

STAFF REPORT  
January 22, 2009

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**No. 08PD012 - Planned Industrial Development - Initial and Final Development Plan**      **ITEM 51**

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GENERAL INFORMATION:

APPLICANT	West River Electric Association
AGENT	Lee Geiger for Geiger Architecture
PROPERTY OWNER	James J. Pahl
REQUEST	<b>No. 08PD012 - Planned Industrial Development - Initial and Final Development Plan</b>
EXISTING LEGAL DESCRIPTION	Lots 1 and 2 of WREA Subdivision, located in the NW1/4 NE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 13.5 acres
LOCATION	3250 East Highway 44 and 3454 Twilight Drive
EXISTING ZONING	Light Industrial District (Planned Industrial Development)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District
East:	Suburban Residential District (Pennington County)
West:	Suburban Residential District - General Commercial District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

- 1. Prior to Planning Commission approval, the applicant shall submit written documentation identifying that Rapid Valley Sanitary District agrees to the construction of a 12 inch water main and three new fire hydrants in order to provide adequate commercial and fire flows to the proposed development;**
- 2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 3. Prior to issuance of a building permit, an Erosion and Sediment Permit shall be**

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- obtained;
4. Prior to issuance of a building permit, the applicant shall sign a developmental lot agreement;
5. 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;
6. Prior to the start of construction, a Floodplain Development Permit shall be obtained for any work within the Federally Designated 100 year Floodplain located in the northern portion of the property, if applicable;
7. A Permit to Work in the Right-of-way shall be obtained prior to the start of any construction in the street rights-of-way;
8. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
9. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of the Industrial Development Plan;
10. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Industrial 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 Industrial 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 Industrial 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 dumpsters 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 776,050 landscaping points shall be provided. In addition, the landscaping shall be designed to reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot and shall be planted with the specific size and plant material proposed. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
16. A minimum of 194 parking spaces shall be provided. In addition, six 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. Any other use of the 20,696.4 square foot storage area proposed on the second floor shall require that a Major Amendment to the Planned Industrial Development be obtained. In addition, additional parking shall be provided for the use as needed;
17. The use within the Planned Industrial Development shall be as an administrative

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- office with meeting rooms, warehouse units and an outdoor storage area. No poles shall be stored within the outdoor storage area. Any other use shall require a Major Amendment to the Planned Industrial Development. In addition, the construction of a communication tower on the property shall require a Major Amendment to the Planned Industrial Development;
18. All provisions of the Light Industrial District shall be met unless an exception is specifically authorized as a stipulation of this Initial and Final Industrial Development Plan or a subsequent Major Amendment; and,
19. The Planned Industrial 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 Industrial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Industrial Development Plan approval expiration date, a one year extension for Final Industrial Development Plan approval may be granted.

GENERAL COMMENTS:

(Update, January 13, 2009. All revised and/or added text is shown in bold print.) This item was continued at the December 12, 2008 Planning Commission meeting to allow the applicant to submit additional information. On January 8, 2009, the applicant submitted a revised site plan, a revised landscaping plan, a revised parking plan and additional fire flow data. Staff has reviewed the information as outlined in the balance of this report.

(Update, December 5, 2008. All revised and/or added text is shown in bold print.) This item was continued at the November 20, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. The applicant has subsequently requested that this item be continued to the January 22, 2009 Planning Commission meeting to allow them to submit the additional information.

(Update, November 7, 2008. All revised and/or added text is shown in bold print.) This item was continued at the October 23, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the November 20, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, October 10, 2008. All revised and/or added text is shown in bold print.) This item was continued at the October 9, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the October 23, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, September 11, 2008. All revised and/or added text is shown in bold print.) This

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item was continued at the September 4, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the September 25, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, August 22, 2008. All revised and/or added text is shown in bold print.) This item was continued at the August 21, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the September 4, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, August 8, 2008. All revised and/or added text is shown in bold print.) This item was continued at the August 7, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the August 21, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, July 25, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 24, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the August 21, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, July 11, 2008. All revised and/or added text is shown in bold print.) This item was continued at the July 10, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the required information has not been submitted for review and approval. Staff will notify the Planning Commission at the August 7, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, June 27, 2008. All revised and/or added text is shown in bold print.) This item was continued at the June 26, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the information has not been submitted for review and approval. Staff will notify the Planning Commission at the July 10, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, June 13, 2008. All revised and/or added text is shown in bold print.) This item was continued at the June 5, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the information has not been submitted for review and approval. Staff will notify the Planning Commission at their June 26, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, May 26, 2008. All revised and/or added text is shown in bold print.) This item was continued at the May 22, 2008 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the information has not been submitted for

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review and approval. Staff will notify the Planning Commission at their June 5, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, May 9, 2008. All revised and/or added text is shown in bold print.) This item was continued at the May 8, 2008 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. Staff will notify the Planning Commission at their May 22, 2008 Planning Commission meeting if the stipulations of approval have been met.

