be sprinklered;
12. Prior to issuance of a building permit, the approach along 5<sup>th</sup> Street shall be widened from 16 feet to 20 feet to accommodate two way traffic or an Exception to the Street Design Criteria Manual shall be obtained; and,
13. The structure shall conform architecturally to the plans and elevations and color palette submitted as part of this Initial and Final Planned Commercial Development.

The property is located in the southeast corner of the intersection of 5<sup>th</sup> Street and Columbus Street. Currently, an office building is located on the property.

**STAFF REVIEW:**

Staff has reviewed the Major Amendment to the Planned Commercial Development and has noted the following considerations:

**Parking:** As noted above, on November 9, 2006, the Planning Commission approved a Major Amendment to the Planned Commercial Development to expand the existing structure and to reduce the minimum parking requirement from 69 spaces to 33 spaces. The applicant has indicated that upon completion of the expansion, physical constraints limited the number of on-site parking spaces to 33 in lieu of the previously approved 37 parking spaces. In addition, the applicant has indicated that four spaces will be provided on an adjacent property. However, a parking plan for the adjacent property has not been submitted for review and approval to determine if there are four additional parking spaces to be used by the applicant that meet the requirements of the Parking Regulations. As such, staff is recommending that the Major Amendment to the Planned Commercial Development be continued to allow the applicant to submit a parking plan for the adjacent property.

**Joint Use Agreement:** The applicant has submitted a Joint Use Agreement to allow shared parking on the adjacent property currently owned by Rapid City Columbian Club, Inc. The City Attorney's Office is currently reviewing the agreement. Staff will notify the applicant if any revisions are needed.

**Notification Requirement:** The receipts from the certified mailings have not been returned nor has the sign been posted on the property. As of this writing, staff has not received any calls or inquiries regarding this proposal.