

STAFF REPORT
September 23, 2010

No. 10PD054 - Major Amendment to a Planned Industrial Development to revise the sign package **ITEM 10**

GENERAL INFORMATION:

APPLICANT	Robert Wordeman
PROPERTY OWNER	Robert Wordeman
REQUEST	No. 10PD054 - Major Amendment to a Planned Industrial Development to revise the sign package
EXISTING LEGAL DESCRIPTION	Lot 2 of Lot A of D.D.E. Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.08 acres
LOCATION	1330 Jess Street
EXISTING ZONING	Light Industrial District (Planned Industrial Development)
SURROUNDING ZONING	
North:	Light Industrial District (Planned Commercial Development)
South:	Light Industrial District (Planned Commercial Development)
East:	Light Industrial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/27/2010
REVIEWED BY	Jim Flaaen / Karley Halsted

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Industrial Development to revise the sign package be approved with the following stipulations:

1. The following uses shall be allowed: manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding saw mill), yard and paint not involving a boiling process; new and used car, truck, motorcycle, snowmobile and boat sales and rentals;

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- farm implement and machinery new and used sales; retail and distribution establishments, including sales, display and show rooms and lots; offices, studios, clinics and laboratories; printing and secretarial services; mail and parcel services; commercial indoor recreational uses, including gymnasiums, ice skating rinks and similar establishments; the manufacture and maintenance of electronic and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilation ducts and equipment, cornices, eaves and the like; the manufacture of musical instruments, toys, novelties, and rubber and metal stamps; automobile assembling, painting, upholstering, rebuilding, recondition, body and fender work, truck repairing and overhauling, tire retreading or recapping, and battery manufacturing; blacksmith shop and machine shop; foundry casting, lightweight nonferrous metal not causing noxious fumes or odors; and, wholesale or warehouse enterprise. Any change in land uses not approved by this Planned Industrial Development will require a Major Amendment to the Planned Industrial Development;
2. A Building Permit shall be obtained prior to occupancy of the building, the construction of the parking lot, and the construction of the storefront. In addition, a Certificate of Occupancy shall be obtained prior to use of the building;
 3. The proposed storefront improvement shall conform architecturally to the approved plans and elevations and a Building Permit shall be obtained prior to construction;
 4. Prior to construction of the asphalt parking lot, a Building Permit shall be obtained and a drainage analysis and drainage report shall be submitted for review and approval;
 5. A minimum of 31 parking spaces shall be provided. In addition, two of the parking spaces shall be handicap accessible spaces as shown on the site plan. One of the handicap spaces shall be "van" accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
 6. 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;
 7. All signage shall conform to the approved sign package. 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 Industrial 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;
 8. The currently adopted International Fire Codes shall be continually met;
 9. A minimum of 34,500 landscaping points shall be provided. The landscaping shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary; and,
 10. The Planned Industrial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning commission for the approved uses, or if the use as approved has ceased for a period of two years. However, the additional parking lot and store front construction may be phased over time

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and extend beyond the two years.

GENERAL COMMENTS: The applicant has submitted a Major Amendment to a Planned Industrial Development to revise the previously approved sign package. In particular, the applicant is proposing to install a 16 foot high pole sign with two static poster signs located on the pole. The proposed pole sign will be located at the southeast corner of the property.

On June 7, 1999, the City Council approved a Planned Commercial Development – Final Development Plan (#99PD012) on Lot A with the following stipulations:

1. That prior to City Council approval of the Final Development Plan, the street improvements for Jess Street and Kermit Lane shall be completed or surety shall be posted for these improvements;
2. When Jess Street is completed, the north approach on Cambell Street shall be closed;
3. A temporary turnaround shall be provided at the east terminus of Jess Street;
4. That prior to City Council approval of the Final Development Plan, sidewalks shall be provided along Jess Street and Cambell Street or surety posted for this improvement;
5. That prior to City Council approval of the Final Development Plan, the applicant shall provide a grading plan and a revised drainage plan;
6. That prior to City Council approval, the applicant shall provide detailed construction plans for water and sanitary sewer main extensions;
7. That prior to City Council approval, the applicant shall provide plan details for Jess Street and Kermit Lane construction and provide a plan for extending utilities on these streets;
8. That prior to City Council approval, the applicant must provide an engineering estimate for the required improvements;
9. That prior to City Council approval, the applicant must make corrections to the engineering plans;
10. That prior to any construction, a building permit shall be obtained, and prior to occupancy, the applicant shall obtain a Certificate of Occupancy;
11. That all parking and circulation must be paved and that curb stops shall be provided for the parking spaces in front of the building so that four feet of usable sidewalk is maintained;
12. That prior to issuance of a building permit, all fire codes must be met;
13. That a temporary turnaround be constructed at the end of Kermit Lane;
14. Prior to City Council approval of the Final Development Plan for Phase Two, an Air Quality Permit shall be obtained;
15. Prior to City Council approval of the Final Development Plan for Phase Two, a complete sign package shall be submitted for review and approval. No off-premise signage shall be allowed;
16. Prior to City Council approval of the Final Development Plan for Phase Two, a revised landscape plan shall be submitted indicating specific plant types and quantity of those materials;
17. Prior to City Council approval of the Final Development Plan for Phase Two, the

