

STAFF REPORT  
February 5, 2009

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**No. 08PD054 - Planned Commercial Development - Initial Development Plan**      **ITEM 4**

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GENERAL INFORMATION:

APPLICANT	Jim Mattern for Black Hills Corporation
AGENT	Robert A. Morcom for TSP Three, Inc.
PROPERTY OWNER	Black Hills Corporation
REQUEST	<b>No. 08PD054 - Planned Commercial Development - Initial Development Plan</b>
EXISTING LEGAL DESCRIPTION	The SW1/4 of the SW1/4, and that part of the NW1/4 of the SW1/4 lying south of Highway Right-of-way, less Lot H1, all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 47.04 acres
LOCATION	South of Catron Boulevard and east of Tartan Court
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District (Pennington County)
East:	Highway Services District (Pennington County) - Suburban Residential District (Pennington County)
West:	General Agriculture District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/26/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

- 1. Prior to issuance of a building permit, a Final Planned Commercial Development application shall be reviewed and approved for the proposed use(s);**
- 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 submittal of a Final Commercial Development Plan application, all necessary changes shall be made to the site plan(s) as identified on the red lined**

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- drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
4. Prior to submittal of a Final Commercial Development Plan application, the property shall be rezoned from General Agriculture District to Office Commercial District to allow the proposed use(s). In addition, a Comprehensive Plan Amendment to change the Future Land Use Plan from Planned Residential Development with 6.7 dwelling units per acre to Office Commercial District with a Planned Commercial Development shall be approved;
  5. Upon submittal of a Final Commercial Development Plan application, an Approach Permit shall be obtained from the South Dakota Department of Transportation for the collector street located along the west lot line of the property as requested by the South Dakota Department of Transportation;
  6. Upon submittal of a Final Commercial Development Plan application for Phase One, construction plans showing an east bound right turn deceleration lane and a west bound left turn lane along Catron Boulevard shall be submitted for review and approval as per the Traffic Impact Study;
  7. Upon submittal of a Final Commercial Development Plan application for Phase One, a revised Traffic Impact Study shall be submitted for review and approval if the proposed shift work scheduling is eliminated in order to address the additional traffic created by all of the employees working one schedule;
  8. Prior to approval of a Final Commercial Development Plan application for Phase One, the applicant shall enter into an agreement with the South Dakota Department of Transportation for a portion of the cost of the future traffic signal to be located at the intersection of the collector street and Catron Boulevard as per the Traffic Impact Study;
  9. Prior to issuance of a Certificate of Occupancy, a sidewalk shall be constructed along Catron Boulevard or surety shall be posted for the improvement to defer construction of the sidewalk until the South Dakota Department of Transportation has completed the Catron Boulevard improvements for this area;
  10. Upon submittal of a Final Commercial Development Plan application, construction plans for the collector street located along the west lot shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface and additional turn lanes as per the Traffic Impact Study. In addition, the construction plans shall show the street constructed with curb, gutter, sidewalk, street light conduit, sewer and water;
  11. Prior to approval of a Final Commercial Development Plan application, an H Lot shall be recorded for that portion of the proposed collector street located outside of the section line highway or a Final Plat shall be recorded securing the right-of-way for the street. In addition, the right-of-way for the street shall be deeded to the City or State of South Dakota;
  12. Upon submittal of a Final Commercial Development Plan application, construction plans for the east-west commercial street shall be submitted for review and approval. In particular, the construction plans shall show the street located within a minimum 59 foot wide right of way and constructed with a minimum 26 foot wide paved surface and additional turn lanes as per the Traffic Impact Study. In

