

STAFF REPORT
November 4, 2010

No. 10PD062 - Major Amendment to a Planned Commercial Development to construct a Commercial Structure **ITEM 25**

GENERAL INFORMATION:

APPLICANT	Donovan Broberg ARC International, Inc.
PROPERTY OWNER	Joe Kieffer
REQUEST	No. 10PD062 - Major Amendment to a Planned Commercial Development to construct a Commercial Structure
EXISTING LEGAL DESCRIPTION	Lot 4 of Block 1 of Stoney Creek South Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.18 acres
LOCATION	5808 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 sewer and water
DATE OF APPLICATION	9/24/2010
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development to construct a commercial structure be approved with the following stipulations:

1. Prior to Planning Commission approval, a Certificate of Occupancy shall be obtained for the two existing buildings currently located on the property;
2. Prior to Planning Commission approval, the parking plan shall be revised to provide a minimum 60 inch wide access aisle adjacent to the proposed handicap parking spaces

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- located in front of the Architecture International building and the propose third building. In addition, the parking plan shall continually provide a minimum of 49 parking spaces with two handicap accessible spaces. One of the handicap spaces shall be "van" accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
 4. Prior to issuance of a building permit, all red line comments shall be addressed. In addition, revised plans shall be submitted as needed addressing the red line comments;
 5. Prior to issuance of a building permit, an industrial pre-treatment permit shall be obtained for the medical facility if needed;
 6. Prior to issuance of a building permit, an Erosion Control Permit shall be obtained;
 7. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
 8. The proposed structure shall conform architecturally to the plans and elevations and color palette submitted as part of this Major Amendment to the Commercial Development Plan;
 9. A minimum of 56,980 landscape points shall be provided. In addition, the landscaping shall be in accordance with the approved plans. All landscaping shall also be continually maintained in a live vegetative state and replaced as necessary;
 10. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of this Major Amendment to 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. A sign permit shall also be obtained for each individual sign;
 11. The exterior air handling units shall continually be screened as proposed;
 12. All International Fire Codes shall be continually met;
 13. The lighting shall 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. In addition, the lighting shall be arranged so as to provide security and to reflect light toward the parking areas;
 14. The proposed commercial structure shall be used as professional office and medical facility uses as proposed. A medical facility for emergency care shall not be allowed on the property. Other permitted uses in the General Commercial District shall be allowed as a minimal amendment to the Planned Commercial Development contingent upon compliance with the Rapid City Municipal Code. A Major Amendment to the Planned Commercial Development shall be obtained for any use allowed as a Conditional Use in the General Commercial District; and,
 15. The Planned Commercial Development shall expire if the use is not undertaken 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.

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GENERAL COMMENTS:

(Update: October 22, 2010. All revised and/or added text is shown in bold print.) This item was continued at the October 21, 2010, Planning Commission meeting to allow the applicant to submit a revised parking plan and to obtain a Certificate of Occupancy for the two existing buildings located on the property. To date, the issues have not been resolved. Staff will notify the Planning Commission at the November 4, 2010, Planning Commission meeting if these stipulations of approval have been met.

The applicant has submitted a Major Amendment to a Commercial Development Plan to construct a 3,000 square foot medical and professional office building on the property as a second phase of development.

On May 22, 2009, the Planning Commission approved an Initial and Final Commercial Development Plan (File #08PD019) to allow a 3,670 square foot medical/dental office building and a 3,300 square foot professional office building to be located on the property. At that time, the applicant indicated that future development of the property would include a third building within the northern portion of the lot. The applicant has, subsequently, submitted this Major Amendment to the Planned Commercial Development to allow the construction of the third building on the property.

The property is located south of Catron Boulevard and east of Sheridan Lake Road. The two previously approved buildings have been constructed on the property. Architecture International and Kieffer Family Dental are currently located within the two buildings.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Commercial Development Plan and has noted the following considerations:

Certificate of Occupancy: As previously noted, Architecture International and Kieffer Family Dental are currently located within the two existing buildings located on the property. However, to date, a Certificate of Occupancy for either building has not been obtained. As such, staff recommends that prior to Planning Commission approval, a Certificate of Occupancy for the two existing buildings be obtained as required.

