

STAFF REPORT
July 9, 2009

No. 09PD027 - Major Amendment to a Planned Commercial Development **ITEM 4**

GENERAL INFORMATION:

APPLICANT	Kendra Lettau
AGENT	Mark Bigelbach
PROPERTY OWNER	Rapid City Telco Federal Credit Union
REQUEST	No. 09PD027 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Tract G of Rushmore Crossing Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.11 acres
LOCATION	851 Eglin Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/12/2009
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

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

1. Prior to Planning Commission approval, the applicant shall submit revised site plans in compliance with the Rapid City Street Design Criteria Manual or the applicant must obtain exceptions to the Rapid City Street Design Criteria Manual for the number of driveways, width of driveways, and spacing of driveways;

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2. Prior to issuance of a building permit, all necessary changes shall be made to the site plan(s) as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
3. 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;
4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
5. The permitted uses shall be a department store and a financial institution or a Major Amendment to the Commercial Development Plan shall be obtained;
6. 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;
7. An Air Quality Permit must be obtained prior to any surface disturbance of one acre or more;
8. The currently adopted International Fire Code shall be continually met;
9. A minimum of 613 parking spaces shall be provided. In addition, 14 of the parking spaces shall be handicap accessible spaces. Two of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;
10. 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;
11. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment;
12. All applicable stipulations of the previously approved Planned Commercial Development still apply to this Major Amendment to a Planned Commercial Development; and,
13. 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.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Commercial Development to expand the development area to include the property located at the southwest corner of Eglin Street and Luna Avenue. That part of the site had not been proposed for development as part of the Final Commercial Development Plan (#08PD032) for the Target Planned Development. Currently, Target has been constructed within the approved Planned Development.

On May 24, 2007, the Planning Commission approved a Final Commercial Development

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Plan (File #07PD032) to allow a 131,748 square foot commercial building to be constructed on the property with stipulations.

On April 23, 2009, the Planning Commission approved a Major Amendment to a Planned Commercial Development (#09PD013) to allow a financial institution in addition to the previously approved department store with the following stipulations:

1. Prior to issuance of a Building Permit, that the approach must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant must obtain an exception to the Rapid City Street Design Criteria Manual;
2. Prior to issuance of a Building Permit, that the staff provide approval, the approach shall be revised to be constructed as a right-in and right-out approach to comply with the previously approved construction plans for Eglin Street;
3. Prior to issuance of a Building Permit, that revised structural elevations including the color of the roof shall be submitted for review and approval. In addition, the revised elevations must show screening along all roof top mechanical equipment;
4. Prior to issuance of a Building Permit that, all necessary changes shall be made to the site plan(s) as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
5. Prior to issuance of a Building Permit that, a sign package shall be submitted for review and approval. 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;
6. Prior to issuance of a Building Permit that, 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;
7. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
8. The permitted uses shall be a department store and a financial institution or a Major Amendment to the Commercial Development Plan shall be obtained;
9. 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;
10. An Air Quality Permit must be obtained prior to any surface disturbance of one acre or more;
11. The currently adopted International Fire Code shall be continually met;
12. A minimum of 612 parking spaces shall be provided. In addition, 14 of the parking spaces shall be handicap accessible spaces. Two of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;
13. 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

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- passing motorist or constituting a nuisance of any kind;
14. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment;
 15. All applicable stipulations of the previously approved Planned Commercial Development still apply to this Major Amendment to a Planned Commercial Development; and,
 16. 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.

The applicant is now requesting approval of a Major Amendment to a Planned Commercial Development by expanding the financial institution to include a full basement, revise the parking lot, and revise the driveway configuration and locations.

STAFF REVIEW: Staff has reviewed the Major Amendment to a Planned Commercial Development Plan and has noted 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.

Exception: Staff noted that the applicant has submitted several exceptions for the proposed driveways. In particular, the applicant is requesting three driveways in lieu of a maximum of two driveways per commercial development, a reduction in driveway width and a reduction in driveway spacing as required by the Rapid City Street Design Criteria Manual. In addition, an exception was previously approved to allow access from the more traveled street along Eglin Street to provide two approaches to the commercial development and improve site circulation. Staff recommends that prior to Planning Commission approval, the applicant shall submit revised site plans in compliance with the Rapid City Street Design Criteria Manual or the applicant must obtain exceptions to the Rapid City Street Design Criteria Manual.

Design Features: The applicant has submitted elevations of the proposed structure identifying that the building is a two story structure with a basement constructed with brick, stone and metal accents. The color scheme includes earth tone colors with copper accents. These building elevations match the plans previously approved by the Planning Commission.

Signage: The applicant has submitted a sign package for this property identifying 242 square feet of wall signage. These plans match the previously approved plans by the Planning Commission. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, may be

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allowed as a Minimal Amendment to the Conditional Use Permit. 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.

Parking: The applicant has submitted a site plan as part of this application showing 42 parking spaces, including two handicap spaces. The minimum off-street parking requirements for the proposed use are 41 parking spaces, including two handicap spaces for Tract G of Rushmore Crossing. In addition, the site plan identifies three drive-through lanes with three stacking stalls per lane. Previously 572 parking stalls were required for the Target site of this Planned Commercial Development requiring a total of 613 parking stalls. The submitted site plan meets the minimum requirements of Section 17.50.270 of the Rapid City Municipal Code.

Lighting Plan: The site plan identifies lighting within the parking area. Staff is recommending that lighting 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.

Landscaping: A minimum of 45,165 landscaping points are required. The applicant's site plan identifies that 71,390 landscape points are being provided within the developed area which exceeds the minimum requirements of the Landscape Regulations. In addition, the landscape plan provides a mixture of deciduous and coniferous plant material around the property to buffer it from the adjacent properties and right-of-ways. Staff recommends that the landscaping plan 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.

Fire Protection: Fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). Prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. In addition, the proposed structures must have fire sprinkler systems and be fire alarmed as per the currently adopted International Fire Code. Staff is recommending that the currently adopted International Fire Codes be continually met.

Air Quality Permit: Staff noted that an Air Quality Permit must be obtained prior to any surface disturbance of one acre or more.

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: As of this writing, the required sign has not been posted on the

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property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the July 9, 2009 Planning Commission meeting if this requirement has not been met.