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- addition, the construction plans shall show the street constructed with curb, gutter, sidewalk, street light conduit, sewer and water;
13. Prior to approval of a Final Commercial Development Plan, an H Lot shall be recorded for the east-west commercial street or a Final Plat shall be recorded securing the right-of-way for the street;
  14. Upon submittal of a Final Commercial Development Plan application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures;
  15. Upon submittal of a Final Commercial Development application, a final drainage plan and calculations shall be submitted for review and approval. The drainage plan shall be submitted in a format to serve as an amendment to the South Truck Route Drainage Basin Plan. The drainage plan shall also include the phasing plan for the drainage improvements and demonstrate adequate pipe sizes, collection system and size of detention area(s). In addition, drainage easements shall be recorded as needed;
  16. Upon submittal of a Final Commercial Development Plan application, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
  17. Upon submittal of a Final Commercial Development Plan application, water plans prepared by a Registered Professional Engineer demonstrating that adequate fire and domestic flows are being provided shall be submitted for review and approval. In addition, the construction plans shall include any off-site improvements as needed to serve the development. The water plans shall also be in compliance with the City's Master Utility Plan. In addition, if oversize costs are submitted, the applicant shall request oversize cost reimbursement from the City Council if it is determined that oversizing of the water system is needed in order to serve additional properties within the area;
  18. Upon submittal of a Final Commercial Development Plan application for Phase Two, a water analysis shall be submitted for review and approval to determine if extending water through this site is needed in order to serve the properties located south and east of this parcel. In addition, utility easements shall be recorded as needed;
  19. Upon submittal of a Final Commercial Development Plan application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval. In particular, the sanitary sewer plans and profiles shall show mains, manholes and services through the property and extending to the adjacent properties. In addition, the construction plans shall include any off-site improvements as needed to serve the development. If oversize costs are submitted, then the applicant shall request oversize cost reimbursement from the City Council if it is determined that oversizing of the sewer system is needed in order to serve additional properties within the area. In addition, utility easements shall be recorded as needed;

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20. Upon submittal of a Final Commercial Development Plan application, elevations of the proposed structures shall be submitted for review and approval. The elevations shall also include the design of the roof top and screening as needed for any roof top mechanical units. In addition, a list of building materials and the proposed color palette shall be submitted for review and approval. The roof top shall be a black membrane, non-reflective roof as proposed by the applicant;
21. Upon submittal of a Final Commercial Development Plan application, a complete landscaping plan shall be submitted for review and approval identifying specific plant material. In addition, the landscaping plan shall comply with all requirements of the Zoning Ordinance. The landscaping plan shall also include minimum sized landscaping along Catron Boulevard to serve as a screen along Catron Boulevard;
22. Upon submittal of a Final Commercial Development Plan application, a complete sign package, including any entryway signs, signage on the buildings and direction signs within the parking lot, shall be submitted for review and approval;
23. Upon submittal of a Final Commercial Development Plan application for each phase of the development, a complete parking plan in compliance with the adopted Off-street Parking Regulations shall be submitted for review and approval. In addition, loading dock areas and the truck route(s) through the site shall be identified if applicable. All loading dock areas shall also be screened as needed. In addition, all parking structures shall be designed in compliance with the currently adopted International Fire Code and Building Code;
24. Upon submittal of a Final Commercial Development Plan application, a complete lighting package identifying the design of the proposed lighting shall be submitted for review and approval. In addition, 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;
25. Upon submittal of a Final Commercial 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;
26. Upon submittal of a Final Commercial Development Plan application, the location, size and noise rating of all exterior mechanical equipment shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
27. 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. The proposed structures shall also have fire sprinkler systems and be fire alarmed as per the current adopted International Fire Code;
28. An Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more;
29. Prior to issuance of a building permit, surety shall be posted for the off-site water

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- and sewer main extensions and for the street improvements along Catron Boulevard. In addition, prior to issuance of a Certificate of Occupancy, the improvements shall be constructed and accepted;
30. A call center and office complex with a recreational area and a utility substation shall be allowed on the property unless otherwise specifically authorized as a stipulation of the Final Commercial Development Plan application or a subsequent Major Amendment to the Commercial Development Plan shall be obtained;
  31. All provisions of the Office Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Initial Commercial Development Plan, the Final Commercial Development Plan application or a subsequent Major Amendment; and,
  32. 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 Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

GENERAL COMMENTS:

(Update, January 27, 2009. All revised and/or added text is shown in bold print.) The applicant had previously requested that this item be continued to the February 5, 2009 Planning Commission meeting to allow a SDCL 11-6-19 Review (File #08SR098) to be reviewed and approved for the expansion of the substation located in the southeast corner of the property.

