

STAFF REPORT
May 6, 2010

**No. 10PD032 - Planned Commercial Development - Initial and Final
Development Plan**

ITEM 21

GENERAL INFORMATION:

APPLICANT	Bill Brown
AGENT	Sperlich Consulting, Inc.
PROPERTY OWNER	Bill Brown
REQUEST	No. 10PD032 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot B of Tract E-3R of McMahon Subdivison, located in the NE1/4 of the SW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.0 acres
LOCATION	Southwest of the intersection of Haines Avenue and Kathryn Avenue
EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District (Planned Development Designation)
East:	General Commercial District (Planned Development Designation)
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/26/2010
REVIEWED BY	Jim Flaaen / Mary Bosworth

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, elevations and design features for the mini-storage building shall be submitted for review and approval, or a Major**

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2. **Amendment to the Planned Commercial Development must be obtained;**
2. **A minimum of 37,463 landscaping points shall be provided. The landscaping shall be installed as per the approved landscape plan and shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live, vegetative state;**
3. **The Planned Commercial Development shall allow the property to be used as a car wash and mini-storage. Any change in the proposed uses shall require a Major Amendment to the Planned Commercial Development;**
4. **A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
5. **A minimum of two permanent striped parking spaces shall be provided. One of the spaces shall be "van" handicap accessible. Striped stacking lanes of 69 feet each shall be provided behind each service bay to provide an additional 12 spaces. In addition, a 30 foot access aisle shall be continually maintained immediately adjacent to the controlled access area of the mini-storage building. All provisions of the Off-Street Parking Ordinance shall be continually met;**
6. **Prior to issuance of a building permit, an erosion and sediment control permit shall be obtained;**
7. **All provisions of the adopted Fire Code shall be continually met;**
8. **All signage shall conform to the design, color and location as shown in the sign package approved as a part of the Planned Commercial Development. No electronic signs are approved as a part of this Development Plan. The addition of electronic signage will require 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;**
9. **All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorists;**
10. **The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as a part of this Initial and Final Development Plan;**
11. **All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Initial and Final Development Plan, or as a subsequent Major Amendment; and,**
12. **The Planned Commercial Development shall allow the applicant to complete the two phases of development in four years as proposed. A time extension may be granted upon written request to the Growth Management Director, and prior to the Final Development Plan expiration date, a one year extension for Final Development Plan approval may be granted.**

GENERAL COMMENTS: (Updated April 26, 2010. All revised and/or edited text is shown

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in bold print.) This item was continued to the May 6, 2010 Planning Commission meeting to allow the applicant and his consultant to address outstanding issues with the project and to submit revised information.

The applicant has submitted an Initial and Final Planned Commercial Development application to construct a car wash on the property. In particular, the car wash will include three self-service bays and one automatic car wash bay. The site plan also identifies a storage building in the western portion of the property as a “future” phase of development.

The property is located southwest of the intersection of Haines Avenue and Kathryn Avenue and is currently void of any structural development. The property located north of this site is zoned General Commercial District with a Planned Commercial Development. A convenience store is currently located on the property. The properties located south, east and west of the property are zoned General Commercial Development with a Planned Development Designation and are currently void of any structural development.

STAFF REVIEW: (Updated April 26, 2010.) Staff has reviewed the Initial and Final Development Plan and has noted the following considerations:

Design Features: The applicant has submitted building elevations for the proposed car wash identifying that the proposed building will be a one story structure with a peaked metal roof. The building will be grey and white with a red roof and dark brown brick on the base of the walls. The proposed car wash will have clear overhead doors enclosing the wash bays. The surrounding commercial building on the adjacent property to the north is a grey and light tan color with red accents. The proposed color scheme will conform to the existing colors being used in the area. The structure must conform architecturally to the plans and elevations approved as a part of the Development Plan.

The submitted site plan and application identify a future building to be constructed and used as mini-storage on the west side of the property. The applicant has indicated that construction of this building will occur at a future date and has not submitted elevations or design features for the proposed building. Prior to Planning Commission approval, the applicant shall provide elevations and design features identifying that the design of the mini-storage building will be consistent with the approved plans and elevations of the Development Plan for the car wash or a Major Amendment to the Planned Commercial Development must be obtained.

