

STAFF REPORT  
November 19, 2009

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**No. 09PD051 - Planned Commercial Development - Initial and Final Development Plan**      **ITEM 41**

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GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	HDRK Properties, LLC
REQUEST	<b>No. 09PD051 - Planned Commercial Development - Initial and Final Development Plan</b>
EXISTING LEGAL DESCRIPTION	<p>A portion of Tract C of Rushmore Center, located in E½ of the SE¼, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the northwesterly corner of Tract C of Rushmore Center, common to a corner on the southerly boundary of Tract A of Block 2 of Rushmore Crossing, and the point of beginning, Thence first course: S60°51'06"E, along the northerly boundary of said Tract C, common to the southerly boundary of said Tract A, a distance of 306.46 feet to the southeasterly corner of said Tract A, common to the southwesterly corner of Tract B of Block 2 of Rushmore Crossing; Thence, second course: S60°52'33"E, along the northerly boundary of said Tract C, common to the southerly boundary of said Tract B, a distance of 9.77 feet; Thence, third course: S29°09'15"W, distance of 115.47 feet; Thence, fourth course: S00°06'45"W, distance of 153.92 feet; Thence, fifth course: N89°50'08"W, distance of 214.75 feet, to a point on the westerly boundary of said Tract C, common to the easterly edge of Luna Avenue right-of-way; Thence, sixth course: N00°09'48"E, along the westerly boundary of said Tract C, common to the easterly edge of said Luna Avenue right-of-way, a distance of 328.13 feet; Thence seventh course: curving to the left, along the westerly boundary of said Tract C, common to the easterly edge of said Luna Avenue right-of-way, on a curve with a radius of 536.00 feet, a delta angle of 08°35'09", a length of 80.32 feet, a chord bearing of N04°09'13"W, and chord distance of 80.25 feet, to the northwesterly corner of said Tract C, common to a corner on the southerly boundary of said Tract A, and the point of beginning</p>
PARCEL ACREAGE	Approximately 1.79 acres
LOCATION	1520 Luna Avenue

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EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial District)
South:	General Commercial District (Planned Development Designation) - General Agriculture District
East:	General Commercial District (Planned Development Designation) - General Agriculture District
West:	General Commercial District (Planned Commercial District)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/9/2009
REVIEWED BY	Patsy Horton / Ted Johnson

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

- 1. Prior to Planning Commission approval, the applicant shall submit a revised site plan demonstrating that the driveway spacing requirements between the access easement along the north property line and the northern access driveway are met or obtain an exception to the Street Design Criteria Manual;**
- 2. Prior to Planning Commission approval, the applicant shall submit a revised site plan demonstrating that the driveway spacing requirements between Luna Avenue and the driveway onto the Tract C are met or obtain an exception to the Street Design Criteria Manual;**
- 3. Prior to Planning Commission approval, the applicant shall submit revised construction plans demonstrating that the driveways are constructed of reinforced concrete in accordance with Section 8.2.1 of the Street Design Criteria Manual or obtain an exception to the Street Design Criteria Manual;**
- 4. Prior to Planning Commission approval, the applicant shall submit a revised landscaping plan demonstrating that the location of plant material is not impacted by the proposed exit doors and that the landscaping plan demonstrates that the landscaping points provided and the proposed planting schedule are consistent;**
- 5. The proposed landscaping shall conform to the plans with a minimum of 89,250 points including the specific plant material submitted as part of this Planned Commercial Development Plan. In particular, the landscaping plan shall comply with all requirements of the Zoning Ordinance;**
- 6. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan;**