On January 22, 2009, the Planning Commission approved the SDCL 11-6-19 Review to expand the existing utility substation located on the property. Staff has subsequently reviewed this Initial Planned Commercial Development request as outlined in the balance of this report.

(Update, January 9, 2009. All revised and/or added text is shown in bold print.) The applicant has requested that this item be continued to the February 5, 2009 Planning Commission meeting to allow a SDCL 11-6-19 Review to be reviewed and approved for the expansion of the substation located in the southeast corner of the property.

Staff is recommending that this item be continued to the February 5, 2009 Planning Commission meeting at the applicant's request.

(Update, December 5, 2008. All revised and/or added text is shown in bold print.) The applicant has requested that this item be continued to the January 22, 2009 Planning Commission meeting to allow them to submit additional information and to allow a SDCL 11-6-19 Review to be submitted for review and approval for the expansion of the substation located in the southeast corner of the property.

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Staff is recommending that this item be continued to the January 22, 2009 Planning Commission meeting at the applicant's request.

(Update, November 21, 2008. All revised and/or added text is shown in bold print.) Staff met with the applicant and their consultant on November 20, 2008 to review the project and to discuss the outstanding issues. The applicant indicated that they will be submitting a revised site plan eliminating the day care and the parking lot from the southern portion of the property. The applicant also indicated that they will be conducting a neighborhood meeting to discuss the project on December 8, 2008. As such, the applicant is in concurrence with continuing this item to the December 18, 2008 Planning Commission meeting to allow them to submit additional and/or revised information and to review the neighborhoods concerns and comments regarding this project.

Staff is recommending that this item be continued to the December 18, 2008 Planning Commission meeting with the applicant's concurrence.

(Update, October 29, 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 a Traffic Impact Study for review and approval in order to determine if the proposed use is appropriate at this location. The applicant has subsequently submitted a Traffic Impact Study. Staff has reviewed the document and has noted that the Traffic Impact Study must be revised to address the following items:

1. Section 2.2 – Identify that the development is located in the US Highway 16 Neighborhood Area Future Land Use Plan not the South Robbinsdale Neighborhood Area Future Land Use Plan;
2. Section 3.4 – Revise the study to show that the Future Land Use plan for this area currently identifies the appropriate use of the property as a Planned Residential Development with a maximum density of 6.7 dwelling units per acre. In addition, the study must be revised to show the current zoning of the property as General Agricultural District;
3. Section 7.0 – The existing development on Tartan Court will utilize the new north-south collector street when Catron Boulevard is reconstructed. As such, the 2013 traffic volumes must reflect the existing development on Tartan Court;
4. Section 9.0 – The year 2025 traffic volumes do not reflect the build out of the area to the west and south of the proposed development that would access the new north-south collector street. As such, the traffic counts along the north-south collector street must be revised to include future traffic generated from the adjacent properties as per the adopted Future Land Use Plan;
5. Table 2 – Traffic counts for the call center must be included in the average daily trip counts;
6. Table 2 – The AM and PM peak hour trips for the call center may be reduced if a restriction is placed in the Planned Development to only allow shift work that does not coincide with the AM or PM peak hours. It may be more appropriate to determine the number of trips based on the square footage of the proposed office building to determine if the restriction to shift work is really necessary.

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7. Table 2 – The trip rate used for the day care facility currently restricts the use of the day care facility to employees only. To allow flexibility in the future, it may be appropriate to use the standard day care trip rate. Otherwise, the Planned Development will be used as a tool to regulate usage of the day care facility;
8. Revise the report to include an intersection sight distance evaluation for the intersection of the north-south collector street and Catron Boulevard;
9. Revise the report to include a discussion of the Catron Boulevard crash history in the vicinity of the project site;
10. Revise the report to reference U.S. Highway 16 in lieu of Mount Rushmore Road; and,
11. Section 7.2 & Appendix C-The report cites Manual on Uniform Traffic Control Devices (MUTCD) as the basis for justifying the installation of a traffic signal at the proposed north-south collector street and Catron Boulevard intersection. In evaluating the need for a traffic signal, the MUTCD suggests that the traffic volumes used for evaluating the warrants be reduced for intersection approaches with exclusive right turn lanes. In an effort to standardize the methodology for quantifying the number of right turns that should be subtracted from the gross side street volumes, the National Cooperative Highway Research Program (NCHRP) developed a recommended practice that was included in their Report #457. Before a traffic signal is considered necessary, the report should include a discussion of the treatment of outbound right turning traffic and, if appropriate, the justification for not applying Report #457.

