

STAFF REPORT
December 9, 2010

**No. 10PD052 - Planned Commercial Development - Initial and Final
Development Plan**

ITEM 22

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Mall Drive, LLC
REQUEST	No. 10PD052 - Planned Commercial Development - Initial and Final Development Plan

EXISTING
LEGAL DESCRIPTION

A portion of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and a portion of Lot E of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 8, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at; the southeasterly corner of Lot 3 of Forefather Flats Subdivision, common to a point on the northerly edge of Interstate 90 right-of-way, and the point of beginning; Thence, first course: N00°02'40"W, along the easterly boundary of said Lot 3, a distance of 359.70 feet; Thence, second course: N89°56'14"E, a distance of 86.82 feet; Thence, third course: S00°10'04"E, a distance of 190.75 feet; Thence, fourth course: S25°39'15"E, a distance of 9.14 feet; Thence, fifth course: S56°22'25"E, a distance of 10.96 feet; Thence, sixth course: N89°46'53"E, a distance of 73.64 feet; Thence, seventh course: N00°00'00"E, a distance of 94.80feet; Thence, eighth course: N90°00'00"E, a distance of 8.23 feet; Thence, ninth course: N00°00'00"E, a distance of 77.18 feet; Thence, tenth course: S89°23'24"E, a distance of 44.24 feet; Thence, eleventh course: N19°08'40"E, a distance of 32.41 feet; Thence, twelfth course: northwesterly, curving to the right, on a curve with a radius of 23.54 feet, a delta angle of 63°55'08", a length of 26.26 feet, a chord bearing of N36°17'51"W, and chord distance of 24.92 feet; Thence, thirteenth course: N02°40'34"E, a distance of 25.63feet; Thence, fourteenth course: N90°00'00"E, a distance of 241.53 feet; Thence, fifteenth course: N00°00'00"E, a distance of 192.44 feet; Thence, sixteenth course: N36°20'19"W, a distance of 3.75 feet; Thence, seventeenth course: N06°05'08"W, a distance of 41.12 feet; Thence, eighteenth course: N00°00'00"E, a distance of 1.34 feet; Thence, nineteenth course: N90°00'00"E, a distance of 3.69 feet; Thence, twentieth course: N45°00'00"E, a distance of 28.28 feet; Thence, twenty-first course: S00°00'00"E, a distance of 115.69 feet; Thence, twenty-second course: southeasterly,

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curving to the left, on a curve with a radius of 160.00 feet, a delta angle of 62°30'13", a length of 174.54 feet, a chord bearing of S31°15'06"E, and chord distance of 166.02 feet; Thence, twenty-third course: S60°32'23"W, a distance of 19.67 feet; Thence, twenty-fourth course: S00°00'00"E, a distance of 390.94 feet, to a point on the northerly edge of said Interstate 90 right-of-way; Thence, twenty-fifth course: S79°07'35"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 20.25 feet; Thence, twenty-sixth course: N89°50'05"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 531.10 feet, to the southeasterly corner of said Lot 3, and the point of beginning

**PROPOSED
LEGAL DESCRIPTION**

Lots 1 and 2 of Block 1 of Gateway Business Park Subdivision located in the W1/2 of the SE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

PARCEL ACREAGE

Approximately 4.603 acres

LOCATION

South of the intersection of East Mall Drive and Dakota Craft Drive and north of Interstate 90

EXISTING ZONING

General Commercial District (Planned Commercial Development)

SURROUNDING ZONING

North: General Commercial District (Planned Commercial Development)
South: Light Industrial District
East: General Commercial District (Planned Commercial Development)
West: General Commercial District (Planned Commercial Development)