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7. **The proposed sign package shall be limited to include one monument sign measuring 10 feet wide by 15 feet high, one on-premise wall sign measuring 15 feet wide by 6 feet tall along the main entry of the structure, and two double-faced directional signs measuring 3 feet wide by 4 feet tall. 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. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be submitted for review and approval as a Major Amendment to 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. 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;**
8. **The 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 particular, on-site fire hydrants shall be provided as needed. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structure shall be fully fire sprinkled and fire alarmed as per the 2003 International Fire Code;**
9. **All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Commercial Development Plan application or a subsequent Major Amendment;**
10. **The proposed structure shall be used as a restaurant unless otherwise specifically authorized as a stipulation of this Final Commercial Development application or a subsequent Major Amendment is approved changing the use; and**
11. **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: (Update, November 13, 2009. All revised and/or added text is shown in bold print.) This item was continued to the November 19, 2009 Planning Commission meeting to allow the applicant to submit the required information. The applicant has provided copies of revised information as required. As such, staff recommends that this item be approved with the stipulations indicated above.**

This vacant property contains approximately 1.79 acres and is located north of East Anamosa Street, east of Luna Avenue and south of Eglin Street. The applicant has submitted an Initial and Final Planned Commercial Development to allow Pizza Ranch, a high-turnover sit down restaurant seating 198 customers, on proposed Lot 1 of Tract C. The restaurant will also have a pick up window service for customer call-ahead orders. There

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will be no exterior ordering area. The applicant has also submitted a Preliminary Plat (File #09PL066) to subdivide Tract C into one lot, Lot 1 of Tract C. Additionally, the applicant has submitted a Variance to the Subdivision Regulations (File #09SV021) to waive the requirements to construct pavement, curb, gutter, sidewalk, water, sewer, and street light conduit on a shared access easement to Lot 1 of Tract C, an associated Comprehensive Plan Amendment application (#09CA028) and Rezoning application (#09RZ048),

The property is located north of East Anamosa Street, east of Luna Avenue and south of Eglin Street. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Design Features: The applicant has submitted the front and side elevations of the 4,550 square foot restaurant showing the one story, wood framed structure on a concrete slab. There are cottage red shingles on the main roof area. There is a fully adhered tan thermoplastic polyolefin membrane roof with parapet walls over the kitchen area to screen the roof top units. The deep red, dark brown and khaki exterior material pallet includes cement board lap siding, cultural stone veneer, board and batten wall siding, a signage parapet, cedar posts, exterior porch roofs, field stone wainscoting and red entry doors. To screen potential glare, the roof top units shall be generally tan in color. Staff recommends that the proposed structure conform architecturally to the proposed elevations, design plans and color palette submitted with this Initial and Final Planned Commercial Development.

Use: Pizza Ranch, a high-turnover sit-down restaurant seating 198 customers, will be located on proposed Lot 1 of Tract C. The restaurant will have a pick-up window located on the north side of the building, where customers call ahead for ordering and drive through the pickup window for their food. There is no exterior ordering area. The proposed use is permitted within the General Commercial Zoning District. Staff is recommending that the structures be used as proposed unless otherwise specifically authorized as a stipulation of the Final Commercial Development Plan application or a subsequent Major Amendment. In addition, on-sale liquor use if ever requested must be reviewed and approved as a part of the Final Commercial Development Plan application or a subsequent Major Amendment.

Driveway locations: Currently, the applicant's site plan identifies two 26 foot wide driveways. Driveway approach spacing as established in the Street Design Criteria Manual identifies a minimum of 125 feet between adjacent driveways to allow vehicles to safely queue, accelerate, decelerate and cross conflicting traffic streams without excessive interference with through traffic or traffic using adjacent driveways. The northern-most driveway is located approximately 90 feet south of the access easement along the north property line. The southern-most driveway is located approximately 125 feet south of the northern-most driveway, as required. An exception to the Street Design Criteria Manual is necessary for the reduced driveway approach spacing requirement. As of this writing, staff has not received the exception request. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised

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site plan shifting the northern most approach to the south approximately 35 feet to accommodate the required spacing from the access easement along the north property line to the driveway approach or obtain an exception to the Street Design Criteria Manual for the 90 foot driveway approach spacing.

