

STAFF REPORT
February 7, 2013

No. 12PD042 - Major Amendment to an Existing Planned Development to Expand the Boundaries to Allow for Building and Parking Lot Expansion **ITEM 6**

GENERAL INFORMATION:

APPLICANT	Sperlich Consulting, Inc.
AGENT	Williams & Associates Architecture, Inc.
PROPERTY OWNER	Black Hills Urgent Care, LLC
REQUEST	No. 12PD042 - Major Amendment to an Existing Planned Development to Expand the Boundaries to Allow for Building and Parking Lot Expansion
EXISTING LEGAL DESCRIPTION	Blocks 25R and 26R, Block 27 excepting therefrom Lot H1 in the north 98.5' of Block 27 and excepting therefrom Lot H1 in the south 50' of Block 27, the west 5' of Block 28, Lots A and B of Block 28 of Airport Addition, all located in Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.725 acres
LOCATION	1730 Haines Avenue
EXISTING ZONING	General Commercial District (Planned Development) - General Commercial District
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Low Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	December 14, 2012
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Major Amendment to an existing planned development to expand the boundaries to allow for building and parking lot expansion be approved with the following stipulations:

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1. If the Planning Commission determines that the proposed 50 square foot electronic reader board sign to replace the existing 30 square foot electronic reader board sign is appropriate, then a 50 square foot electronic reader board sign shall be allowed on the property. All signage shall continually conform to the Sign Code. Changes to the proposed sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment. All signage not in conformance with the Sign Code or any new electronic reader board signs shall require the review and approval of a Major Amendment to the Planned 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 the proposed signs;
2. An Exception is hereby granted to reduce the minimum required setback for a commercial parking lot that abuts a single family residential lot from 12 feet to five feet contingent that a five foot high opaque screening fence be provided along the east lot line;
3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
4. Upon submittal of a building permit, the applicant shall submit a revised site plan showing a five foot sidewalk along Curtis Street or obtain an Exception from Detail 61-2 of the City of Rapid City Standard Specifications;
5. Upon submittal of a building permit, the applicant shall submit revised drawings showing all unused curb cuts being replaced with curb and gutter;
6. Upon submittal of a building permit, a contact information display sign shall be added to the erosion and sediment control plan as per Section 1.8.5.3 of the Rapid City Storm Water Quality Manual. In addition, the erosion and sediment control plan shall be signed by the property owner, engineer and the contractor;
7. Prior to obtaining a building permit, a Developmental Lot Agreement shall be entered into and recorded at the Register of Deeds;
8. A minimum of 51 parking spaces shall be provided. In addition, seven of the parking spaces shall be handicap accessible. One of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;
9. A minimum of 62,552 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscape Regulations of the Rapid City Municipal Code shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
10. 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;
11. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Development or a subsequent Major Amendment;
12. All applicable provisions of the adopted International Fire Code shall continually be met; and,
13. The Major Amendment to a Planned Development shall allow for a medical facility and a coffee hut drive through. Any change in use that is a permitted use in the General Commercial District shall require the review and approval of a Minimal Amendment. Any

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change in use that is a Conditional Use in the General Commercial District shall require the review and approval of a Major Amendment to the Planned Development.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Development to expand the boundaries of the Planned Development to allow for a building expansion and parking lot expansion. In particular, the applicant is proposing to add a 6,210 square foot addition to the existing building for a total of 12,807 square feet and to open a Black Hills Urgent Care facility. The applicant is also proposing to continue to operate the "Black Hills Bagels" coffee hut. The hours of operation for the urgent care will be from 7:00 a.m. to 9:00 p.m. The applicant is also requesting an Exception to allow a five foot setback in lieu of the required 12 foot setback for a commercial parking lot that abuts a residential property. In addition, the applicant is proposing to replace a 30 square foot electronic reader board sign with a 50 square foot electronic reader board sign.

On November 18, 1996, a Planned Commercial Development – Final Development Plan (File #1544) was approved to construct two retail buildings, 4,995 square feet and 1,224 square feet, on the above legally described property.

On August 18, 1997, a Major Amendment to a Planned Development (File #1621) was approved with stipulations to increase the size of the Planned Commercial Development by adding 10 feet to the Planned Commercial Development boundary and to add a drive-thru lane for the proposed computer store.

On July 10, 2000, a Major Amendment to a Planned Development (File #00PD025) was approved with stipulations to change the permitted uses on the property as well as change the building footprint.

On January 10, 2008, a Major Amendment to a Planned Commercial Development (File #07PD101) was approved with stipulations to allow a tax service use on the property.