Design Features: The applicant has submitted building elevations of the proposed commercial structure identifying that the proposed building will be one story in height. The building will be constructed with brick, wood, stone, concrete, glass, drivet and metal panels. In addition, the building will have a flat roof with a parapet along all four sides. The building will also be constructed in shades of brown and gray to match the two existing buildings located on the property.

Staff recommends that the proposed structure conform architecturally to the plans and elevations and color palette submitted as part of this Major Amendment to the Planned Commercial Development Plan.

Parking: The existing and proposed uses require that a minimum of 49 parking spaces be

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provided. In addition, two of the parking spaces must be handicap accessible, with one of the spaces being "van" accessible. The applicant's site plan identifies 51 parking spaces with three handicap accessible spaces. In addition, one of the spaces is "van" accessible. However, a minimum 60 inch access aisle has not been provided adjacent to the other two handicap parking spaces as required. As such, staff recommends that prior to Planning Commission approval, the parking plan be revised to provide a minimum 60 inch wide access aisle adjacent to the two proposed handicap parking spaces. The applicant also has the option of removing one of the handicap parking spaces since only two are required and three are being provided. The "van" handicap parking space must be retained.

Land Use: The existing and proposed uses of the property include professional offices and a medical clinic with offices. The applicant has submitted a written statement indicating that future use of the property may include retail, a coffee shop, a bread shop, a café or other similar uses. The parking requirement for most of these future proposed uses is higher than the parking requirement for a medical clinic and/or an office building. To date, the applicant has not demonstrated that sufficient parking can be provided on the property for these uses. As such, staff recommends that the Major Amendment to the Planned Commercial Development be approved for professional offices and medical offices as currently proposed. In addition, a medical facility for emergency care shall not be allowed. Other permitted uses in the General Commercial District shall be allowed as a minimal amendment to the Planned Commercial Development contingent upon compliance with the Rapid City Municipal Code. A Major Amendment to the Planned Commercial Development must be obtained for any use allowed as a Conditional Use in the General Commercial District.

Signage: Currently two 10 foot by 4 foot wall signs are located on the Kieffer Family Dental building. In addition, a 10 foot by 4 foot wall sign is located on the Architecture International building. The applicant has submitted a sign package with this application showing a 10 foot by 4 foot wall sign to be constructed on the front of the third building. The total square footage of the proposed and existing signage is 160 square feet. The Sign Code allows 552 square feet. The proposed and existing signage for the property is in compliance with the Sign Code.

As such, staff recommends that all signage conform to the design, color and location as shown in the sign package submitted as a part of this Major Amendment to 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. A sign permit must also be obtained for each individual sign.

Landscaping: A minimum of 41,587 landscaping points are required. The applicant has submitted a landscape plan identifying that 56,980 points are being provided in compliance with the City's adopted Landscape Ordinance.

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Staff recommends that a minimum of 56,980 landscape points be provided as proposed. In addition, the landscaping shall be in accordance with the approved plans. All landscaping shall also be continually maintained in a live vegetative state and replaced as necessary.

Lighting: Section 17.50.270 requires that lighting be provided for all parking areas when evening usage is anticipated. The lighting must be arranged so as to provide security and to reflect light toward the parking areas. The proposed lighting plan meets the minimum requirements of Section 17.50.270 of the Rapid City Municipal Code.

Staff recommends that the lighting 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. In addition, the lighting must be arranged so as to provide security and to reflect light toward the parking areas.

Fire: The Fire Department has indicated that all International Fire Codes must be met as a part of the design standards for the development. In particular, fire hydrants must be in place and operational prior to or in conjunction with building construction. 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. 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. Staff is recommending that all International Fire Codes be continually met.

Notification Requirement: The receipts from the certified mailings have been returned and the sign has been posted on the property. Staff has received one call of inquiry regarding this application.