PUBLIC UTILITIES

City sewer and water

DATE OF APPLICATION

8/13/2010

REVIEWED BY

Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

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1. Prior to Planning Commission approval, the Foursquare Property Traffic Impact Study shall be updated or a new Traffic Impact Study shall be submitted addressing the applicant's proposed development, including proposed street connections and proposed uses;
2. Prior to Planning Commission approval, a revised sign package shall be submitted for review and approval removing the electronic LED reader board sign from the proposed pole sign. In addition, the directional signs located at the entrance of the property shall maintain a minimum 100 foot separation or the size of the directional signs shall be reduced from nine square feet to five square feet or a Variance shall be obtained from the Sign Code Board of Appeals. The balance of the signs shall conform to the design, color and location as shown in the sign package submitted as a part of 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. 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;
3. Prior to Planning Commission approval, a design of the roof shall be submitted for review and approval demonstrating that all roof top mechanical units are screened;
4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
5. Prior to issuance of a building permit, a Preliminary Plat shall be reviewed and approved. In addition, prior to issuance of a Certificate of Occupancy, a Final Plat shall be recorded;
6. Prior to issuance of a building permit, an Air Quality Construction Permit shall be obtained for construction activities disturbing one acre or more of surface area;
7. An Exception is hereby granted to allow a 56 foot height for the southeast corner of the proposed hotel in lieu of a maximum 45 foot height as per the General Commercial District;
8. The proposed structure shall conform architecturally to the plans and elevations and color palette reviewed and approved as part of this Planned Commercial Development. Revisions to the design of the structure, that the Growth Management Director determines to be consistent with the original approved elevations, shall be allowed as a Minimal Amendment to the Planned Commercial Development;
9. The looped internal access aisle shall be constructed as a part of Phase One of the development to insure Fire Department access through the site. In particular, the access aisle shall be constructed with a minimum 26 foot wide paved surface when adjacent to parking spaces. The balance of the access aisle shall be constructed with a minimum 20 foot wide paved surface;
10. A minimum of 153,040 landscaping points shall be provided. In addition, the landscaping shall be planted in accordance with the approved plans. All landscaping shall be continually maintained in a live vegetative state and replaced in compliance with the City's adopted Landscape Ordinance;
11. The dumpster shall be located as shown on the site plan and screened along all four sides with an 8 foot high brick veneered wall and gated as proposed;

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12. A minimum of 111 parking spaces with five of the spaces being handicap accessible shall be provided as a part of Phase One of the development. In addition, one of the handicap spaces shall be "van" handicap accessible;
13. 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 motorist or constitute a nuisance of any kind;
14. The currently adopted International Fire Code shall be continually met. In addition, the applicant shall coordinate any expansion or alterations of the project with the Fire Department;
15. An Exception is hereby granted to reduce the minimum required side yard setback along the west lot line from 25 feet to 15 feet. All other provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Planned Commercial Development or a Major Amendment to the Planned Commercial Development;
16. The Planned Commercial Development shall allow for a hotel with meeting rooms, conference rooms, a breakfast area and a lounge area to be used exclusively by patrons of the hotel. Any other use of the property shall require a Major Amendment to the Planned Commercial Development; and,
17. 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 24, 2010. All revised and/or added text is shown in bold print.) This item was continued at the November 18, 2010 Planning Commission meeting to allow the applicant to submit additional information. As of this writing, the information has not been submitted for review and approval. In particular, the Foursquare Property Traffic Impact Study must be updated or a new Traffic Impact Study must be submitted addressing the applicant's proposed development, including proposed street connections and proposed uses. In addition, a revised sign package must be submitted for review and approval removing the electronic LED reader board sign from the proposed pole sign. A design of the roof must also be submitted for review and approval demonstrating that all roof top mechanical units are screened. Staff will notify the Planning Commission at the December 9, 2010 Planning Commission meeting if this information has not been submitted for review and approval.

(Update: November 8, 2010. All revised and/or added text is shown in bold print.) This item was continued at the November 4, 2010 Planning Commission meeting to allow the applicant to submit additional information and to submit a revised legal description reflecting the revised boundaries for Phase One of the development. The applicant has subsequently submitted a revised landscape plan, a revised sign package and a revised legal description.

(Update: October 28, 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 additional information. The applicant subsequently submitted a revised plat

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document, revised construction plans, a final drainage plan and report, a stormwater management plan, a truck and bus turning movement detail and line of site drawings for the proposed signage. During the review of the information, staff noted that the boundary of the Planned Commercial Development has been enlarged to accommodate a revised street design and approach location. As such, the legal notification for the Initial and Final Planned Commercial Development must be corrected to reflect the revised legal description.

