

STAFF REPORT  
August 21, 2008

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**No. 08PD041 - Planned Commercial Development – Initial and Final  
Development Plan**

**ITEM 10**

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GENERAL INFORMATION:

|                               |   |
|-------------------------------|---|
| APPLICANT                     | Century Development Co., Inc.   |
| AGENT                         | Bob Brandt  |
| PROPERTY OWNER                | Michael Wieseler  |
| REQUEST                       | <b>No. 08PD041 - Planned Commercial Development -<br/>Initial and Final Development Plan</b>            |
| EXISTING<br>LEGAL DESCRIPTION | Lot 2 of Huffman Subdivision, Section 32, T2N, R8E,<br>BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE                | Approximately 4.73 acres  |
| LOCATION                      | Southeast of the intersection of North Cambell Street and<br>East North Street                          |
| EXISTING ZONING               | General Commercial District   |
| SURROUNDING ZONING            |   |
| North:                        | General Commercial District   |
| South:                        | General Commercial District   |
| East:                         | General Commercial District   |
| West:                         | Light Industrial District - General Commercial District   |
| PUBLIC UTILITIES              | City Water/Sewer  |
| DATE OF APPLICATION           | 7/25/2008   |
| REVIEWED BY                   | Jared Ball / Ted Johnson  |

RECOMMENDATION:

Staff recommends that the Planned Commercial Development – Initial and Final Development Plan for Phase A and the the Initial Development Plan for Phase B and C be approved with the following stipulations.

1. Prior to Planning Commission approval of Phase A, the applicant shall obtain an exception to allow a driveway over the maximum allowed 28 feet in width;
2. Prior to Planning Commission approval, the applicant shall submit a revised sign package including elevations, dimensions, lighting and a list of building materials for Phase A for review and approval;
3. A minimum of 124, 386 landscaping points shall be provided for Phase A. The landscaping plan shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as

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- necessary;
4. A minimum of 140 parking spaces shall be provided for Phase A. Five of the spaces shall be handicap accessible with one of the handicap spaces being “Van” accessible. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
  5. The proposed structure shall conform architecturally to the plans and elevations submitted for Phase A. Any expansion to the use will require a Major Amendment to the Planned Commercial Development;
  6. The applicant shall submit dumpster screening elevations for review and approval for Phase A prior to the issuance of a building permit;
  7. All current adopted International Fire Codes shall be continually met. In addition, the building shall be fire sprinklered as per the International Fire Code and a building permit shall be obtained for the fire sprinkler system prior to installation;
  8. All outdoor lighting shall be reflected within the property boundaries so as to not 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;
  9. Prior to the initiation of construction, the applicant shall obtain an Erosion and Sediment Control Permit;
  10. Prior to construction, the applicant shall obtain a Building Permit and prior to occupancy the applicant must obtain a Certificate of Occupancy;
  11. Upon submittal of Final Commercial Development Plan for Phase C, a minimum of 62,474 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
  12. Upon submittal of Final Commercial Development Plans for Phase C, a minimum of 62 parking spaces shall be provided. Two of the spaces shall be handicap accessible with one of the handicap spaces being “Van” accessible. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met.
  13. Upon submittal of a Final Commercial Development Plan for Phase B and C, a complete site plan with structural elevations, landscaping plan, parking plan, lighting plan, sign package and elevations for dumpster screening shall be submitted for review and approval.
  14. The Phase A structure shall be used as a 5,989 square foot full service restaurant with on-sale liquor unless otherwise specifically authorized through subsequent Major Amendment to the Planned Commercial Development. In addition, a Final Planned Commercial Development shall be submitted for the uses in Phase B and C prior to the issuance of a building permit;
  15. 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 property is located on East North Street east of Cambell Street. The property is zoned General Commercial District. The properties to the north and south

