

STAFF REPORT  
September 22, 2011

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**No. 11PD035 - Major Amendment to a Planned Commercial Development      ITEM 8**

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GENERAL INFORMATION:

APPLICANT	Knights, LLC
AGENT	Peter Anderson for MAC Construction
PROPERTY OWNER	Knights, LLC
REQUEST	<b>No. 11PD035 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Lot A of Knights of Columbus Subdivision located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.7 acres
LOCATION	910 Fifth Street
EXISTING ZONING	Office Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Office Commercial District - High Density Residential District
South:	High Density Residential District
East:	High Density Residential District
West:	Public District - High Density Residential District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	8/29/2011
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

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

1. The Major Amendment to the Planned Commercial Development shall allow for the expansion of use to include an adult day care and professional offices. Other uses permitted within the Office Commercial District shall be allowed as a Minimal Amendment to the Planned Commercial Development requiring the review and approval of the Growth Management Director. Conditional Uses allowed within the Office Commercial District shall require a Major Amendment to the Planned Commercial Development;

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2. In addition to the Joint Use Agreement allowing 30 additional parking spaces on Lot B of Knights of Columbus Subdivision, a minimum of 33 parking spaces shall be provided on this property. Any change in use shall require that additional parking be provided as per the City's adopted Off-Street Parking Ordinance;
3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
4. All signage shall conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Commercial Development. All signage not in conformance with Chapter 15.28 of the Rapid City Municipal Code or any electronic reader board signs shall require the review and approval of a Major Amendment to the Planned Commercial Development. 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;
5. All applicable provisions of the currently adopted International Fire Code shall continually be met;
6. All provisions of the Office Commercial Zoning District shall be met unless an exception is specifically authorized as a stipulation of this Major Amendment to the Planned Commercial Development or a subsequent Major Amendment; and,
7. The Major Amendment to the Planned 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 the Planned Commercial Development to allow an adult day care on the property. The applicant proposes to relocate the "Daisy House" adult day care center from 2800 Jackson Boulevard to the above property. The "Daisy House" will occupy 3,924 square feet of a 13,539 square foot building with the remaining 9,615 square feet vacant. The hours of operation are from 8 AM to 6 PM Monday through Friday. "Daisy House" anticipates a maximum of 42 clients and 9 staff members.

On May 4, 2006, the Planning Commission approved an Initial and Final Planned Commercial Development (File #06PD023) to allow an assembly hall with offices on the property.

On November 9, 2006, a Major Amendment to the Initial and Final Planned Commercial Development was approved by the Planning Commission to expand the existing commercial structure to allow office commercial use in the building, eliminating the assembly use that was previously approved.

On August 7, 2008, a Major Amendment to the Initial and Final Planned Commercial Development was approved by the Planning Commission to revise the previously approved parking plan. The applicant proposed to reduce the number of on-site parking spaces from 37 to 33 spaces and to provide four additional parking spaces on an adjacent lot.

The property is located southeast of the intersection of 5<sup>th</sup> Street and Columbus Street. Currently, an office building is located on the property.

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**STAFF REVIEW:**

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

**Parking:** The minimum required parking for the use proposed on the property is 63 parking stalls. There are a total of 33 parking stalls located on the above property with two handicapped accessible. The "Daisy House" will occupy 3,924 square feet with the remainder of the building remaining vacant office space. On August 7, 2008, the Planning Commission approved a Major Amendment to the Planned Commercial Development (File# 08PD031) to revise the previously approved parking plan. The applicant indicated that physical constraints limited the number of on-site parking spaces to 33 in lieu of the previously approved 37 parking spaces.

A Joint Use Agreement exists allowing additional parking on Lot B of Knights of Columbus Subdivision, located adjacent to the property. In addition to the Joint Use Agreement allowing 30 additional parking spaces on Lot B of Knights of Columbus Subdivision, a minimum of 33 parking spaces shall be provided on this property. Any change in use will require that additional parking be provided as per the City's adopted Off-Street Parking Ordinance.

**Engineering:** The applicant should be aware of the eight inch sewer line which appears to be located under the southern portion of the building. If the occupancy should significantly increase the applicant may want to evaluate the capacity of the existing service lines.

**Signage:** The applicant has not submitted a sign package. However, all signage must conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Commercial Development. All signage not in conformance with Chapter 15.28 of the Rapid City Municipal Code or any electronic reader board signs shall require the review and approval of a Major Amendment to the Planned Commercial Development. 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.

**Use:** On May 4, 2006, the Planning Commission approved an Initial and Final Planned Commercial Development (File #06PD023) to allow an assembly hall with offices on the property. On November 9, 2006, a Major Amendment to the Initial and Final Planned Commercial Development was approved by the Planning Commission to expand the existing commercial structure to allow office commercial use in the building, eliminating the assembly use that was previously approved.

This Major Amendment proposes changing the use to include an adult day care with the remainder of the building staying as office commercial. There will be approximately 600 square feet of office space, approximately 480 square feet of kitchen space, approximately 288 square feet of dining space, approximately 570 square feet of quiet room and approximately 640 square feet of television room space. The "Daisy House" will also have vans to take clients on field trips.

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Staff recommends that the Major Amendment to the Planned Commercial Development be approved to allow for the expansion of use to include an adult day care and professional offices. Other uses permitted within the Office Commercial District will be allowed as a Minimal Amendment to the Planned Commercial Development requiring the review and approval of the Growth Management Director. Conditional Uses allowed within the Office Commercial District will require a Major Amendment to the Planned Commercial Development.

Notification Requirement: As of this writing, the white slips and green cards from the certified mailing have not been returned and the required sign has not been posted on the property. Staff will notify the Planning Commission at the September 22, 2011 Planning Commission meeting if these requirements have not been met.