Staff recommends that the Initial and Final Planned Commercial Development be continued to the November 18, 2010 Planning Commission meeting to allow the applicant to submit a revised legal description and for the legal notification requirement to be met reflecting the revised legal description. In addition, the applicant must address the following issues prior to Planning Commission approval: 1) the Foursquare Property Traffic Impact Study must be updated to address the applicant's proposed development, including proposed street connections and proposed uses or a new Traffic Impact Study must be submitted; 2) a revised landscape plan must be submitted for review and approval identifying a minimum of 251,675 landscape points located within Phase One of the development; 3) a revised sign package must be submitted for review and approval clearly identifying the location and design of each proposed sign. In addition, the revised sign package shall show the elimination of the electronic LED reader board from the proposed pole sign; and, 4) the location and screening of all exterior mechanical equipment, including roof top equipment, must be submitted for review and approval.

(Update: October 11, 2010. All revised and/or added text is shown in bold print.) This item was continued at the October 7, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. As of this writing, all of the additional information has not been submitted for review and approval. As such, staff recommends that the Initial and Final Commercial Development Plan be continued to the November 4, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

(Update: September 24, 2010. All revised and/or added text is shown in bold print.) This item was continued at the September 23, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. As of this writing, all of the additional information has not been submitted for review and approval. As such, staff recommends that the Initial and Final Commercial Development Plan be continued to the October 21, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

(Update: September 13, 2010. All revised and/or added text is shown in bold print.) This item was continued at the September 9, 2010 Planning Commission meeting to allow the applicant to submit additional information as noted below. On September 10, 2010, the applicant met with staff to review the outstanding issues. As of this writing, all of the additional information has not been submitted for review and approval. As such, staff recommends that the Initial and Final Commercial Development Plan be continued to the October 7, 2010 Planning Commission meeting to allow the applicant to address the outstanding issues.

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The applicant has submitted an Initial and Final Planned Commercial Development application to construct a 154,064 square foot hotel as Phase One of the Gateway Business Park development. In addition, the applicant has submitted a Preliminary Plat (File #10PL061) to subdivide the property creating two lots and leaving a non-transferable balance. The lots are to be known as Lots 1 and 2 of Block 1, Gateway Business Park Subdivision. The proposed hotel is to be located within the southeast corner of Lot 2.

The property is located between East Mall Drive and Interstate 90 at the southern terminus of Dakota Craft Drive. Currently, the property is void of any structural development.

STAFF REVIEW:

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

Infrastructure Improvements: Preliminary design reports and plans have been submitted for review and approval as a part of the associated Preliminary Plat application. The applicant has indicated that final design reports and construction plans will be submitted when the final design is completed. However, final construction plans and analysis are required as a part of the Preliminary Plat application in order to determine that adequate services are available to serve the property and that the system is designed in compliance with City design standards. In addition, a final drainage plan and final report is required to be submitted as a part of the Preliminary Plat application in order to insure that discharge from the proposed improvements will not exceed pre-developed flow rates and/or to insure that local detention facilities are being provided as needed. As such, staff recommends that the associated Preliminary Plat be continued to allow the applicant to submit the final analysis and construction plans as required. The infrastructure improvements are also required in order to provide access, utilities and drainage improvements to serve the proposed hotel development. As such, staff recommends that the Initial and Final Commercial Development Plan be continued to allow the applicant to submit final construction plans and reports for review and approval.

(Update: October 25, 2010.) The applicant has submitted a final analysis and construction plans for the water and wastewater system(s) to serve the proposed development. Staff has reviewed the information and identified minor red line comments that must be addressed.

In order to insure that the infrastructure improvements to serve the development have been approved by the City and to secure access and utility easements as needed for the development, staff recommends that prior to issuance of a building permit, the associated Preliminary Plat be reviewed and approved. In addition, prior to issuance of a Certificate of Occupancy, a Final Plat must be recorded.

Traffic Impact Study: A Traffic Impact Study for "Foursquare Property", which included East Mall Drive, was completed in 2007 and updated in January, 2008. The study identifies appropriate access points along East Mall Drive. In addition, in order to determine the projected traffic counts along East Mall Drive, the study identifies the proposed uses of the properties within the area. Prior to Planning Commission approval, the applicant's Master

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Plan must be revised to include proposed use(s) to insure that they comply with the proposed uses identified in the Traffic Impact Study. The applicant also has the option of revising the Traffic Impact Study to allow the proposed uses if they differ from the approved study. As a part of the associated Preliminary Plat, staff has also noted that the applicant must demonstrate that the proposed street intersections along East Mall Drive are in compliance with the approved Traffic Impact Study and that minimum separation between the streets and existing approaches located along the north side of East Mall Drive is being provided in compliance with the Street Design Criteria Manual or the applicant has the option of revising the Traffic Impact Study to allow the street connections. In addition, an Exception to the Street Design Criteria Manual may be needed if adequate separation is not being provided between the existing approaches and the proposed street intersections.