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are zoned General Commercial District. The property to the east is zoned General Commercial District and the properties to the west are zoned Light Industrial District and General Commercial District. The Rapid City Planning Commission approved a Conditional Use Permit to Allow an On-Sale Liquor Establishment on July 24, 2008 for Phase A only. The applicant did not have enough information available to submit for the balance of the project to meet the requirements for submitting a Conditional Use for Phases B and C. The applicant has indicated that Phase A of the project will consist of a 5,989 square foot restaurant, 109 parking stalls and 124,386 landscaping points. Phase B of the project will consist of a 6,520 Square foot restaurant and Phase C will consist of a 6,189 square foot restaurant and 62,474 landscape points. The applicant is now requesting to have the project reviewed as a Planned Commercial Development so that they may obtain Initial Development Plan approval for Phase B and C at this time. Upon submittal of a Final Commercial Development Plan for Phase B and C, a complete site plan with structural elevations, landscaping plan, parking plan, lighting plan, sign package and elevations for dumpster screening shall be submitted for review and approval.

STAFF REVIEW: Staff has reviewed the Initial and Final Planned Commercial Development and has noted the following considerations:

Landscaping:

A landscaping plan has been submitted showing 188,420 landscaping points for the property, which exceeds the required 186,860 landscaping points. The applicant has indicated that the required 124,386 landscaping points for Phase A and B will be provided as part of phase A. The applicant has also indicated that the remaining 62,474 landscaping points required will be provided for Phase C. Staff recommends that the landscaping plan for Phase A comply with the proposed landscaping plan and that the applicant submit a complete landscaping plan for Phase C as part of the Final Planned Commercial Development application for Phase C.

Parking:

A parking plan has been submitted showing 207 parking stalls for the property, which exceeds the required 206 parking stalls. The applicant has indicated that the required 140 parking stalls for Phases A and B will be provided as part of Phase A. The applicant has also indicated that the remaining 62 parking stalls will be provided as part of Phase C. Staff recommends that the parking plan for Phase A comply with the proposed parking plan and that the applicant submit a complete parking plan for Phase C as part of the Final Planned Commercial Development application for Phase C.

Building Elevations:

The applicant submitted building elevations for Phase A as part of the Conditional Use Permit. The elevations that were submitted indicate that the restaurant to be constructed in Phase A will be a one story structure with a brick and rock façade. However, the applicant has not submitted elevations for Phase B or C. The applicant has indicated that he does not have enough information to submit elevations for the future Phases. As such, staff recommends that prior to Final Development Plan approval of Phase B and C the applicant submit building elevations including height and material for review and approval.

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Sign Package:

The applicant submitted two drawings of proposed signs to be located on the property with the Conditional Use Permit. However, the drawings did not include elevations, dimensions, lighting or a list of materials. Staff has concerns with the design of the signs to be located as an entry way into the community. Further, no wall mounted signs have been identified. As such, prior to Planning Commission approval, staff recommends that the applicant submit a revised sign package including elevations, dimensions, lighting and a list of building materials for Phase A for review and approval.

Sidewalk:

The plans that were submitted for this project do not show a sidewalk constructed along East North Street. The applicant should be aware that as part of the building permit process, the owner will be required to construct a sidewalk along East North Street.

Dumpster Elevations:

The plans that were submitted for this project did not include screening elevations for the dumpsters that will be located on the property. The applicant will be required to provide dumpster screening elevations for Phase B and C for review and approval prior to the issuance of a building permit. As such, staff recommends that the applicant submit screening elevations for the dumpsters to be located on the property as part of Phase B and C for review and approval upon submittal of a final Planned Commercial Development.

Driveway:

The plans that were submitted for this project identify a 49 foot wide driveway entrance to the property from East North Street. Prior to Planning Commission Approval the applicant must obtain an exception to allow a driveway over 28 feet in width.

Fire Department:

All current adopted International Fire Codes shall be continually met. In addition, the building shall be fire sprinklered as per the International Fire Code and a building permit shall be obtained for the fire sprinkler system prior to installation.

Outdoor Lighting:

All outdoor lighting shall be reflected within the property boundaries so as to not 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.

Erosion and Sediment Control:

Prior to the initiation of construction the applicant must obtain an Erosion and Sediment Control permit.

Building Permit:

Prior to construction, the applicant must obtain Building Permit and prior to occupancy the applicant must obtain a Certificate of Occupancy.

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Right-Of-Way:

Prior to construction the applicant must obtain a permit to Work in the Right-of-Way from the City of Rapid City.