

STAFF REPORT
September 4, 2008

No. 08PD043 - Planned Industrial Development - Final Development Plan

GENERAL INFORMATION:

APPLICANT	Upper Deck Architects, Inc.
AGENT	Mall Drive, LLC
PROPERTY OWNER	Kent R. Hagg
REQUEST	No. 08PD043 - Planned Industrial Development - Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 3 of Mall Drive Subdivision and Lot 1-B of Interstate 90 Heartland Business Park, located in the NW1/4 of the SE1/4 and the SW1/4 NE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.0 acres
LOCATION	North of Mall Drive and west of Dakota Craft Drive
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District (Planned Development Designation)
East:	General Commercial District (Planned Development Designation)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/25/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

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

- 1. Prior to Planning Commission approval of a Final Industrial Development Plan application, revised structural elevations and a complete building materials list and color palette for the structure, including the color of the roof, shall be**

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- submitted for review and approval. In particular, banding with alternate color schemes, cornices, arches, decorative brick work, decorative metal work, etc. could be incorporated into the design of the proposed building. In addition, the elevations shall show screening from all four sides of all roof top mechanical equipment;
2. Prior to Planning Commission approval of a Final Industrial Development Plan application, all outdoor display and sales areas shall be shown and paved;
 3. Prior to Planning Commission approval of a Final Industrial Development Plan application, the applicant shall submit the storage information for review and approval and no material on pallets shall be stored outside of the storage yard;
 4. Prior to Planning Commission approval of a Final Industrial Development Plan application, the applicant shall demonstrate that the structures and parking do not cover more than 75 percent of the lot area;
 5. Prior to Planning Commission approval of a Final Industrial Development Plan application, a drainage plan in compliance with the East Mall Drive Drainage Plan shall be submitted for review and approval. In particular, drainage calculations for the on-site storm sewer shall be submitted for review and approval. In addition, drainage easements shall be recorded as needed;
 6. Prior to Planning Commission approval of a Final Industrial Development Plan application, the location and size of all dumpsters shall be submitted for review and approval. In addition, elevations of the screening fence for the dumpsters shall be submitted for review and approval and shall include building material(s) and the proposed color palette;
 7. Prior to Planning Commission approval of a Final Industrial Development Plan application, the location, size and noise rating of all exterior air handling equipment shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
 8. Prior to Planning Commission approval of a Final Industrial Development Plan application, the location, the truck route through the site shall be identified and submitted for review and approval;
 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;
 10. Prior to issuance of a building permit the property shall be replatted in accordance with the Rapid City Municipal Code or a developmental lot agreement must be approved and recorded at the Pennington County of Register of Deeds office and the existing easements shall be vacated;
 11. Prior to issuance of a building permit a Fence Height Exception shall be obtained or the fence height shall be reduced to eight feet;
 12. Prior to issuance of a building permit the property shall be rezoned or the Planned Development shall be amended to comply with the Zoning Ordinance;
 13. Prior to issuance of a building permit, all redline comments made on the construction plans shall be addressed and resubmitted for review and approval. In

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- addition, the red lined drawings shall be returned to the Growth Management Department;
14. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 15. 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;
 16. A minimum of 75 parking spaces shall be provided. Four 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;
 17. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
 18. A minimum of 121,318 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;
 19. 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; and,
 20. 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.

GENERAL COMMENTS: (Update: August 27, 2008. All revised and/or added text is shown in bold). This item was continued to the September 4, 2008 Planning Commission meeting to allow the applicant to submit the required information.

The applicant has submitted a Final Industrial Development Plan to allow a retail structure on approximately three acres. The applicant has also submitted an Initial Industrial Development Plan(#08PD035), a Rezoning request (#08RZ028) from General Commercial to Light Industrial and a Comprehensive Plan Amendment (#08CA026) to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development for the property. The property is located west of Dakota Craft Drive and north of East Mall Drive and is currently void of any structural development.

STAFF REVIEW:

Staff has reviewed the Final Industrial Development Plan and has noted the following considerations:

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Platting: Staff noted that the proposed development is located on two lots. The structure will cross a common lot line and existing utility and drainage easements. Staff recommends that prior to issuance of a building permit the property must be replatted in accordance with the Rapid City Municipal Code or a developmental lot agreement must be approved and recorded at the Pennington County of Register of Deeds office and the existing easements must be vacated.

Zoning: As previously noted the applicant has submitted a Rezoning request (#08RZ028) from General Commercial to Light Industrial and a Comprehensive Plan Amendment (#08CA026) to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development to allow the proposed development. The Future Land Use Committee reviewed this item at their August 14, 2008 meeting and recommended approval of the Comprehensive Plan Amendment (#08CA026) to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development. As such, staff recommends that prior to issuance of a building permit the property must be rezoned.

On August 21, 2008 Planning Commission recommended approval of the associated Rezoning request (#08RZ028) and Comprehensive Plan Amendment (#08CA026). These items will be considered at the September 2, 2008 City Council meeting. As such, staff recommends that prior to issuance of a building permit the property must be rezoned.