Staff is recommending that the Initial Commercial Development Plat be continued to the November 20, 2008 Planning Commission meeting to allow the applicant to revise the Traffic Impact Study as identified above. Staff is also recommending that the following items be addressed and submitted for review and approval prior to Planning Commission approval of the Initial Commercial Development Plan:

1. An Approach Permit must be obtained from the South Dakota Department of Transportation for the proposed expansion of use along Catron Boulevard. **(Update: January 27, 2009) To date, the applicant has not submitted an approved Approach Permit from the South Dakota Department of Transportation. As such, staff is recommending that upon submittal of a Final Commercial Development Plan application, an Approach Permit be obtained from the South Dakota Department of Transportation as requested by the South Dakota Department of Transportation.**
2. A revised site plan must be submitted for review and approval showing secured pedestrian access from the call center to the daycare facility, or relocate the daycare facility to the same side of the street as the call center. Staff discussed the possibility of providing a below grade pedestrian corridor under the street. This will provide a safe pedestrian access for parents and children between the commercial buildings and the daycare and will also provide a safe pedestrian access for those employees that choose to utilize the walkways proposed on the south side of the street around the recreational area. **(Update: January 27, 2009) The applicant has submitted a revised site plan**

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**eliminating the day care from the site at this time. Any future day care proposed for the site must be reviewed and approved as a part of the Final Commercial Development Plan application or as subsequent Major Amendment to the Commercial Development Plan.**

3. A Master Utility Plan must be submitted for review and approval showing the location of private and public utilities. This is needed in part to determine the design standards that will be required for some of the interior street(s)/driveways. **(Update: January 27, 2009) The applicant has submitted a Master Utility Plan for review and approval which shows the location of private and public utilities for the site.**
  
4. The applicant must clarify if a portion of the collector street as it connects with Catron Boulevard is located on the adjacent property. If it is located on the adjacent property, the legal description must be revised to include this area and the adjacent property owner must sign the application(s). **(Update: January 27, 2009) The applicant has confirmed that a portion of the collector street is located on the adjacent property as per the South Dakota Department of Transportation's approved design plans for the intersection of the collector street and Catron Boulevard. The applicant has also submitted a letter from the South Dakota Department of Transportation identifying that they are in the process of acquiring the right-of-way from the adjacent property owner for the collector street. Staff recommends that prior to approval of a Final Commercial Development Plan application, the right-of-way for the street be deeded to the City or State of South Dakota recorded either as an H Lot or dedicated as part of a Final Plat.**

The applicant has submitted an Initial Commercial Development Plan to construct a customer call center, office campus, a day care facility and a recreational area on the property. The applicant has indicated that the development will be constructed in three phases and will be known as the "Black Hills Power Customer Call Center and Office Campus". Phase One will consist of the call center building, the commons building, parking, access improvements and utility extensions. Phase Two will consist of the office campus building, additional parking, completion of the access roads and utilities. Phase Three will consist of the day care center facility and a recreational area. The recreational area consists of a pedestrian walkway and pond. **(Update: January 27, 2009) As noted above, the applicant has removed the day care facility from the site plan.**

The applicant has also submitted a Rezoning request (File #08RZ035) to change the zoning designation of the property from General Agriculture District to Office Commercial District. In addition, the applicant has submitted a Comprehensive Plan Amendment to the Future Land Use Plan (File #08CA037) to change the land use designation from a Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Office Commercial with a Planned Commercial Development.

The property is located south of Catron Boulevard and east of Tartan Court. Currently, a utility substation, owned and operated by Black Hills Power, is located in the southeast corner of the property.



