

STAFF REPORT  
October 22, 2009

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**No. 09PD048 - Major Amendment to a Planned Commercial Development to allow on-sale liquor**      **ITEM 27**

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GENERAL INFORMATION:

APPLICANT	J. Scull Construction
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Willkat, LLC
REQUEST	<b>No. 09PD048 - Planned Commercial Development - Initial and Final Development to include an on-sale liquor establishment</b>
EXISTING LEGAL DESCRIPTION	Lot 1A of Block 1 of Stoney Creek South Subdivision, located in the NW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.606 acres
LOCATION	5550 Sheridan Lake Road
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	9/25/2009
REVIEWED BY	Patsy Horton / Karley Halsted

RECOMMENDATION: Staff recommends that the Planned Commercial Development - Initial and Final Development Plan be continued to the November 5, 2009 Planning Commission meeting.

GENERAL COMMENTS: The applicant has submitted an Initial and Final Commercial Development Plan to allow one commercial structure with on-sale liquor and a courtyard to

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be located on the above legally described property. The applicant has also indicated that two additional commercial structures will be proposed as part of Phase Two and Phase Three, with each structure approximately 4,000 square feet in area. The applicant requested that the previous Initial and Final Commercial Development Plan application (#09PD044) be denied without prejudice, to allow on-sale liquor approval to be considered as a part of this application.

The property is located in the southeast corner of the intersection of Sheridan Lake Road and Catron Boulevard. Currently, the property 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 building elevations of the commercial structure identifying that the proposed building will be one story with a 2 foot parapet along the east elevation, wrapping the structure approximately 9.5 feet around the north and south elevations. The building will be constructed with brick, wood, pre-cast stone banding, metal awnings, glass, dryvit and be earth tone in color. The applicant indicated that the color elevations match the buildings in the existing development to the south and east. However, the elevation information submitted does not identify the top of wall height, top of roof height or the finished roof height measurements in order to determine whether or not the parapet as proposed provides sufficient screening to buffer the roof top mechanical units. Additionally, the roofing materials should be brown or tan in color to minimize light reflections.

As such, staff recommends that prior to Planning Commission approval, the applicant submit for review and approval the location, size and noise rating of any exterior air handling equipment, proposed equipment screening for rooftop facilities and that the roofing material color shall match the building color palette. Additionally, because the facility is located adjacent to residential dwelling units, staff recommends that the applicant revise the building elevations to include a wrap-around 2 foot parapet.

Land Use: The applicant has submitted a list of proposed uses within the retail/commercial structure as follows: medical supply stores, retail stores (clothing, beauty salons, etc.), offices (insurance, real estate, etc.), fitness centers/aerobic classes, display/art stores, copy centers, furniture sales, photography studios, and a restaurant with on-sale liquor. In addition, the applicant has indicated that a gaming related business and/or adult oriented/gentlemen's clubs will not be proposed. The site plan also identifies a patio approximately 1,950 square foot in area. The applicant indicated that seating will be available on the patio and that a railing will be installed for protection. As such, staff recommends that the applicant submit for review and approval an elevation of the proposed railing with a color palette matching the buildings in the existing adjacent development. Staff is recommending that the proposed commercial structure in Phase One be used for retail, office, restaurant with on-sale liquor and medical clinic(s) uses as allowed in the General Commercial District. The final development of the patio/courtyard and the two additional buildings and/or any other use or change in use will require a Major Amendment to the

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Planned Commercial Development.

Additionally, when the courtyard development proceeds, the applicant is advised that noise and exhaust attenuation measures will be required to mitigate negative impacts to future patio customers.

Parking: The site plan identifies the restaurant as a 4,000 square foot building requiring that a minimum of 44 parking spaces be provided. The site plan also identifies a patio/courtyard approximately 1,950 square feet in area. As such, the site plan must be revised to reflect 66 parking spaces with three of the spaces being handicap accessible and one of the handicap spaces being "van accessible".

The site plan also identifies a 23.83 foot wide access aisle along the south property line in lieu of the required 26 foot wide access aisle requirement. As such, staff is recommending that the applicant submit a revised site plan demonstrating a 26 foot wide access aisle.

Staff also recommends that the parking plan continue to meet the minimum requirements of the Rapid City Municipal Code.

Signage: The applicant has submitted a sign package identifying one 5 foot high by 20 foot wide on-premise sign along the main entry of the structure for a total sign package of no more than 300 square feet of signage. No other signs were included as part of the Phase One site development. In addition, the sign must be constructed with similar building materials and color palette as the proposed structure.