Lot Coverage: Section 17.22.040 of the Rapid City Municipal Code states that main and accessory buildings and off-street parking and loading facilities shall not cover more than 75 percent of the lot area. In addition, storage areas must be paved. Staff is recommending that prior to Planning Commission approval, the applicant must demonstrate that the structures and parking do not cover more than 75 percent of the lot area and outdoor storage areas are paved.

Design Features: The applicant has submitted structural elevations for the proposed development demonstrating a one-story structure constructed with concrete masonry blocks in an earth tone color, galvanized metal, and red trim. However, the elevations do not show screening for all roof top mechanical equipment and the color of the roof. In addition, the applicant agreed at the August 14, 2008 Future Land Use Committee to provide additional banding and masonry construction along the east side of the structure. As such, staff recommends that this item be continued to the September 4, 2008 Planning Commission meeting to allow the applicant to submit revised elevations for review and approval.

On August 27, 2008 the applicant indicated that revised elevations would be submitted demonstrating the additional banding and masonry construction along the east side of the structure and the screening of all roof top mechanical equipment. As such, staff is recommending that prior to Planning Commission approval, revised elevations must be submitted for review and approval.

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Approaches and Drive Lanes: Staff noted that the proposed approaches on East Mall Drive exceed the maximum width for an approach to a commercial site. Staff noted that the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant shall obtain an exception to the Rapid City Street Design Criteria Manual. As such, staff recommends that prior to issuance of a building permit the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant must obtain an exception to the Rapid City Street Design Criteria Manual. In addition it appears that the driveway along the north end of the property does not meet the minimum width for a two-way drive lane. As such, staff is recommending that prior to Planning Commission approval, a revised site plan in compliance with the Rapid City Street Design Criteria Manual be submitted for review and approval.

On August 18, 2008 the applicant demonstrated that the approaches will not exceed 28 feet in width as per the Rapid City Street Design Criteria Manual. In addition, the applicant indicated that the north driveway will be signed for one-way traffic only.

Parking: The proposed 19,188 square foot retail store as shown requires that a minimum of 95 parking spaces be provided with 4 of the parking spaces must be handicap accessible with one of the spaces being "van accessible". As such, staff is recommending that prior to Planning Commission approval, a complete parking plan in compliance with the Parking Regulations be submitted for review and approval. In addition, loading dock areas and the truck route through the site must be identified and submitted for review and approval. In particular, the applicant must demonstrate screening of the loading dock from East Mall Drive.

On August 18, 2008 the applicant demonstrated that 62 parking stalls would be required for the facility based on the requirements of Section 17.50.270 of the Rapid City Municipal Code. The applicant is proposing to provide 75 parking stalls with 4 of the parking spaces being handicap accessible with one of the spaces being "van accessible".

Signage: The applicant submitted a sign package with a 38 foot high pole sign on the south side of the property and wall signs on the building. 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: A minimum of 111,492 landscaping points are required. The applicant's site plan

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identifies that 121,318 landscape points are being provided within the developed area which exceeds the minimum requirements of the Landscape Regulations.

Lighting Plan: A complete lighting package was submitted identifying the design of the proposed lighting was submitted for review and approval. The lighting must 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.

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). The Fire Department has also indicated that prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. Staff is recommending that all current adopted International Fire Codes be continually met.

Air Quality Permit: Staff noted that an Air Quality Permit must be obtained prior to any surface disturbance of one acre or more.

Dumpster: Prior to Planning Commission approval, the location and size of all dumpsters must be submitted for review and approval. In addition, the dumpsters must be screened and elevations of the screening fence must be submitted for review and approval.

Fence Height: The applicant is proposing a 12 foot high fence around the storage area. Staff noted that a fence shall not exceed eight feet in height in an industrial development as per Chapter 15.40.040 of the Rapid City Municipal Code. As such, staff recommends that prior to issuance of a building permit a Fence Height Exception must be obtained.

Display and Storage Areas: Staff noted that all storage areas must be paved. In addition, the applicant agreed during the August 14, 2008 Future Land Use Committee to provide a list of materials proposed to be stored in the outside display areas. As such, staff recommends that **prior to Planning Commission approval of a Final Industrial Development Plan application, the applicant shall submit the storage information for review and approval and no material on pallets shall be stored outside of the storage yard.**

Air Handling Equipment: Prior to Planning Commission approval, the location, size and noise rating of any exterior air handling equipment must be submitted for review and approval. In addition, the equipment must be screened from all adjacent properties, including rooftop equipment.

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.

Legal Notification Requirement: To date, the receipts from the certified mailings have not been

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returned but the sign has been posted on the property. As of this writing, staff has not received any calls or inquiries regarding this proposal.

Staff recommends that this item be continued to the September 4, 2008 Planning Commission meeting to allow action to be taken on the associated Rezoning and Comprehensive Plan Amendment and to allow the applicant to submit the required information.

Staff recommends that this item be approved with the above stated stipulations.