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STAFF REVIEW:

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

Traffic Impact Study: The adopted Future Land Use Plan currently identifies the appropriate use of the 47 acres as a Planned Residential Development with a maximum density of 6.7 dwelling units per acre. Developing the 47 acre parcel with commercial use(s) will result in a significant increase in traffic. Staff had previously met with the applicant and indicated that a Traffic Impact Study must be submitted in conjunction with the proposed change in land use designation and with the Initial Planned Commercial Development applications to determine if commercial use(s) are appropriate at this location. Of particular concern is the traffic associated with the proposed use and the access onto U.S. Highway 16B (Catron Boulevard). This portion of U.S. Highway 16B is a high speed arterial highway and a designated truck route. Access to the site from U.S. Highway 16B is located on a steep hill. Several serious injury accidents including fatalities have occurred on the segment of U.S. Highway 16B between U.S. Highway 16B and South Dakota Highway 79. Due to the volume of traffic carried on this roadway and the existing accident history, significant care and consideration must be used in considering any proposed changes to the land use in the area. The Rapid City 2000 Plan for the Truck Route Area adopted in 1987 identified the future land use of the property as a Planned Residential Development. It also identified the need to limit access onto the truck route where ever possible.

To date, a Traffic Impact Study has not been submitted for review and approval. The applicant has indicated that a study is currently being completed and will be submitted in the near future. Staff is recommending that this item be continued to allow the applicant to submit the Traffic Impact Study for review and approval. This will ensure that all the information is available for the Planning Commission to make an informal recommendation to the City Council.

**As noted above, the applicant had previously submitted a Traffic Impact Study for review and approval. Subsequently, the Traffic Impact Study has been revised to address the red line comments. In summary, the revised Traffic Impact Study identifies that in the year 2009, the future collector street located along the west lot line of the property must be constructed as per City Street Design Standards. In addition, an east bound right turn deceleration lane and a west bound left turn lane must be constructed along Catron Boulevard. The Traffic Impact Study also identifies that by the year 2013, a traffic signal on Catron Boulevard at the future location of the collector street must be installed.**

**Staff is recommending that upon submittal of a Final Commercial Development Plan application, construction plans as per the recommendation of the Traffic Impact Study be submitted for review and approval. In addition, prior to approval of a Final Commercial Development Plan for Phase One, the applicant must enter into an agreement with the South Dakota Department of Transportation for a portion of the cost of the future traffic signal to be located at the intersection of the collector street**

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and Catron Boulevard.

**Zoning:** The property is currently zoned General Agriculture District. The adopted Comprehensive Plan identifies the appropriate use of the property as a Planned Residential Development with a maximum of 6.7 dwelling units per acre. As noted above, the applicant has submitted a Rezoning request to change the zoning designation of the property from General Agriculture District to Office Commercial District. In addition, the applicant has submitted a Comprehensive Plan Amendment to change the Future Land Use Plan from a Planned Residential Development with a maximum of 6.7 dwelling units per acre to Office Commercial District with a Planned Commercial Development.

Staff recommends that prior to submittal of a Final Commercial Development Plan application, the property be rezoned from General Agriculture District to Office Commercial District to allow the proposed use(s). In addition, the Comprehensive Plan Amendment to change the Future Land Use Plan from Planned Residential Development with a maximum of 6.7 dwelling units per acre to Office Commercial District with a Planned Commercial Development must be approved.

**Design Features:** The Initial Commercial Development Plan identifies the building footprints of the proposed structures. In particular, the structures are shown located along the northern portion of the property adjacent to Catron Boulevard. Catron Boulevard is a principal arterial street on the City's Major Street Plan. In addition, Catron Boulevard serves as an entryway into our community and a gateway to Mount Rushmore. Catron Boulevard is also significantly higher than the property within this location which will result in the roof of the structures being highly visible from the street. As such, careful design of the roof and screening along Catron Boulevard must be incorporated into the design of the project.

The applicant has indicated that the roof will be a combination of pitched and low sloped surfaces. In addition, the mechanical equipment will not be located on the roofs. The applicant also indicated that the roof membrane will be black and that complete exterior finishes are yet to be determined.