Signage: The applicant has submitted a sign package that includes a 15 foot tall pole sign. The proposed sign will consist of one 10 foot wide by 5 foot tall static poster sign 10 feet above the ground. The sign will display the message “Black Hills Auto Spa”. The poster sign will be white in color and have black and red lettering. No electronic signs are approved as a part of this Development Plan. The addition of electronic signage to the sign package will require a Major Amendment to the Planned Commercial Development. No signage is proposed to be located on the building. Changes to the proposed sign package, which the Growth Management

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Director determines to be consistent with the original approved sign package, may be allowed as a Minimal Amendment to the Planned Commercial Development.

Landscaping: A minimum of 37,463 landscape points are required for the property. The applicant's site plan identifies that 38,110 points are being provided. In particular, the landscape plan identifies two clusters of large trees on the property, one in the northwest corner along Kathryn Avenue and one in the southeast corner along Haines Avenue. The plan also identifies a row of small trees along the east side of the property along Haines Avenue. The landscaping shall be installed as per the approved landscape plan and shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live, vegetative state.

Parking: The Off-Street Parking Ordinance requires that three off-street parking spaces be provided for each drive-thru lane. The applicant's site plan identifies two permanent employee parking spaces on the property with one being handicap "van" accessible. Section 17.50.270(D) of the Rapid City Municipal Code requires that 3 stacking spaces be provided for each drive-thru lane. The site plan also identifies 12 stacking spaces for a total of 14 provided parking spaces on the property.

As previously identified, the applicant has included a future building on the site plan to be used as mini-storage. No permanent parking spaces are required for mini-storage; however, a 30 foot access aisle must be provided and maintained in front of all access doors. The submitted site plan identifies a 30 foot access aisle on the north and east sides of the mini-storage building. The parking spaces and striping must be installed as per the approved parking plan and all provisions of the Off-street Parking Ordinance shall be continually met.

Time Extension: Chapter 17.50.060 of the Rapid City Municipal Code states that Final Development Plan approval shall expire 2 years from the date upon which it becomes effective. As such, the applicant has requested a time extension to allow the construction of the project to be completed in two phases in four years from the effective date.

Staff recommends that the time extension request to allow the applicant to complete the two phases of development in four years as proposed be granted. A time extension may be granted upon written request to the Growth Management Director, and prior to the Final Development Plan expiration date, a one year extension for Final Development Plan approval may be granted.

Staff has reviewed the Initial and Final Planned Commercial Development application and has noted several issues that must be addressed prior to this item going forward. In particular, the applicant must submit a revised parking plan identifying an access aisle to the stacking lanes provided for each service bay. Providing the access aisle may impact the proposed location and access to a "future" storage building to be located along the west side of the property. In addition, the applicant must identify that the lot will support future parking

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and access to the future storage building without impacting the access aisle and stacking lanes for the car wash service bays.

Staff is seeking clarification regarding the proposed use of the future storage building to insure that it is a permitted or conditional use within the General Commercial District. The applicant should be aware that constructing a facility for personal storage is not an allowed use in the General Commercial District while mini-warehousing is allowed as a conditional use when the structure meets specific standards.

A specific phasing plan should be provided identifying the time frame for construction of the future building. The phasing may affect the landscape calculations based on the point calculation since this building is not being constructed as a part of this phase of construction. Alternately the applicant may wish to request an exception to reduce the landscaping requirements. Additionally there are some corrections required to the point calculation used for large trees.

The applicant's sign package identifies a pole sign to be located in the northeast corner of the property. The pole sign includes a 2.5 foot high by 7 foot wide electronic reader board sign. However, on March 15, 2010 the City Council established a 90 day moratorium on the receipt of applications for and the issuance of sign permits for electronic signs. As such, the sign package must be revised to eliminate the electronic reader board sign.

Staff has also noted that the building elevations for the proposed car wash do not match the footprint of the building as shown on the site plan. In particular, the location of the double doors as shown on the elevations is not represented on the site plan. This discrepancy should be corrected.

Staff is currently in the process of scheduling a meeting with the applicant and his consultant to review these issues. Staff recommends that the Initial and Final Planned Commercial Development be continued to the May 6, 2010 Planning Commission meeting to allow the applicant to meet with staff and to submit the revised information as identified.

Notification Requirement: As of this writing, the receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the April 22, 2010 Planning Commission meeting if these requirements have not been met.

Staff recommends that the Planned Commercial Development – Initial and Final Development Plan be approved with the stipulations as outlined above.