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- applicant shall submit elevations of the proposed building;
18. A six foot high solid wood fence shall be constructed around any refuse dumpsters on the property;
 19. Prior to City Council approval of the Final Development Plan for Phase Two, a lighting plan shall be submitted showing how the parking lot will be lit;
 20. The allowed uses of the structure shall be limited to retail sales; personal, professional, and business service establishments; offices, and a restaurant. Any on-sale liquor establishments shall require a Major Amendment to the Planned Commercial Development; and,
 21. The Final Development Plan approval shall be for only the portion of Lot A identified in the site plan. Prior to any additional development of Lot A, a Final Development Plan shall be submitted for review and approval.

In addition, on June 7, 1999, the City Council approved a Final Plat (#99PL022) dividing Lot A into two lots, Lot 1 of Lot A and Lot 2 of Lot A.

On August 9, 2000, a Minimal Amendment to the Planned Commercial Development was approved to increase the number of parking spaces in compliance with the Planned Commercial Development approved on June 7, 1999.

On June 15, 2009, the City Council approved an Amendment to the Adopted Comprehensive Plan (#09CA008) to change the land use designation from General Commercial District to Light Industrial District with a Planned Industrial Development as well as a Rezoning (#09RZ025) from General Commercial District to Light Industrial District.

On October 22, 2009, the Planning Commission approved with stipulations a Planned Industrial Development – Initial and Final Development Plan to allow a multitude of uses on the property. In addition, the applicant had requested that a building modification be allowed to create, as finances allow, a store front on the east side of the building to match in appearance the store front currently located on the west side of the building, and to create an asphalt parking area in front of the east side of the building. The stipulations of approval included:

1. The following uses shall be allowed: manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding saw mill), yard and paint not involving a boiling process; new and used car, truck, motorcycle, snowmobile and boat sales and rentals; farm implement and machinery new and used sales; retail and distribution establishments, including sales, display and show rooms and lots; offices, studios, clinics and laboratories; printing and secretarial services; mail and parcel services; commercial indoor recreational uses, including gymnasiums, ice skating rinks and similar establishments; the manufacture and maintenance of electronic and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilation ducts and equipment, cornices, eaves

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and the like; the manufacture of musical instruments, toys, novelties, and rubber and metal stamps; automobile assembling, painting, upholstering, rebuilding, recondition, body and fender work, truck repairing and overhauling, tire retreading or recapping, and battery manufacturing; blacksmith shop and machine shop; foundry casting, lightweight nonferrous metal not causing noxious fumes or odors; and, wholesale or warehouse enterprise. Any change in land uses not approved by this Planned Industrial Development will require a Major Amendment to the Planned Industrial Development;

2. A Building Permit shall be obtained prior to occupancy of the building, the construction of the parking lot, and the construction of the storefront. In addition, a Certificate of Occupancy shall be obtained prior to use of the building;
3. The proposed storefront improvement shall conform architecturally to the approved plans and elevations and a Building Permit shall be obtained prior to construction;
4. Prior to construction of the asphalt parking lot, a Building Permit shall be obtained and a drainage analysis and drainage report shall be submitted for review and approval;
5. A minimum of 31 parking spaces shall be provided. In addition, two of the parking spaces shall be handicap accessible spaces as shown on the site plan. One of the handicap spaces shall be "van" accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
6. 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;
7. All signage shall conform to the approved sign package. 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;
8. The currently adopted International Fire Codes shall be continually met;
9. A minimum of 33,924 landscaping points shall be provided. The landscaping shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary; and,
10. The Major Amendment to the Planned Industrial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning commission for the approved uses, or if the use as approved has ceased for a period of two years.

