

STAFF REPORT
November 20, 2008

**No. 08PD053 - Planned Commercial Development - Initial and Final
Development Plan**

ITEM 11

GENERAL INFORMATION:

APPLICANT	Chad Carpenter
AGENT	ARC International, Inc.
PROPERTY OWNER	Chad Carpenter
REQUEST	No. 08PD053 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 1, 2 and 3 of Block 3 of Stoney Creek South Subdivision, Section 22, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.12 acres
LOCATION	5610 Bendt Drive
EXISTING ZONING	Office Commercial District
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	Low Density Residential District (Planned Development Designation)
East:	Low Density Residential District (Planned Development Designation)
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/26/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

- 1. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan;**
- 2. The air handling units and dumpsters shall be located in compliance with the proposed plan and screened along all four sides;**
- 3. The currently adopted International Fire Code shall be continually met. In**

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- 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);
4. 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;
 5. 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 addition, the red lined drawings shall be returned to the Growth Management Department;
 6. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 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 24 parking spaces shall be provided with one of the parking spaces being handicap "van accessible". In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
 9. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
 10. A minimum of 101,320 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;
 11. 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,
 12. The Planned Commercial 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, November 12, 2008. All revised and/or added text is shown in bold print.) This item was to be heard at the November 6, 2008 Planning Commission Meeting. However, due to inclement weather, the Planning Commission was unable to meet. Staff is recommending that this item be approved with the stipulations of approval as noted above.

The applicant has submitted an Initial and Final Commercial Development Plan to allow a professional and medical/dental office building to be located on the above legally described property. In addition, the applicant has indicated that a future structure will be proposed on

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the northern portion of the property as a part of Phase Two of the development and that a Major Amendment to the Planned Commercial Development must be submitted for review and approval for Phase Two once the design plans are completed.

The property is located south of Catron Boulevard and east of Bendt and is currently void of any structural development.

STAFF REVIEW:

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

Platting: Staff noted that the proposed development is located on three 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.

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

Design Features: The applicant has submitted building elevations of the commercial structure identifying that the proposed building will be two stories in height. The building will be constructed with brick, wood, stone, glass and EFS and be earth tone in color.

Land Use: The applicant has submitted the following of proposed uses within the commercial structures: medical and professional offices. Staff is recommending that the following uses be allowed: professional office and medical facility uses. The addition of a future building and/or any other use or change in use will require a Major Amendment to the Planned Commercial Development.

Signage: Staff noted that a sign package was submitted with the application showing wall signs located on the building totaling 149 square feet in size with no electronic signs or reader boards and ground signs totaling 260 square feet in size with no electronic signs or reader boards.

Staff recommends that all signage 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, may 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 must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

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Landscaping: A minimum of 45,854 landscaping points are required. The applicant's site plan identifies that 101,320 points are being provided. In addition, there are numerous existing trees that provide a buffer between the proposed commercial development on the property and the future residential development to the east. The plan appears to comply with all applicable requirements of Section 17.50.300 of the Rapid City Municipal Code. Staff recommends that a minimum of 101,320 landscaping points must 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.

Parking: The proposed use(s) require that a minimum of 24 parking spaces be provided. In addition, one of the parking spaces must be handicap accessible and be "Van" accessible. The applicant's site plan identifies 25 parking spaces with one handicap accessible space. The plan appears to comply with all applicable requirements of Section 17.50.270 of the Rapid City Municipal Code. Staff is recommending that the parking lot be constructed and maintained in compliance with the parking plan submitted as a part of this application and Section 17.50.270 of the Rapid City Municipal Code.

Lighting: Section 17.50.270 requires that lighting be provided for all parking areas when evening usage is anticipated. The lighting must be arranged so as to provide security and to reflect light toward the parking areas. The proposed lighting plan meets the minimum requirements of Section 17.50.270 of the Rapid City Municipal Code.

Fire: The Fire Department has indicated that all International Fire Codes must be met as a part of the design standards for the development. In particular, fire hydrants must be in place and operational prior to or in conjunction with building construction. In addition, the grades and location of access drives and/or streets must comply with the City Street Criteria Manual and the International Fire Code. The Fire Department has also indicated that an address must be posted on the site prior to or in conjunction with building construction. Staff is recommending that all International Fire Codes be continually met.

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.

On October 27, 2008 the applicant submitted plans and elevations of the dumpsters demonstrating the location and screening as required above.

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.

On October 27, 2008 the applicant submitted additional information on the air handling units demonstrating the location, size and noise rating and that the equipment is adequately screened from all adjacent properties.

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Drainage: As part of the Planned Commercial Development application, a grading plan and a drainage plan for all improved areas must be submitted for review and approval. The drainage plan must demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. In addition, geotechnical report showing soil resistivity tests must be submitted for review and approval. Staff is recommending that this item be continued to the November 6, 2008 Planning Commission meeting to allow the applicant to submit the required information.

On October 27, 2008 the applicant submitted a grading and drainage plan and geotechnical report for review and approval addressing all the issues outlined above.

Stormwater Management Plan: The City Council has recently 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 this item be continued to the November 6, 2008 Planning Commission meeting to allow the applicant to submit an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval.

On October 27, 2008 the applicant submitted an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual.

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: The receipts from the certified mailings have been returned and the sign has been posted on the property. As of this writing, staff has not received any calls or inquiries regarding this proposal.