**The applicant has also submitted a request for an exception to the Street Design Criteria Manual to provide a 117 foot driveway separation from the existing access easement along the north property line onto Luna Drive in lieu of the required 125 feet separation. The separation between the north entrance and the south entrance along Luna Avenue is 127 feet and meets the driveway separation requirements. Care will need to be taken to ensure that approaches developed to the south meet all separation requirements.**

Shared Access Easement: The applicant has submitted a proposed shared access easement 20 feet wide by 60 feet long along the south property line. The site plan also identifies a proposed driveway approach from the property to Tract C along the south property line. However, the driveway approach does not coincide with the proposed shared access easement. In addition, the shared approach must not exceed 40 feet by 40 feet or construction plans must be submitted for review and approval showing the driveway constructed to City Street Design Standards with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer and located within a minimum 45 foot wide right-of-way or a Variance to the Subdivision Regulations must be obtained. Relocating the center of the south driveway to the property line and creating a 40 foot by 40 foot shared access easement eliminates the need for an Exception to the driveway spacing requirements, the additional driveway approach located along the south property line, and the Subdivision Variance for the driveway construction.

Staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised site plan relocating the center of the south driveway to the property line as identified.

**The applicant submitted a revised plat document identifying a 50.5 foot wide by 45 foot long access easement located on the southwestern most corner of the lot in order to provide access to the balance of Tract C. The applicant has also submitted a request for an exception to the Street Design Criteria Manual to provide a 7 foot driveway separation between the Luna Drive driveway and the driveway onto the property to the south in lieu of the required 85 foot separation. Although the proposed access easement is provided to address on-site circulation, staff has concerns regarding the close proximity of the access easement to Luna Drive and the traffic conflicts created by the proposed driveway separation. Care will need to be taken when the adjacent lot is developed to ensure that the shared approach functions properly.**

Parking: The applicant has identified 75 on-site parking stalls, inclusive of three ADA accessible stalls, along with two bus parking lanes. Based on the proposed structure, 51 stalls are required with three of the parking spaces being handicap accessible spaces. One

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of the handicap spaces is designated "van accessible". In addition, six stacking spaces are provided for the drive through window. All other provisions of the Off-Street Parking Ordinance shall be continually met.

Access Aisles: The applicant's site plan identifies 26 foot wide access aisles located between the parking stalls as required. Please note that a minimum of 75 parking spaces must be maintained as proposed. All other provisions of the Off-Street Parking Ordinance shall be continually met.

Pedestrian Access: The applicant's site plan identifies a 4 foot wide pedestrian sidewalk located along the west property line in the public right-of-way as required. However, there is only one pedestrian connection from the sidewalk to the site located at the south driveway. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised site plan demonstrating that there is adequate pedestrian access from the site onto the public right-of-way at the north entrance, thus eliminating the pedestrian/vehicular conflict at the driveway. Additionally, a sidewalk shall be provided by the applicant along the north property line as required.

Service Area: Chapter 17.18.050(C) states that a minimum of 30 feet in depth must be provided for the service area along the rear of the building for truck delivery. The applicant's site plan shows that 30 feet is available for the service area. It appears that the truck delivery service area is utilizing the bus parking area along the south and east property line. Please note that a minimum of 40 feet is required for both the 10 foot drive through lane and the 30 foot depth delivery/service area. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised site plan demonstrating that the truck delivery service area does not encroach into the drive through lane and/or the drive through lane must be relocated and/or eliminated from the site.

Chapter 17.50.290 states that in all commercial districts where the building is devoted to retail trade, there shall be provided and maintained on the lot a minimum of 12 feet by 40 feet of space for vehicle standing, loading and unloading. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised site plan demonstrating that the loading area provides a safe and protected access for delivery staff as well as for vehicular access.