On March 11, 2010, a Minimal Amendment to the Planned Industrial Development was approved to allow a 4 foot high by 8 foot wide static metal wall sign above the entrance door on the south side of the property.

The property is located at 1330 Jess Street, which is on the north side of Jess Street, west of Kermit Lane and east of Cambell Street. A commercial/industrial structure is located on

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the property.

STAFF REVIEW: Staff has reviewed this Major Amendment to a Planned Commercial Development and has noted the following considerations:

Signage: As previously stated, the applicant is proposing to locate a 16 foot tall pole sign at the southeast corner of the property. The proposed pole sign will consist of two signs. The upper sign is proposed to be 3 feet high and 15 feet wide. The sign will be white in color with the message "Power Brokers" in blue lettering with grey outlines. The proposed sign will be internally illuminated. The lower sign is proposed to be 2 feet high and 8 feet wide. The sign will be blue in color with the message "ATV Motorcycles" in white lettering. The proposed sign will not be illuminated. No electronic signs are proposed as a part of this Development Plan. The addition of electronic signage will require a Major Amendment to the Planned Commercial Development.

Several existing wall signs are located on the building that were part of the previously approved Planned Industrial Development. A 4 foot high by 48 foot wide lighted static poster wall sign is located on the south side of the building and a 4 foot high by 96 foot wide static poster wall lighted sign is located on the west side of the building. In addition, a 4 foot high by 8 foot wide static metal wall sign is located on the south side of the building above the entrance door.

Sign Location: The submitted site plan identifies that the proposed sign will be located at the southeast corner of the property at the intersection of Jess Street and Kermit Lane. The sign is proposed to be set back 5 feet from the south property line and approximately 45 feet from the east property line. The proposed sign is located outside of the existing 8 foot utility and minor drainage easement.

Sight Triangle: The proposed location of the sign will not be located within the pedestrian or vehicular sight triangle.

Parking: The proposed signage will not increase the parking requirement for the property, nor will the proposed location of the sign take the place of any existing parking spaces. The parking plan submitted by the applicant identifies that 38 spaces are provided on the property exceeding the 30 that are required. In addition, two spaces are handicap accessible with one being "van" accessible.

The previously approved Planned Industrial Development identified that an additional asphalt parking lot would be constructed as a part of a future phase of development. The applicant has identified the additional parking lot on the site plan submitted with this application. The construction of the asphalt parking lot will require a Building Permit prior to construction. The parking lot must be striped and meet all the regulations of Section 17.50.270 of the Rapid City Municipal Code. Prior to obtaining a building permit for the construction of the off-street parking lot, an Erosion and Sediment Control Plan must be submitted and, upon review, an Erosion and Sediment Control Permit may be required. In addition, a drainage analysis and drainage report will be required prior to obtaining a

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building permit. Any additional loading areas must meet the regulations of the off-street loading and unloading requirements of the Parking Ordinance.

Landscaping: The proposed signage will not increase the landscape requirement for the property. It should be noted that the proposed signage may reduce some of the landscape currently being provided on the property at the proposed location of the sign. However, the landscape plan submitted by the applicant identifies that 34,500 landscape points are being provided exceeding the 32,056 points that are required on the property. The landscaping must be installed as per the approved landscape plan and must comply with all requirements of the Zoning Ordinance. In addition, all landscaping must be continually maintained in a live, vegetative state.

Land Uses: The previously approved Planned Industrial Development stipulated a multitude of uses to be approved uses within the Planned Industrial Development. The property is located within the Light Industrial Zoning District and all uses are permitted uses within the Light Industrial Zoning District. As such, staff supports the uses and proposed. However, the applicant should continually be aware that the property may not support some of the permitted uses due to size of the property, building, lack of available parking, or other requirements. Any change in use not included in the permitted uses of this Planned Industrial Development will require a Major Amendment to the Planned Industrial Development. In addition, prior to a change of use of all or a portion of the building, a Building Permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy.

Site Improvements: The previously approved commercial/industrial structure has been constructed on the property. Staff recommends the landscaping, parking, signage and other infrastructure to support the use(s) be constructed as per previously approved Industrial Development Plan and subsequent Minor Amendments. In addition, staff recommends that the property be continually maintained as per the requirements of the previously approved Industrial Development Plan.

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 September 23, 2010 Planning Commission meeting if these requirements have not been met. Staff has not received any inquiries or objections to the proposed request.

Staff recommends that the Major Amendment to a Planned Industrial Development be approved with the stipulations as identified above.