(Update, April 25, 2008. All revised and/or added text is shown in bold print.) This item was continued at the April 24, 2008 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. Staff will notify the Planning Commission at their May 8, 2008 Planning Commission meeting if the stipulations of approval have been met.

The applicant has also submitted an Initial and Final Industrial Development Plan to allow an office administration building with meeting rooms, warehouse units, an outdoor storage area and an antenna tower to be constructed on the subject property.

On January 26, 2006, the Planning Commission approved an Initial Light Industrial Development Plan (#05PD086) to allow an office building with outdoor storage, warehousing and an antenna tower to be constructed on the subject property. However, two years has lapsed since the approval and, subsequently, the Initial Light Industrial Development Plan has expired. As such, the applicant has submitted this application for review and approval.

The property is located in the northwest corner of the intersection of S.D. Highway 44 and Twilight Drive. Currently, an office building and several accessory buildings are located on the property.

**STAFF REVIEW:**

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

**Design Features:** The applicant has submitted elevations of the proposed office administration building identifying that the structure is two stories with a parapet. In addition, the applicant has submitted an elevation of the proposed generator building to be constructed along Elk Vale Road identifying the structure as a one story building. Both buildings will be constructed of pre-cast concrete panels with a raked finish and horizontal accent panels. The structures will also have blue reflective glass set in aluminum frames. Staff is recommending that the proposed structure(s) conform architecturally to the plans, elevations and color palette submitted as part of this Planned Industrial Development Plan.

The site plan shows a 70 foot tower located along Elk Vale Road and two future warehouse structures located in the northern portion of the property. To date, elevations of the tower and warehouse structures have not been submitted for review and approval. As such, staff is recommending that prior to Planning Commission approval, structural elevations with a

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complete list of building materials and color palette for the two proposed warehouse buildings and the tower be submitted for review and approval or a Major Amendment to the Planned Industrial Development is required prior to constructing the buildings and prior to allowing the tower on the property.

**(Update: January 13, 2009.) The applicant has submitted elevations of the two future warehouse structures showing that the buildings will be one story structures with metal siding and pre-finished metal trim. In addition, the warehouse structures will be light gray with a light gray roof and a darker gray trim. The landscaping proposed between the warehouses and the residential development located east of this site will serve as a buffer between the use(s). Staff is recommending that the proposed structure(s) conform architecturally to the plans, elevations and color palette submitted as part of this Planned Industrial Development Plan.**

**The applicant has also indicated that they have not committed to the actual design of the proposed communication tower to be constructed on the site. As such, staff recommends that a Major Amendment be submitted for review and approval once the applicant has completed the design plans for the communication tower.**

Portable Storage Units: The applicant has indicated that three portable storage units will be relocated on the property. However, the future location of the units has not been identified. As such, staff is recommending that prior to Planning Commission approval, the site plan be revised to show the location of the three portable storage buildings or a Major Amendment to the Planned Industrial Development is required to relocate the buildings on the property in the future.

**(Update: January 13, 2009.) The revised site plan shows that the portable storage units have been removed from the proposed development.**

Outdoor Storage: During the review of the previously approved Initial Industrial Plan, the applicant was put on notice that upon Final Planned Industrial Development submittal, a detailed list of materials to be stored outside must be submitted for review and approval. The applicant has indicated that no poles will be stored outside but a detailed list of materials has not been submitted for review and approval. As such, staff is recommending that prior to Planning Commission approval, a detailed list of all material to be stored in the outdoor storage area be submitted for review and approval.

**(Update: January 13, 2009.) The applicant has submitted a list of outdoor storage materials identifying that the following will be stored on the property within the designated storage area: trailers, transformers, transformer bases, underground cabinets and bases, underground switchgear, cross arms, street light arms, 6 inch conduit, wire on wooden reels and a large trash dumpster.**

**Staff recommends that the outdoor storage area be used to store the materials as listed above. In addition, staff is recommending, with the applicant's concurrence, that no poles be stored on the property due to the aesthetic impact.**

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Parking: The applicant has submitted a parking plan identifying that a minimum of 144 parking spaces are needed for the proposed use(s) within the office administration building. In addition, the applicant has submitted a site plan showing 165 parking spaces are being provided. However, several areas of the office administration building have not been included in the parking requirement calculation. In particular, the employee lounge area, foyers, restrooms, stairwells, mechanical equipment area and the second floor office area have not been included. As such, staff is recommending that prior to Planning Commission approval, a revised parking plan be submitted for review and approval identifying all of the proposed use(s) and parking for each of the uses within the office administration building. In addition, the site plan must be revised to provide additional parking if needed.

