

STAFF REPORT
August 21, 2008

**No. 08PD038 - Planned Industrial Development - Initial and Final ITEM 48
Development Plan**

GENERAL INFORMATION:

APPLICANT	Dennis and Darcy Torres
AGENT	Henriksen, Inc.
PROPERTY OWNER	Dennis and Darcy Torres
REQUEST	No. 08PD038 - Planned Industrial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 8 of Marlin Industrial Park, located in the NE1/4, Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.62 acres
LOCATION	2011 Marlin Drive
EXISTING ZONING	Heavy Industrial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Heavy Industrial District (Planned Development Designation)
South:	Heavy Industrial District (Pennington County)
East:	Heavy Industrial District (Planned Development Designation)
West:	Heavy Industrial District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

- 1. Prior to Planning Commission approval, revised elevations for the building shall be submitted for review and approval. In particular, the north, east and west side elevations of the building shall be revised to include architectural features be added to the structure such as wood, timber, decorative brick, decorative cornices,**

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- or decorative metal work;
2. Prior to Planning Commission approval, a revised landscape plan shall be submitted for review and approval. In particular, some trees shall be relocated to the north side of the property to provide a buffer between the development and the public right-of-way;
 3. Prior to Planning Commission approval, construction plans must be submitted for review and approval identifying the location of the proposed water and sewer service lines;
 4. Prior to Planning Commission approval, a revised plan shall be submitted for review and approval demonstrating the screening of the air handling units and trash receptacles;
 5. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 6. A complete Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more. In particular, the Air Quality Permit shall include the owner's signature, identify the local contractor, describe the location of the work area and include a site 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. A minimum of 7 parking spaces shall be provided and one of the parking spaces shall be a handicap "van accessible" space. All provisions of the Off-Street Parking Ordinance shall be continually met;
 9. The lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 10. The currently adopted International Fire Code shall be continually met;
 11. Prior to issuance of a building permit, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department;
 12. Prior to issuance of a building permit, a revised grading and drainage plan shall be submitted for review and approval;
 13. All provisions of the Heavy Industrial Zoning District shall be met unless an exception is specifically authorized as a stipulation of this Initial and Final Industrial Development Plan application or a subsequent Major Amendment; and,
 14. The Planned Industrial Development shall expire if the use is not undertaken 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

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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: (Update: August 13, 2008. All revised and/or added text is shown in bold). This item was continued to the August 21, 2008 Planning Commission meeting to allow the applicant to submit the required information. On August 12, 2008 staff met with the applicant to discuss the outstanding issues. As such, staff recommends that the Planned Industrial Development – Initial and Final Development Plan be approved with the stipulations noted above.

The applicant has submitted a Planned Industrial Development - Initial and Final Development Plan to construct a 7,700 square foot structure for a truck wash on the property. The property is located south of Marlin Drive and west of Creek Drive and is currently void of any structural development.

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 and has noted the following issues:

Building Permits: Staff noted that a building permit must be obtained prior to any construction and a certificate of occupancy obtained prior to occupancy.

Approaches: Staff noted that City Council approved an Exception (#08EX065) to allow a 40 foot wide approach in lieu of a 28 foot wide approach. However, the applicant is proposing to construct a gravel area in the front of the building along Marlin Drive that does not appear to be separated from the driving lanes. As such, staff is recommending this item be continued to allow the applicant to submit a revised site plan demonstrating a separation or barrier between the gravel areas and the driving lanes for review and approval.

On August 12, 2008 staff met with the applicant and they indicated that a revised landscape plan would be submitted to provide a barrier between the paved and gravel areas. As such, staff recommends that prior to Planning Commission approval, a revised landscape plan shall be submitted for review and approval.

Sewer: The applicant has not shown the locations of the proposed sewer service lines. Staff recommends that prior to Planning Commission approval, construction plans must be submitted for review and approval identifying the location of the proposed sewer service lines.

On August 12, 2008 staff met with the applicant and they indicated that a revised plan would be submitted identifying the location of the proposed sewer service lines. As such, staff recommends that prior to Planning Commission approval, a revised plan shall be submitted for review and approval identifying the location of the proposed sewer service lines.

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Water: The applicant has not shown the locations of the proposed water service lines. Staff recommends that prior to Planning Commission approval, a revised site plan must be submitted for review and approval identifying the location of the proposed water service lines.