(Update: October 25, 2010.) To date, an updated Traffic Impact Study addressing the applicant's proposed street connections and uses has not been submitted for review and approval. As such, staff recommends that prior to Planning Commission approval, the Foursquare Property Traffic Impact Study must be updated or a new Traffic Impact Study must be submitted addressing the applicant's proposed development, including proposed street connections and proposed uses.

(Update: November 8, 2010.) To date, an updated Traffic Impact Study addressing the applicant's proposed street connections and uses has not been submitted for review and approval. As such, staff recommends that prior to Planning Commission approval, the Foursquare Property Traffic Impact Study must be updated or a new Traffic Impact Study must be submitted addressing the applicant's proposed development, including proposed street connections and proposed uses.

Design: The applicant has submitted structural elevations identifying the hotel as a four story structure with a flat roof. The building is comprised of wood frame construction with manufactured stone and synthetic stucco siding. The stone facing will be located primarily along the first story of the building and as pilasters to provide massing relief throughout the upper levels of synthetic stucco. The building will be constructed in shades of neutral brown(s). The elevations do not identify the color of the roof. As such, staff recommends that prior to Planning Commission approval, the color of the roof be submitted for review and approval. Please note that in the past, the Planning Commission has not supported a white roof membrane due to the glare created by the color. A beige or other off-white color has been acceptable along with other darker earth tones.

(Update: October 25, 2010.) The applicant has indicated that the roof membrane will be black or dark brown. Staff recommends that the proposed structure conform architecturally to the plans and elevations and color palette reviewed and approved as part of this Planned Commercial Development. Revisions to the design of the structure, that the Growth Management Director determines to be consistent with the original approved elevations, shall be allowed as a Minimal Amendment to the Planned Commercial Development.

The elevations also identify the building height as 45 feet for the four story structure with a 56 foot height along a small portion of the southeastern corner of the building which serves

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as an architectural feature over the main entryway into the hotel. The General Commercial District allows a maximum height of 45 feet or 4 stories. Staff has reviewed the elevations and noted that since only a small portion of the building exceeds the height allowance and since the adjacent properties are located approximately 10 to 20 feet higher than the property, allowing the height to exceed 45 feet as proposed along the southeast corner of the building will have a minimal impact on the adjacent properties. As such, staff recommends that an Exception be granted to allow a 56 foot height for the southeast corner of the building in lieu of 45 feet.

Parking: The elevations identify 111 hotel rooms. In addition, the elevations identify a bar and dining area and conference rooms and meeting rooms. A minimum of one parking space per room is required. However, the applicant has not indicated whether the bar, dining area, conference rooms and meeting rooms will be open to the public. If these areas are open to the public, then additional parking must be provided at a ratio of 11/1000 square foot gross floor area for the restaurant or dining area, 10/1000 square foot gross floor area for the bar area and 25/1000 square foot gross floor area for the conference and meeting rooms.

Staff recommends that the Initial and Final Commercial Development Plan be continued to allow the applicant to identify the uses of the building as noted and to provide additional parking as needed.

(Update: October 25, 2010.) The applicant has indicated that the bar, dining area, conference rooms and meeting rooms will be used exclusively by hotel patrons. As such, a minimum of 111 parking spaces are required with five of the spaces being handicap accessible. In addition, one of the handicap spaces must be "van" accessible. The applicant has submitted a parking plan for Phase One identifying 130 parking spaces with five of the spaces being handicap accessible being provided. In addition, three of the handicap spaces are "van" accessible.

Staff recommends that a minimum of 111 parking spaces with five of the spaces being handicap accessible be provided as a part of Phase One of the development. In addition, one of the handicap spaces shall be "van" handicap accessible.

Landscaping: The applicant has submitted a Landscape Plan identifying that 241,136 landscape points are required for Lot 2. In addition, the Landscape Plan identifies that 80,680 landscape points are being provided for this phase of development on Lot 2. The Landscape Plan must be revised to identify the developed area of Lot 2 in order to determine the number of landscape points required for this phase of development and to insure that adequate landscaping is being provided. As such, staff recommends that the Initial and Final Commercial Development Plan be continued to allow the applicant to submit a revised Landscape Plan as identified. In addition, the applicant must demonstrate that the landscaping proposed to be located in the northwest landscape island is outside of the sight triangle.