Landscaping Plan: The applicant's site plan identifies that **89,250** points of irrigated, landscaping plant material will be installed. Based on the 4,550 square feet of building area for the Pizza Ranch, 73,422 landscaping points are required. However, there appears to be inconsistencies between landscaping points provided and the planting schedule as well as the location of plant material in comparison to the proposed exit doors. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised site plan demonstrating that the landscaping points provided and the proposed planting schedule are consistent. Additionally, the landscaping plan must continually comply with all requirements of the Chapter 17.50.300 of the Zoning Ordinance.

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Lighting Plan: The site plan identifies lighting for the two structural signs. However, to date the design of the proposed parking lot lighting has not been submitted for review and approval. 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. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit for review and approval a complete lighting package identifying the design of the proposed parking lot lighting.

Sign Package: The applicant's submittal information identifies two structural signs, one pole sign, one monument sign, two directional signs (identified as a pickup window sign and carry out sign). However, the site plan identifies three directional signs. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised site plan demonstrating that the size and location of the proposed monument sign is located outside the site triangle and that the applicant clarify the directional signs as either a pickup window directional sign or a carry out directional sign in order to eliminate customer confusion. Additionally, the site plan shall be revised to reflect two directional signs in lieu of the proposed three directional signs. The site plan shall also be revised to eliminate the pole sign. Additionally, 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. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be considered a Major Amendment to 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. 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.

Water Main: The applicant's site plan identifies that the 20 inch water main is located within the property boundary. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit as built construction drawings demonstrating that the water main is located within the existing right-of-way or that the applicant provide a water main easement with a minimum of 5 feet beyond the outside edge of the water main.

Drainage: The applicant submitted proposed drainage improvements and flow routing with the project plans. However, there was no data provided regarding the estimated flow, pipe or inlet as required. Staff was unable to determine if post-construction stormwater management plans and improvements are required. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit information regarding the stormwater flows, pipe and/or inlet data for review and approval as required.

**The applicant submitted the drainage calculations and structure sizing information**

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**along with a revised drainage report which included the post-construction stormwater quality features (BMPs) as required. Based on the information submitted, it appears that the revised information addresses the stormwater runoff requirements.**

Master Plan: On January 21, 1991, the City Council adopted a resolution establishing a policy that a Master Plan for the surrounding properties be submitted prior to plat approval, including pedestrian and vehicular connections. To date, a Master Plan has not been submitted for the surrounding properties in conjunction with the associated Preliminary Plat approval. (The applicant has submitted a Preliminary Plat in conjunction with this application because subdivision improvements are in place.) As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a Master Plan for review and approval as per the City's adopted resolution.

**The applicant submitted a Master Plan of the surrounding property as required. Luna Drive is classified as a commercial/industrial street. Staff is concerned that when East Anamosa Street is constructed from its current terminus east to East North Street, the traffic levels on Luna Drive will increase significantly creating additional vehicular conflicts. As such, staff recommends that when additional platting occurs, the Master Plan be revised to accommodate shared approaches at the common lot lines to reduce vehicular conflicts as originally proposed on the Master Plan dated November 4, 2009.**

Master Utility Plan: The Master Utility Plan ensures that the property as well as the adjacent properties can be served from water and sewer mains extending south along Luna Avenue. However, because a Master Plan for the property has not yet been submitted for review and approval, the determination cannot be made that water and sewer mains within the Luna Avenue right-of-way can provide adequate utilities for the balance of Tract C. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a Utility Master Plan as required. **The applicant submitted a Master Utility Plan of the surrounding property as required and based on the plan provided, it appears that adequate utilities can be provided to adjacent properties.**

All necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the revised construction plans and the red lined drawings shall be returned to the Growth Management Department for review and approval.

The required sign has been posted on the property and the receipts from the certified mailing have been returned. Staff has received one inquiry regarding the proposal.

**Staff recommends that the Planned Commercial Development - Initial and Final Development Plan be approved with the above-referenced stipulations.**