On August 12, 2008 staff met with the applicant and they indicated that a revised plan would be submitted identifying the location of the proposed water service lines. As such, staff recommends that prior to Planning Commission approval, a revised plan shall be submitted for review and approval identifying the location of the proposed water service lines.

Grading and Drainage: The applicant has submitted a grading and drainage plan. However, the applicant has not provided spot elevations, contours or details on the proposed detention pond. As such, staff recommends that this item be continued to allow the applicant submitted a revised plan as identified for review and approval.

On August 12, 2008 staff met with the applicant and they indicated that additional grading and drainage information will be provided. As such, staff recommends that prior to issuance of a building permit, a revised grading and drainage plan shall be submitted for review and approval.

Design: The applicant has submitted elevations for the building identifying that the building is a one story structure approximately 23 feet in height with metal siding and a flat roof. The color scheme includes shades of brown. Staff noted that Elk Vale Road serves as a gateway to our community. As such, development of the site must enhance the entryway along Elk Vale Road. Staff recommends that architectural features be added to the structure such as wood, timber, decorative brick, decorative cornices, or decorative metal work. In addition, the applicant has not identified the color of the roof for the building to ensure that it is not white. The glare that is created from a white roof is highly visible from the adjacent streets and properties. In the past, the City has received complaints from motorists that white roofs create an unsightly glare in addition to negatively affecting the aesthetics of the City's entryways. As such, the Planning Commission has consistently required that an alternative roof color, such as beige, be used on roofs. The applicant has also not identified any screening for the rooftop equipment. Staff is recommending that this item be continued to allow the applicant to submit revised elevations including a color palette and building materials for the building and screening of the rooftop equipment for review and approval.

On August 12, 2008 staff met with the applicant and they indicated that a revised plan would be submitted to provide revised elevations including a color palette and building materials for the building and screening of the rooftop equipment. As such, staff recommends that prior to Planning Commission approval, a revised plan shall be submitted for review and approval providing revised elevations including a color palette and building materials for the building and screening of the rooftop equipment.

Screening: Staff noted that the applicant has not submitted a site plan demonstrating the

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screening of the dumpsters and exterior air handling units. As such, staff is recommending that this item be continued to allow the applicant to submit a revised site plan demonstrating the screening of the dumpsters and exterior air handling units for review and approval.

On August 12, 2008 staff met with the applicant and they indicated that a revised plan would be submitted to provide the required screening. As such, staff recommends that prior to Planning Commission approval, a revised plan shall be submitted for review and approval demonstrating the screening of the air handling units and trash receptacles.

Parking: The proposed development requires that a minimum of 7 parking spaces be provided. One of the parking spaces must be handicap "van accessible". The parking plan identifies 7 parking spaces with 1 handicap "van accessible" space. The parking plan for the property complies with the minimum requirements of the adopted Parking Regulations.

Lighting Plan: The site plan identifies lighting on the proposed building. Staff is recommending that lighting be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind. This is particularly important due to the proximity of the property to the Heartland Express.

Landscaping: A minimum of 150,423 landscaping points are required. The applicant has submitted a landscape plan identifying large trees and native grasses to be placed on the property. However, the landscape plan does not identify the types and sizes of all landscaping materials to be used as required per Section 17.50.300 of the Rapid City Municipal Code. In addition, no trees are being provided along Marlin Drive to provide a visual buffer of the property from the public right-of-way. As such, staff is recommending that this item be continued to allow the applicant to submit a revised landscape plan as identified for review and approval.

On August 12, 2008 staff met with the applicant and they indicated that a revised landscape plan would be submitted to provide the visual buffer. As such, staff recommends that prior to Planning Commission approval, a revised landscape plan shall be submitted for review and approval.

Signage: The applicant submitted a sign package identifying a 12 foot by 9 foot wall sign without an electronic reader board on the east side of the structure. No ground sign or pole sign was submitted as part of the sign package. 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

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shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). Staff is recommending that the currently adopted International Fire Codes be continually met.

Redline Comments: Staff is recommending that prior to issuance of a building permit, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

Notification Requirement: To date, the certified mailings have not been returned and the sign has not been posted on the property. Staff will notify the Planning Commission at the August 7, 2008 Planning Commission meeting if the legal notification requirements have not been met.