

STAFF REPORT
December 18, 2008

No. 08PD061 - Planned Commercial Development - Initial and Final Development Plan **ITEM 41**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Midland Rushmore, LLC
REQUEST	No. 08PD061 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 4 of Block 3 of Rushmore Crossing, located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.41 acres
LOCATION	South of I-90 and north of Eglin Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/21/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. Prior to the Planning Commission approval, revised elevations shall be submitted for review and approval. In particular, the brown banding located along the top of the building shall be extended through the recessed cove area along the rear of the building. In addition, tan columns shall be added to the recessed cove area along the rear of the building similar to the tan columns used on the balance of the building;
2. Prior to submittal of an Initial and Final Commercial Development Plan for Lots 5 thru 9 of Block 3 of Rushmore Crossing, a Planned Development Designation or an Initial Commercial Development Plan shall be submitted for review and approval which include all of the lots to ensure design conformity and to coordinate access and drainage

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- between the lots;
3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 4. Prior to issuance of a building permit, the sign easement located in the northern portion of the lot shall be vacated;
 5. Prior to issuance of a building permit, an Erosion and Sediment Control Plan shall be submitted for review and approval. The Erosion and Sediment Control Plan shall include a complete Erosion and Sediment Control Permit Application with narrative in the plan set and incorporating the Erosion and Sediment Control measures into the site plan;
 6. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Development Service Center Division;
 7. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
 8. The proposed structure shall conform architecturally to the plans and elevations and color palette approved as part of this Commercial Development Plan;
 9. A minimum of 129 parking spaces shall be provided. In addition, five of the parking spaces shall be handicap accessible spaces. One of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;
 10. 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;
 11. All fencing shall conform architecturally to the proposed elevations, color palette and design plans submitted as part of this Initial and Final Planned Commercial Development;
 12. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way to preclude creating a hazard to the passing motorist or constituting a nuisance of any kind;
 13. The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;
 14. All currently adopted International Fire Codes shall be met;
 15. A minimum of 88,020 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;
 16. The Planned Commercial Development shall be used as office, retail and storage. In addition, a maximum 4,850 square foot restaurant area shall be allowed. Any expansion of the restaurant area or the addition of an on-sale liquor use to the site or any other change in use shall require the review and approval of a Major Amendment to the Planned Commercial Development;
 17. All provisions of the General Commercial District shall be met unless an exception is

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- specifically authorized as a stipulation of this Initial and Final Commercial Development Plan or a subsequent Major Amendment; and,
18. 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 Commercial Development Plan approval expiration date, a one year extension for Final Commercial Development Plan approval may be granted.

GENERAL COMMENTS:

The applicant has submitted an Initial and Final Commercial Development Plan to allow for the construction of a 20,165 square foot commercial structure on the property. In addition, the applicant has submitted a Vacation of a Sign Easement request (File #08VE029) to vacate a previously recorded sign easement located in the northern portion of the property.

The property is located south of Interstate 90 and north of Eglin Street and is a part of the Rushmore Crossing development. Currently, the lot is void of any structural development.

STAFF REVIEW:

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

Design Features: The applicant has submitted an elevation of the proposed building identifying a one story structure with a parapet. The applicant has indicated that the building will be constructed with brick, Exterior Insulation and Finish System (EIFS), concrete masonry unit, cultured stone and synthetic stucco. The building colors will be shades of brown and beige with colored canvas awnings. In addition, the roof will be a light tan or light gray in color. The applicant has also submitted line of sight drawings demonstrating that the roof top units are screened by the parapet.

The overall design of the building appears to be consistent with the established design standards used within the Rushmore Crossing development. However, as noted during the review for "Furniture Row", the buildings along the north side of Eglin Street abut Interstate 90 and, as such, the northern elevation of each building must include store front features.

The majority of the north elevation of this building abutting Interstate 90 currently includes banding and columns similar to the front design of the building, with the exception of the recessed cove. Extending the brown banding along the top of the building into the recessed cove and adding a few tan columns into the recessed cove similar to the tan columns used on the balance of the building will provide a store front finish to the northern elevation.

