

STAFF REPORT
June 24, 2010

**No. 10PD042 - Planned Commercial Development - Final ITEM 9
Development Plan**

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Midland Rushmore, LLC
REQUEST	No. 10PD042 - Planned Commercial Development - Final Development Plan

EXISTING
LEGAL DESCRIPTION

A portion of the Lot 5 of Block 2 of Rushmore Crossing, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the Section Corner common to Sections 29, 30, 31, 32, T2N, R8E, BHM, thence N20°15'43"E, a distance of 1004.18 feet, to a corner on the easterly boundary of Tract C of Block 2 of Rushmore Crossing, common to a corner of the interior boundary of Lot 5 of Block 2 of Rushmore Crossing, and the point of beginning; Thence, first course S61°19'48"E, a distance of 62.20 feet; Thence, second course: curving to the left, on a curve with a radius of 199.60 feet, a delta angle of 22°10'38", a length of 77.26 feet, a chord bearing of S72°23'46"E, and chord distance of 76.78 feet; Thence, third course: S83°27'45"E, a distance of 31.29 feet, to a point on the easterly boundary of said Lot 5, common to the westerly boundary of Tract D of Block 2 of Rushmore Crossing; Thence, fourth course: S05°15'42"E, along the easterly boundary of said Lot 5, common to the westerly boundary of said Tract D, a distance of 31.20 feet; Thence fifth course: S18°46'19"W, along the easterly boundary of said Lot 5, common to the westerly boundary of said Tract D, a distance of 248.40 feet; Thence sixth course: N71°13'42"W, along the easterly boundary of said Lot 5, common to the westerly boundary of said Tract D, a distance of 9.94 feet; Thence seventh course: N71°13'14"W, a distance of 10.01 feet; Thence eighth course: N28°44'21"W, a distance of 46.82 feet; Thence ninth course: N71°24'56"W, a distance of 89.33 feet; Thence tenth course: N60°28'23"W, a distance of 79.61 feet, to a point on the easterly boundary of said Tract C, common to a point on the interior boundary of said Lot 5; Thence eleventh course: N28°40'12"E, along the easterly boundary of said Tract C, common to the interior boundary of said Lot 5, a distance of 236.73 feet, to a corner on the easterly

STAFF REPORT
June 24, 2010

**No. 10PD042 - Planned Commercial Development - Final ITEM 9
Development Plan**

	boundary of said Tract C, common to a corner of the interior boundary of said Lot 5, and the point of beginning
PARCEL ACREAGE	Approximately 1.130 acres
LOCATION	1135 Eglin Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Development Designation)
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	5/28/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
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. The proposed structure(s) shall conform architecturally to the plans, elevations and color palette submitted as part of this Planned Commercial Development Plan;
4. The roof top mechanical equipment shall be screened from view along the front and side(s) of the buildings. In addition, the roof top mechanical equipment shall be camouflaged in color to match the color of the roof;
5. 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

STAFF REPORT
June 24, 2010

**No. 10PD042 - Planned Commercial Development - Final ITEM 9
Development Plan**

- 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. The dumpster and compactor shall be located as shown on the site plan and screened as proposed;
 7. The currently adopted International Fire Code shall be continually met. The proposed structure(s) shall also have fire sprinkler systems and be fire alarmed as per the currently adopted International Fire Code;
 8. 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; and,
 9. 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:

The applicant has submitted a Final Commercial Development Plan to construct a 7,724 square foot retail building and a connecting 24,200 square foot retail building within the Rushmore Crossing Development. Upon completion, the two buildings will provide a structural connection between the Target store and the Scheels store currently located within Rushmore Crossing.

On April 26, 2007, the Planning Commission approved an Initial Commercial Development Plan (File #07PD019) to construct approximately 861,000 square feet of new commercial development on 127 acres, which included the subject property.

On June 4, 2007, the City Council approved a Preliminary Plat application (#07PL038) to subdivide 126.54 acres into 24 commercial lots and to vacate a 30 foot wide private access easement, to vacate a portion of a section line highway located between Sections 29 and 32, to vacate a portion of a section line highway located between Sections 29 and 30, to vacate a portion of Rapp Street and to vacate a 66 foot wide public access easement.

On October 23, 2007, a Final Plat (#07PL126) was approved to create 18 lots as a part of the Rushmore Crossing development, including the subject property.

The property is located on south of Eglin Street between the existing Target store and the Scheel's store. Currently, the individual lot is void of any structural development.

STAFF REVIEW:

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

STAFF REPORT
June 24, 2010

**No. 10PD042 - Planned Commercial Development - Final ITEM 9
Development Plan**

Design Features: The applicant has submitted structural elevations for the commercial structures identifying one story buildings with a parapet along the front of the structures. The applicant has indicated that the structures will be constructed with brick, integral color concrete masonry, cultured stone, wood and glass. In addition, the applicant has indicated that the roof(s) will be tan and gray in color to minimize glare.

The elevations do not show a parapet constructed along the rear of the buildings. However, the applicant has submitted line of sight drawings showing that the adjacent grades limit the visibility of the roof. Please note that a parapet was not required along the rear of the Target store or the Scheels store due to the limited visibility of the roof. Instead, it was stipulation that the roof top mechanical equipment be camouflaged in color to match the color of the roofing.

Staff recommends that the proposed structure(s) conform architecturally to the plans, elevations and color palette submitted as part of this Planned Commercial Development Plan. In addition, the roof top mechanical equipment must be screened from view along the front and side(s) of the buildings. In addition, the roof top mechanical equipment must be camouflaged in color to match the color of the roofing.

Parking, Landscaping and Lighting: The parking and landscaping for this phase of the development were previously reviewed and approved by the Planning Commission. In particular, on August 23, 2007, the Planning Commission approved a Final Commercial Development Plan application (#07PD060) to construct 1,057 parking spaces with landscaping and lighting within the eastern portion of the Rushmore Crossing development. In addition, on September 20, 2007, the Planning Commission approved a Final Commercial Development Plan application (#07PD074) to construct 1,250 parking spaces with landscaping and lighting within the western portion of the Rushmore Crossing development. The parking and lighting have been constructed in compliance with the approved construction plans and the landscaping has been planted in compliance with the approved Landscape Plan.

Signage: The applicant has submitted a sign package showing wall signs along the front of the building. Even though the tenant information is not shown, it appears that the location and size of the signage is in compliance with the Sign Code. As such, staff recommends that 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 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.

STAFF REPORT
June 24, 2010

**No. 10PD042 - Planned Commercial Development - Final ITEM 9
Development Plan**

Dumpster: The site plan identifies a trash receptacle located behind each of the two commercial structures. In particular, a dumpster is being located behind the building adjacent to the Scheel's store and screened with a 6 foot high cedar fence. In addition, the fence is brown in color to match the building. A compactor is being located behind the building adjacent to the Target store within a truck well and screened with a 4 foot high retaining wall.

Staff recommends that the dumpster and compactor be located as shown on the site plan and screened as proposed.

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 be fully fire sprinklered. The Fire Department has also indicated that an address must be posted on the site prior to or in conjunction with building construction. Staff is recommending that all International Fire Codes be continually met.

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 June 24, 2010 Planning Commission meeting if these requirements have not been met.