Staff recommends that upon submittal of a Final Commercial Development Plan application, elevations of the proposed structures be submitted for review and approval. The elevations must also include the design of the roof top and screening as needed for any roof top mechanical units. In addition, a list of building materials and the proposed color palette must be submitted for review and approval. The roof top must a black non-reflective membrane as proposed by the applicant.

**Landscaping Plan:** The applicant has submitted a conceptual landscape plan showing trees and shrubs along Catron Boulevard, within the parking lot and along the pedestrian walkway located in the southern portion of the property.

Staff recommends that upon submittal of a Final Commercial Development Plan

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application, a complete landscaping plan be submitted for review and approval identifying specific plant material. In addition, the landscaping plan must comply with all requirements of the Zoning Ordinance. The landscaping plan must also include mature landscaping along Catron Boulevard to serve as a screen between Catron Boulevard and the property.

**Parking:** The applicant has indicated that parking will be provided for each of the proposed uses. In addition, the applicant has submitted a site plan showing five parking lot areas with additional garage parking being provided under both structures.

Staff recommends that upon submittal of a Final Commercial Development Plan application for each phase of the development, a complete parking plan in compliance with the adopted Off-street Parking Regulations be submitted for review and approval. In addition, loading dock areas and the truck route(s) through the site must be identified if applicable. All loading dock areas must also be screened as needed. In addition, all parking structures must be designed in compliance with the currently adopted International Fire Code and Building Code.

**Drainage:** The property is located within the South Truck Route Drainage Basin Plan area. The applicant's site plan identifies a large detention pond to be constructed in the southwest corner of the property. However, the use of the property as an office commercial campus is not in compliance with the South Truck Route Drainage Basin Plan. As such, staff is recommending that upon submittal of a Final Commercial Development application, a drainage plan and calculations be submitted for review and approval. The drainage plan must be submitted in a format to serve as an amendment to the South Truck Route Drainage Basin Plan. The drainage plan must also include the phasing plan for the drainage improvements and demonstrate adequate pipe sizes, collection system and size of detention area(s). In addition, drainage easements must be recorded as needed.

**Water:** The applicant has indicated that water will be extended west from Dan Christy Lane, along Catron Boulevard and south along the collector street to serve the property.

Staff recommends that upon submittal of a Final Commercial Development Plan application, water plans prepared by a Registered Professional Engineer demonstrating that adequate fire and domestic flows are being provided be submitted for review and approval. In addition, the construction plans must include any off-site improvements as needed to serve the development. The water plans must also be in compliance with the City's Master Utility Plan. In addition, if oversize costs are submitted, the applicant shall request oversize cost reimbursement from the City Council if it is determined that oversizing of the water system is needed in order to serve additional properties within the area.

**Sewer:** Currently, sewer exists at the intersection of Fifth Street and Catron Boulevard.

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A sewer main must be extended along Catron Boulevard to serve the property. On January 27, 2009, the Public Works Committee recommended approval of a request authorizing negotiations for the purchase of design drawings and specifications and to seek proposals for engineering services for the construction of the sewer main along Catron Boulevard from Fifth Street to U.S. Highway 16. The City Council will consider the request at their February 2, 2009 meeting. Please note that if the sewer main along Catron Boulevard is not constructed prior to submittal of a Final Commercial Development Plan for this property, then the construction plans must include the off-site improvement.

Staff recommends that upon submittal of a Final Commercial Development Plan application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines, including any off-site improvements as needed, be submitted for review and approval. In particular, the sanitary sewer plans and profiles must show mains, manholes and services through the property and extending to the adjacent properties. In addition, if oversized costs are submitted, the applicant shall request oversized cost reimbursement from the City Council if it is determined that oversized of the sewer system is needed in order to serve additional properties within the area. Utility easements must also be recorded as needed.

**Surety:** As noted above, off-site water and sewer mains must be extended to serve the proposed development. In addition, improvements along Catron Boulevard are needed to accommodate traffic generated from the proposed use. This is an unusual condition that could result in a building permit being issued without utilities or adequate access to serve the development. As such, staff recommends that prior to issuance of a building permit, surety be posted for the off-site water and sewer main extensions and for the street improvements along Catron Boulevard. In addition, prior to issuance of a Certificate of Occupancy, the improvements must be constructed and accepted.

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