**(Update: January 13, 2009.) The applicant has submitted a revised site plan identifying all of the proposed uses and parking for each use. In particular, the parking plan identifies that 194 parking spaces are needed and that 195 parking spaces are being provided.**

**Staff recommends that a minimum of 194 parking spaces be provided. In addition, six 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. Any other use of the 20,696.4 square foot storage area proposed on the second floor of the building will require that a Major Amendment to the Planned Industrial Development be obtained. In addition, additional parking must be provided for the use as needed.**

Landscaping: The applicant has submitted a landscape plan showing that a minimum of 523,805 landscape points are required on the property. In addition, the landscape plan shows that 752,090 landscape points are being provided. Other than grass, the majority of the landscaping is being provided along S.D. Highway 44 and Twilight Drive. No trees or shrubs are being proposed within the northwest corner of the property. Since this area is highly visible from Elk Vale Road staff is recommending that prior to Planning Commission approval, a revised landscaping plan be submitted for review and approval providing additional landscaping within the northwest area of the development. In particular, a random scattering of trees must be provided to add aesthetic appeal to this area of the property.

**(Update: January 13, 2009.) The applicant has submitted a revised landscaping plan showing additional landscaping located within the northwest area of the development as requested.**

Staff is also recommending that the landscaping plan 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.

Lot 2: During the review of the previously approved Initial Industrial Plan, the applicant was put on notice that upon Final Planned Industrial Development submittal, physical access to

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proposed Lot 2 must be demonstrated. In addition, any internal access to Lot 2 must be constructed to City Street Design Standards. It appears that the applicant is proposing to access Lot 2 from Lot 1, requiring that a Development Lot Agreement be signed by the property owner to allow the two lots to be developed as one development.

Staff recommends that prior to issuance of a building permit, the applicant sign a developmental lot agreement.

Approach Locations: The site plan shows one approach along S.D. Highway 44 and three approaches along Twilight Drive. The South Dakota Department of Transportation has indicated that the approach along S.D. Highway 44 will be a "right-out only". Prior to Planning Commission approval, an approved Approach Permit from the South Dakota Department of Transportation and the Pennington County Highway Department, respectively, must be submitted for review and approval for the approach locations. In addition, the construction plans must be revised if needed as per the approved Approach Permit.

**(Update: January 13, 2009.) The applicant has submitted a copy of the approved Approach Permits from the South Dakota Department of Transportation and the Pennington County Highway Department.**

The approach along S.D. Highway 44 and the southern approach along Twilight Drive are approximately 42 feet wide. However, the Street Design Criteria Manual allows a maximum driveway width of 28 feet. As such, staff is recommending that an Exception be obtained to allow the two proposed approaches as designed in lieu of a maximum 28 foot wide approach as per the Street Design Criteria Manual or the two approaches must be redesigned to comply with the requirement.

**(Update: January 13, 2009.) The applicant has obtained the Exceptions to allow the two 42 foot wide approaches in lieu of a maximum 28 foot wide approach as per the Street Design Criteria Manual.**

The site plan shows four approaches serving as access to the development. However, the Street Design Criteria Manual allows a maximum of two approaches to a commercial and/or industrial development. As such, staff is recommending that prior to Planning Commission approval, an Exception be obtained to allow the four proposed approaches to the property in lieu of two approaches as per the Street Design Criteria Manual or the site plan must be revised to comply with the requirement.

**(Update: January 13, 2009.) The applicant has obtained the Exception to allow four approaches to the property in lieu of two approaches as per the Street Design Criteria Manual.**

Sanitary Sewer Main: The City is proposing to construct a sanitary sewer main along the east lot line of the property as a part of a sewer extension project to extend sewer from Concourse Drive to S.D. Highway 44. However, the utility plan submitted with this



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application does not show the sanitary sewer main. In addition, it appears that signage may be located within this area. As such, staff is recommending that prior to Planning Commission approval, the utility plan be revised to show the proposed sanitary sewer main. The site plan must also be revised as needed to insure that all structural development is located outside of the easement. Please note that the applicant is continuing to work with the City on the location of the easement for the sanitary sewer main and the terms of the easement for the sewer improvement.

**(Update: January 13, 2009.) The applicant has revised the site plan to show the recorded sewer easement along the east lot line of the property. In addition, the applicant has demonstrated that the proposed signage and landscaping will not interfere with the location of the City's sewer main within this easement.**

Notification Requirement: The certified mailing receipts have been returned and the sign has been posted on the property. Staff has received several calls of inquiry regarding this item.