

STAFF REPORT
September 25, 2008

No. 08PD048 - Major Amendment to a Planned Commercial Development ITEM 40

GENERAL INFORMATION:

APPLICANT	Black Hills Surgery Center
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	Black Hills Surgery Center
REQUEST	No. 08PD048 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Lot 2 of Tract A of Minnesota Ridge Subdivision, located in the NW1/4 of the SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.94 acres
LOCATION	4015 Fifth Street
EXISTING ZONING	Office Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Office Commercial District
South:	Office Commercial District (Planned Commercial Development)
East:	Low Density Residential District
West:	Medium Density Residential District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/29/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development be approved with the following stipulations:

1. Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval demonstrating the required five handicap stalls on site or the applicant shall demonstrate that the required number of stalls are provided at an alternative location;
2. Prior to Planning Commission approval, a revised landscape plan shall be submitted for review and approval demonstrating the required 84,506 landscape points and landscape

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- islands are provided as per Section 17.50.300 of the Rapid City Municipal Code;
3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 4. The lighting plan shall comply with Section 17.50.270 of the Rapid City Municipal Code;
 5. All signage conform to the design, color and location as shown in the previous sign package submitted as a part of the Initial and Final Planned Commercial Development;
 6. All applicable provisions of the International Fire Code shall be continually met;
 7. If the area of disturbance exceeds one acre, an Air Quality Permit shall be obtained prior to issuance of a building permit;
 8. A sign permit must be obtained prior to installation of any signage;
 9. The requirement of a screening fence per Section 17.40.070 of the Rapid City Municipal Code is hereby waived as part of this Major Amendment to a Planned Commercial Development;
 10. All currently adopted International Fire Codes shall be continually met;
 11. Prior to issuance of a building permit, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval; and,
 12. 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 Major Amendment to a Planned Commercial Development. The property is located southwest of the intersection of 5th Street and Anamaria Drive.

On April 10, 2008 Planning Commission approved a Planned Commercial Development – Initial and Final Development Plan (#08PD011) for the property with the following stipulations:

1. Prior to Planning Commission approval, new surety shall be posted for the sidewalk or the sidewalk shall be installed, inspected and accepted;
2. Prior to Planning Commission approval, a lighting plan shall be provided per Section 17.50.270 of the Rapid City Municipal Code;
3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
4. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
5. The landscape plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;
6. All applicable provisions of the International Fire Code shall be continually met;
7. If the area of disturbance exceeds one acre, an Air Quality Permit must be obtained prior to issuance of a building permit;
8. A sign permit must be obtained prior to installation of any signage;
9. 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.

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The applicant is now requesting approval of a Major Amendment to a Planned Commercial Development to revise the parking, landscaping and screening requirements of the previously approved Planned Commercial Development. A parking lot is currently being constructed on the property.

STAFF REVIEW:

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

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

Signage: Staff is recommending that all signage conform to the design, color and location as shown in the previous sign package submitted as a part of the original Planned Commercial Development.

Parking: The applicant's site plan proposes the construction of 80 parking stalls for Phase I of the project and 50 additional parking stalls for Phase II of the project for a total of 130 parking stalls for the proposed project. The entire project is anticipated to be completed within 36 months. Section 17.50.270 of the Rapid City Municipal Code requires that five handicap parking stalls be provided and none are indicated on the site plan. As such, staff recommends that prior to Planning Commission approval a revised site plan be submitted for review and approval demonstrating the required handicap stalls on site or the applicant must demonstrate that the required number of stalls are provided at an alternative location.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires 84,506 landscape points to be provided for the proposed development. In addition, landscape islands are required for a parking lot with 50 or more parking stalls. The applicant has requested to reduce the required number of landscape points for the development from 84,506 to 63,000 and to remove the required landscape islands. Staff noted that the purpose of the Landscape Regulations is to provide for the orderly, safe, healthful, attractive development of the area within the city and to promote the health, safety and general welfare of the community. In addition, some of the objectives of the Landscape Regulations are to enhance the environmental and aesthetic conditions which exist in the Black Hills area, to reduce heat and noise, and to reduce glare of sunlight from parking lot pavements. As such, staff recommends that prior to Planning Commission approval a revised landscape plan must be submitted for review and approval demonstrating the required number of landscape points and landscape islands as per Section 17.50.300 of the Rapid City Municipal Code.

Fire: Staff is recommending that all currently adopted International Fire Codes be continually met.

Lighting: Section 17.50.270 requires that lighting be provided for all parking areas when evening usage is anticipated. Staff recommends that the lighting plan comply with Section

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17.50.270 of the Rapid City Municipal Code.

Screening: Section 17.40.070 requires a five foot to six foot opaque ornamental screening fence along the adjacent property lines when an Office Commercial District is adjacent to the rear yard of a residential district. The west lot line is adjacent to the rear yard of a Medium Density Residential District. The applicant has requested to waive the requirement of the screening fence. Staff noted that because of the change in topography and the distance of the parking lot from the residential district, the required fencing would not aid in the screening of the parking lot. As such, staff recommends that the request to waive the requirement of a screening fence per Section 17.40.070 of the Rapid City Municipal Code be approved.

Stormwater Management Plan: The City Council has adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to issuance of a building permit, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

Notification Requirement: As of this writing, the receipts from 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 September 25, 2008 Planning Commission meeting if the notification requirements have not been met.