On December 10, 2008, the applicant submitted an e-mail indicating that revised elevations would be submitted for review and approval as noted above. As such, staff is recommending that prior to Planning Commission approval, revised elevations be submitted

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for review and approval as identified.

Parking: The applicant has submitted a floor plan showing that the 20,165 square foot commercial structure will include 15,110 square foot office and retail area, 205 square foot storage area and a maximum of 4,850 square foot restaurant area. Based on the proposed use(s), a minimum of 129 parking spaces must be provided. Five of the parking spaces must be handicap accessible with one of the spaces being "van accessible". The parking plan identifies 129 parking spaces with six handicap accessible spaces. In addition, one of the handicap spaces is "van accessible".

Staff recommends that a minimum of 129 parking spaces be provided as required. In addition, five of the parking spaces must be handicap accessible spaces. One of the handicap spaces must be "van accessible". All provisions of the Off-Street Parking Ordinance must be continually met.

Signage: The applicant has submitted a sign package showing the maximum dimension of future wall signs to be located on the exterior walls of the building. Even though the tenant information is not shown, it appears that the location and size of the signage is in compliance with the Sign Code. The sign package also shows two monument signs located along the front of the property as it abuts Eglin Street. The monument signs measure 4.6 feet high by 8 foot wide, each, and are shown to be constructed with brick, concrete masonry unit and Exterior Insulation and Finish System (EIFS). The applicant has indicated that the monument signs will provide campus signage for the commercial building.

Staff is recommending that all signage conform to 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 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.

Landscaping: A minimum of 84,663 landscaping points are required. The applicant's landscaping plan identifies that 88,020 points are being provided. In particular, the landscaping plan shows a row of evergreen trees along the north lot line of the property to serve as a buffer between the parking lot and Interstate 90. In addition, six landscape islands are being provided within the parking lot area to break up the large spans of pavement.

Staff is recommending that the landscaping comply with the proposed landscaping plan. The landscaping plan must also comply with all requirements of the Zoning Ordinance. In addition, all landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Fire: The Fire Department has indicated that all International Fire Codes must be met as a part

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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. The Fire Department staff has also indicated that the structures must be fully fire sprinklered. 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. An all weather drivable surface must be in place prior to any building construction on the site. The Fire Department has also indicated that an address must be posted on the site prior to or in conjunction with building construction. Staff recommends that all International Fire Codes be continually met.

Planned Development: A majority of the area known as Rushmore Crossing is currently zoned General Commercial District with a Commercial Development Plan and/or a Planned Development Designation. However, five lots located in the northeast corner of the development are currently zoned General Commercial District with no Planned Development Designation.

During previous meetings and discussions with the developers of Rushmore Crossing, staff has noted that upon any development within this phase of Rushmore Crossing, a Planned Development Designation and/or an Initial Commercial Development Plan must be submitted for review and approval which includes these five lots to ensure design conformity and to coordinate access and drainage between the properties. In addition, it was noted that the Commercial Planned Development will serve as a tool to ensure design conformity and to coordinate access points along Eglin Street with the balance of the Rushmore Crossing Development.

On November 21, 2008, the applicant submitted this application for review and approval. To date, the applicant has not submitted a Planned Development Designation and/or Initial Commercial Development Plan that includes all of the five lots within this area. As such, staff recommends that prior to submittal of an Initial and Final Commercial Development Plan for the balance of the lots, or Lots 5 thru 9 of Block 3 of Rushmore Crossing, a Planned Development Designation or an Initial Commercial Development Plan must be submitted for review and approval which include all of the lots to ensure design conformity and to coordinate access and drainage between the lots.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned. Staff will notify the Planning Commission at the December 18, 2008 Planning Commission meeting if this requirement has not been met. Staff has not received any calls or inquires regarding this proposal.