

STAFF REPORT
May 26, 2011

No. 11PD019 - Major Amendment to a Planned Commercial Development **ITEM 12**

GENERAL INFORMATION:

APPLICANT	Patricia L. Sorensen Trust
AGENT	Todd C. Hollan
PROPERTY OWNER	Patricia L. Sorensen Trust
REQUEST	No. 11PD019 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	Lot 1 of Lot A of DDE Subdivision located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.38 acres
LOCATION	110 N. Cambell Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District (Planned Commercial Development)
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	4/20/2011
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION:

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

1. The Major Amendment to a Planned Commercial Development shall allow a retail computer and gaming center establishment to be located on the property. Other permitted uses within the General Commercial District meeting all other requirements of the Rapid City Municipal Code shall be allowed. Any conditional uses shall require a Major Amendment to a Planned Commercial Development;
2. A Sign Permit shall be obtained for any additional signage. The addition of any

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electronic signage will require a Major 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. Any signs not meeting the Sign Code requirements or any electronic signage will require a Major Amendment to a Planned Commercial Development;

3. Prior to initiation of any construction, a Building Permit shall be obtained, and a Certificate of Occupancy shall be obtained prior to occupancy;
4. The currently adopted International Fire Code shall be continually met;
5. The parking plan shall continually comply with all requirements of Chapter 17.50.270 of the Rapid City Municipal Code;
6. The landscape plan shall continually comply with all requirements of Chapter 17.50.300 of the Rapid City Municipal Code;
7. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Commercial Development or a subsequent Major Amendment; and,
8. The Major Amendment to a 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: The applicant has submitted a Major Amendment to a Planned Commercial Development to allow a retail computer and gaming center in a portion of the structure located at 110 N. Cambell Street. The applicant has further requested that all future uses of the structure that are permitted uses within the General Commercial District pursuant to Chapter 17.08.020 and that meet all other requirements of the Rapid City Municipal Code be allowed. The current uses on the property include a loan office. The balance of the structure is not occupied.

On November 11, 1998, the City Council approved with stipulations a Planned Commercial Development (#98PD030) on the property.

On February 1, 1999, the City Council approved with stipulations a Major Amendment to a Planned Commercial Development (#98PD038) to allow on-sale liquor as an accessory use to the proposed restaurant.

On May 4, 2006, the Planning Commission approved a Major Amendment to a Planned Commercial Development (#06PD021) to allow an on-sale liquor establishment on the property. That establishment is no longer located on the property.

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

Building: The 70 foot by 150 foot building is located at 110 N. Cambell Street, north of Jess Street. Retail stores, restaurants, and a casino have previously occupied the building. The applicant has proposed a retail computer and gaming center be located on the property. In addition, the applicant plans to have future retail uses in the building and has requested that any future permitted uses in the General Commercial District be allowed. Any uses

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requiring a Conditional Use Permit will necessitate a Major Amendment to the Planned Commercial Development.

Signage: All signage shall meet the requirements of Chapter 15.28 of the Rapid City Municipal Code and a sign permit shall be obtained prior to installation of any signage. Any signs not meeting the Sign Code requirements or any electronic signage will require a Major Amendment to a Planned Commercial Development.

Permits: A building permit must be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupying the building.

Parking: A total of 53 parking spaces are required for retail uses on this property. Previously, a restaurant and a casino have been located on the property, requiring additional parking spaces. The applicant has indicated that 87 off-street parking spaces are provided, including four handicapped spaces. One of the spaces shall be a "van accessible" space and marked as such. Any uses other than retail uses will again require additional parking spaces. The parking requirements in Chapter 17.50.270 of the Rapid City Municipal Code shall be met at all times.

Landscaping: The site plan indicates that 55,130 landscaping points are required for this Planned Commercial Development. The applicant has provided 55,390 landscaping points. All the requirements of Section 17.50.300 of the Rapid City Municipal Code must be continually met.

Notification Requirements: 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 May 26, 2011 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.

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