Landscaping: A minimum of 57,957 landscaping points are required. The applicant's site plan identifies that 59,200 points are being provided. In particular, the landscaping plan identifies a row of large trees along the east access and two planter islands within the parking lot. However, adequate landscape protection measures have not been provided. As such, staff is recommending that the applicant shall submit a revised site plan demonstrating the installation of curbing or other landscape protection devices. Staff also recommends that the landscaping comply with the type and location of plant material submitted as a part of the Planned Commercial Development. In addition, all landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Lighting Plan: The site plan identifies lighting within the parking area. However, to date the design of the proposed lighting has not been submitted for review and approval. As such, staff recommends that the applicant submit for review and approval a complete lighting package identifying the design of the proposed lighting. In addition, the lighting must 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.

Access Easement: The site plan references a recorded temporary access easement providing access from Sheridan Lake Road across two adjacent properties along the common lot line, serving as access to the subject property and internal circulation between the lots. Staff

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reviewed the document and noted that the access easement lapsed two years after originally created and is now null and void. As such, copies of recorded permanent access easements providing access to the subject property must be submitted for review and approval.

Circulation: The applicant has submitted an internal circulation pattern connecting the adjacent Lot 7 between the proposed Phase Two and Three buildings. The previously approved master plan for the development identifies two connections to public rights-of-way at Sheridan Lake Road and Bendt Drive with an internal circulation pattern connecting Lots 1A and 1B to Lot 7 from the north and south sides of the existing building on Lot 7. As such, staff recommends that the applicant submit a revised master plan for review and approval of the commercial development on the corner of Sheridan Lake Road and Catron Boulevard demonstrating adequate site circulation and ingress/egress, inclusive of Lots 1A, 1B, Lot 2 and Lot 3 of Block 1, and Lot 2 of Block 2, all in Stoney Creek South Subdivision.

Master Utility Plan: To date, the applicant has not submitted a Master Utility Plan demonstrating the location of all private utilities for the entire site necessary to determine whether proposed sewer connections to future structures comply with the adopted standards. As such, staff recommends that the applicant submit a Master Utility Plan for the site identifying the location of the services to the future buildings and sewer connections to the proposed buildings.

Drainage: The applicant provided information regarding water quality calculations and the Stoney Creek South Side Drainage Design Report. The report includes the drainage design and capture utilizing an existing culvert. Staff recommends that the on-site drainage continually comply with the Drainage Criteria Manual and the Rapid City Municipal Code.

Courtyard Retaining Wall: The site plan identifies the location of a 3 foot retaining wall between the 1,180 square foot minimum sand infiltration basin and the approximate 1,950 square foot patio/courtyard. The applicant indicated that the patio/courtyard will be a concrete slab on grade. As such, staff recommends that the applicant submit for review and approval construction plans for the retaining wall documenting the foundation and support structures to ensure that the infiltration basin will not negatively impact the courtyard.

Stormwater Management Plan: The City Council 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. Specifically, a revised site plan is necessary demonstrating that stormwater runoff from the proposed paved surface is contained. An Erosion and Sediment Control Plan designed in compliance with the adopted Stormwater Quality Manual, including a narrative with the signature block must be submitted for review and approval.

Fire: The Fire Department has indicated that all International Fire Codes must be met as a part of the design standards for the development. The Fire Department staff has also indicated that the structures must include fire sprinkler protection within the proposed food service

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establishment exceeding 3,000 square feet. 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 in order to accommodate Fire Department apparatus. 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. All International Fire Codes must be continually met.

Pedestrian Access: The applicant's site plan identifies a 4 foot wide sidewalk located along northwest property line in the public right-of-way as required. However, there is no pedestrian connection from the proposed sidewalk in the public right-of-way to the site. Staff recommends that the applicant submit a revised site plan demonstrating that there is adequate pedestrian access from the site onto the public right-of-way, thus ensuring pedestrian connectivity to the transportation system.

Loading zone: The site plan does not identify the loading zone location for the delivery areas nor does it identify adequate area for truck turning movements. As such, a revised site plan demonstrating that there is adequate area for loading and unloading supplies to the proposed restaurant without creating pedestrian/vehicular conflicts must be submitted for review and approval. Additionally, the applicant must demonstrate that adequate truck movement circulation is available on the existing paved surface without impacting any parking spaces. Please note that a minimum of 66 parking spaces must be provided for the proposed use.

Dumpster location: The site plan does not identify the location of the dumpster. In addition, the dumpster elevations, screening and building materials were not submitted with the application. A revised site plan identifying the location of a proposed dumpster, as well as elevations of the proposed dumpster screening and proposed dumpster screening material must be submitted for review and approval.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the October 22, 2009 Planning Commission meeting if these requirements have not been met.

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan be continued to the November 5, 2009 Planning Commission meeting in order to re-route and review the new information submitted.