(Update: October 25, 2010.) The applicant has submitted a revised landscape plan identifying that 251,675 landscape points are required for Phase One of the development.

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The revised landscape plan also identifies that 169,500 landscape points are being provided in Phase One. Since this does not meet the minimum landscape points required for Phase One, staff recommends that prior to Planning Commission approval, a revised landscape plan be submitted for review and approval identifying a minimum of 251,675 landscape points located within Phase One of the development. In addition, the landscaping must be maintained in compliance with the City's adopted Landscape Ordinance.

(Update: November 8, 2010.) The applicant has submitted a revised landscape plan identifying that 128,492 landscape points are required for Phase One of the development. The revised landscape plan also identifies that 153,040 landscape points are being provided in Phase One. Staff recommends that a minimum of 153,040 landscaping points be provided as proposed. In addition, the landscaping must be planted in accordance with the approved plans. All landscaping must also be continually maintained in a live vegetative state in compliance with the City's adopted Landscape Ordinance.

Signage: The elevations identify wall signs to be located along all sides of the building. In addition, the applicant's site plan identifies ground or pole signs to be located at the entrance to the site and along the south lot line as it abuts Interstate 90. The applicant has also submitted sign details showing the typical signage to be utilized at the Cambria Suites Hotel. However, it is unclear what sign will be located at what location. As such, staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to submit a revised sign package clearly identifying the location and design of each proposed sign. In addition, the applicant must demonstrate that the sign proposed to be located in the northwest landscape island is outside of the sight triangle.

One of the sign details identifies a 45 foot high by 45 foot wide pole sign. An electronic LED reader board sign is proposed along the bottom of the sign. (Please note that there are no dimensions on the sign to determine the size of the electronic LED reader board sign.) In the past, it has been noted that the diversion created by an electronic LED reader board adjacent to a principal arterial street compromises safe travel standards along the street. Interstate 90 is classified as an arterial street on the City's adopted Major Street Plan. The Planning Commission has previously denied a request to allow an electronic LED reader board sign at the Furniture Row property, which also abuts Interstate 90, noting safety concerns along the Interstate. In addition, the South Dakota Department of Transportation has previously voiced concern with the diversion created by an electronic LED reader board sign along Interstate 90 and, subsequently, did not support the electronic LED reader board sign at the Furniture Row site. Based on these reasons, staff recommends that a revised sign package be submitted for review and approval eliminating the electronic LED reader board from the proposed pole sign.

(Update: October 25, 2010.) The applicant has submitted a line of sight drawing demonstrating that the proposed location of the signs are outside of sight triangle(s). However, to date, the specific design of each sign for each of the proposed locations has not been identified. As such, staff recommends that prior to Planning Commission approval, a revised sign package be submitted for review and approval clearly identifying the location

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and design of each proposed sign. In addition, the revised sign package shall show the elimination of the electronic LED reader board from the proposed pole sign.

(Update: November 4, 2010.) The applicant has submitted a revised sign package identifying the location and design of each proposed sign. However, the revised sign package continues to show the electronic LED reader board on the proposed pole sign located along Interstate 90. As noted above, Interstate 90 is classified as an arterial street on the City's adopted Major Street Plan. The Planning Commission has previously denied a request to allow an electronic LED reader board sign at the Furniture Row property, which also abuts Interstate 90, noting safety concerns along the Interstate. In addition, the South Dakota Department of Transportation has previously voiced concern with the distraction to drivers created by an electronic LED reader board sign along Interstate 90 and, subsequently, did not support the electronic LED reader board sign at the Furniture Row site. Based on these reasons, staff recommends that prior to Planning Commission approval, a revised sign package be submitted for review and approval eliminating the electronic LED reader board from the proposed pole sign.

The sign package also shows two directional signs, measuring nine square feet each, located at the entrance. In addition, the signs are located approximately 75 feet apart. The Sign Ordinance states that a minimum separation of 100 feet must be maintained between signs or the directional signs must be no more than five square feet in size or a Variance from the Sign Code Board of Appeals must be obtained to reduce the separation between the proposed nine square foot signs.

Staff recommends that prior to Planning Commission approval, a revised sign package be submitted for review and approval showing the directional signs located at the entrance of the property with a minimum 100 foot separation or the size of the directional signs must be reduced from nine square feet to five square feet or a Variance must be obtained from the Sign Code Board of Appeals. In addition, the balance of the signs must conform to the design, color and location as shown in the sign package submitted as a part of 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. 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 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.

Mechanical Equipment: To date, the location and screening of any exterior mechanical equipment has not been submitted for review and approval. As such, staff recommends that the Initial and Final Commercial Development Plan be continued to allow the applicant to identify the location and screening of any exterior mechanical equipment, including roof top equipment.

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(Update: October 25, 2010.) To date, the location and screening of any exterior mechanical equipment has not been submitted for review and approval. As such, staff recommends that prior to Planning Commission approval, the location and screening of all exterior mechanical equipment, including roof top equipment, be submitted for review and approval.

(Update: November 8, 2010.) To date, the location and screening of any exterior mechanical equipment has not been submitted for review and approval. As such, staff recommends that prior to Planning Commission approval, the location and screening of all exterior mechanical equipment, including roof top equipment, be submitted for review and approval.

Dumpster: The site plan identifies a dumpster to be located southwest of the proposed hotel. The applicant has submitted a written statement that the dumpster will be enclosed within a brick veneered 6 foot high wall and gated. The screening will be the same color as the proposed hotel. The applicant has also submitted an elevation of the proposed screening wall and gate for the dumpster which shows the brick wall with a height of approximately 8 feet. Staff recommends that the Initial and Final Planned Commercial Development be continued to allow the applicant to clarify the height of the screening around the dumpster. If the height is in excess of 6 feet, then a Fence Height Exception must be obtained prior to Planning Commission approval of the Planned Commercial Development.

(Update: September 24, 2010.) Upon closer review, staff has noted that the elevations and the written statement identify that the fence is 8 feet in height which is allowed in the General Commercial District when located outside of the front yard as shown on the applicant's site plan. As such, staff recommends that the fence be constructed in compliance with the location and design as shown on the site plan and the elevations.

Phasing Plan: The applicant has submitted a Phasing Plan which includes a restaurant and a second hotel to be constructed on Lot 2 as future phases of development. The Phasing Plan also identifies that the parking lot and access aisles will be extended to serve this future phase of development. However, the Fire Department has indicated that turnarounds must be provided at the current access aisle terminuses since they exceed 150 feet in length. In addition, a circulation plan for truck traffic must be submitted for review and approval to insure that sufficient access is being provided as a part of Phase One of the development.

Staff recommends that the Initial and Final Commercial Development Plan be continued to allow the applicant to submit a revised parking plan and a truck traffic circulation plan for review and approval.

The construction plans must also clearly show what improvements are being completed with each phase of the proposed development to insure that the necessary infrastructure is being provided for each phase and designed in compliance with City design standards.

The applicant has indicated that Lot 2 will not be further subdivided. However, the applicant should be aware that access and utility corridors should be secured at this time if there is

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any potential for future subdivision of the property.

(Update: October 25, 2010.) The applicant has submitted a truck and bus turning movement detail demonstrating that the proposed parking lot layout accommodates the turning movements of the vehicles. In addition, the applicant has submitted a phasing plan identifying a paved access aisle through the site being constructed as a part of Phase One to provide Fire Department access to all area of the hotel as required.

Staff recommends that the looped access aisle be constructed as a part of Phase One of the development as proposed to insure Fire Department access through the site. In particular, the access aisle must be constructed with a minimum 26 foot wide paved surface when adjacent to parking spaces. The balance of the access aisle must be constructed with a minimum 20 foot wide paved surface.

Fire Code: Fire Department staff has indicated that all currently adopted International Fire Codes must be continually met. In addition, the applicant must coordinate any expansion or alterations of the project with the Fire Department.

Permits: A sign permit must be obtained for each sign. In addition, a building permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy. An Erosion and Sediment Control Permit must also be obtained prior to issuance of a building permit. In addition, an Air Quality Permit must also be obtained for construction activities disturbing one acre or more of surface area.

Notification: As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 9, 2010 Planning Commission meeting if this requirement has not been met.

(Update: September 24, 2010.) The certified mailing receipts have been returned and the sign has been posted on the property. Staff has received two calls of inquiry regarding this item. Neither caller voiced opposition of the request.

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