On May 27, 2010, a Major Amendment to a Planned Development (File #10PD034) was approved with stipulations to allow a drive-thru coffee kiosk as an approved use on the property.

On March 22, 2012, a Major Amendment to a Planned Development (File #12PD007) was approved with stipulations to allow all permitted uses in the General Commercial District with the exception of conditional uses.

On January 23, 2013, a Vacation of Utility and Minor Drainage Easement (File #13VE002) was approved for the above legally described property to allow for the proposed building expansion.

The property is located on the east side of Haines Avenue between Wright Street and Curtis Street. Currently, a one story commercial structure and a drive through coffee hut are located on the properties.

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STAFF REVIEW:

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

Sign Package: The applicant has submitted a sign package that shows the previously approved signage for the "Black Hills Bagels" coffee hut and the proposed new signage for the Black Hills Urgent Care facility. A total of 1,638 square feet of total signage is allowed for the property. The applicant has submitted a sign package with a total of 1,311 square feet of signage. The proposed sign package is in compliance with the Sign Code.

The applicant is also proposing to replace an existing 30 square foot electronic reader board sign with a 50 square foot electronic reader board. The City's Sign Code allows electronic reader board signs within the General Commercial District. The Planning Commission has directed staff to allow the Commission to determine the appropriateness of an electronic reader board sign when located within a Planned Development and/or if proposed as a part of a Conditional Use Permit. If the Planning Commission determines that the proposed 50 square foot electronic reader board sign to replace the existing 30 square foot electronic reader board sign is appropriate, then staff would recommend that a 50 square foot electronic reader board sign be allowed on the property.

All signage must continually conform to the Sign Code. Changes to the proposed sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, will be allowed as a Minimal Amendment. All signage not in conformance with the Sign Code or any new electronic reader board signs will require the review and approval of a Major Amendment to the Planned 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 the proposed signs.

Setbacks: The applicant is requesting an Exception to Chapter 17.50.270(G)7.b. of the Rapid City Municipal Code to allow a five foot setback in lieu of the required 12 foot setback for a commercial parking lot that abuts a single family residential lot. The applicant has indicated that a five foot high opaque screening fence will be constructed along the east property line. The screening fence will be constructed of wood with a maintenance free siding material. The proposed screening fence will provide the buffer intended by the 12 foot setback. As such, staff recommends that the Exception be granted to allow a 5 foot setback in lieu of the minimum required 12 foot setback contingent upon the screening fence being provided as proposed.

Use: The Major Amendment to a Planned Development will allow for a medical facility and a coffee hut drive through. These uses are "permitted" in the General Commercial District. Any change in use that is a permitted use in the General Commercial District will require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the General Commercial District will require the review and approval of a Major Amendment to the Planned Development. All provisions of the General Commercial District

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must be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment.

In addition, the Major Amendment to the Planned Development will expand the boundaries of the Planned Development to include a total of six lots. The proposed expansion of the building crosses lot lines and the minimum parking and landscaping are located across the six lots. As such, prior to obtaining a building permit, a Developmental Lot Agreement must be entered into and recorded at the Register of Deeds.

Easements: The applicant is proposing to expand the existing structure on the property across lot lines. As such, the applicant needed to vacate a utility and minor drainage easement prior to this item being placed on a Planning Commission agenda. On January 23, 2013, staff approved a Vacation of Utility and Minor Drainage Easement (File #13VE002) for the location of the proposed building expansion.

Engineering: The site plan submitted by the applicant identifies a four foot sidewalk along Curtis Street. As per the City of Rapid City Standard Specifications, the proposed sidewalk must match the dimensions of existing sidewalk in the area. The existing sidewalks along Curtis Street are five feet wide. Upon submittal of a building permit, the applicant must submit a revised site plan showing a five foot sidewalk along Curtis Street as per Rapid City Standard Detail 61-2. In addition, the applicant is proposing five driveway approaches; two each on Curtis Street and Wright Street and one on Haines Avenue. There are three existing curb cuts, two on Wright Street and one on Haines Avenue, that will not be used to access the property. As such, upon submittal of a building permit, the applicant must submit revised drawings showing that all unused curb cuts will be replaced with curb and gutter. The applicant must also make corrections to the erosion and sediment control plan. Upon submittal of a building permit, a contact information display sign must be added to the erosion and sediment control plan as per Section 1.8.5.3 of the Rapid City Storm Water Quality Manual and the erosion and sediment control plan must be signed by the property owner, engineer and the contractor.

The applicant should be aware that the intersection of Haines Avenue and Wright Street may be signalized in the future. A signalized intersection requires a minimum access approach corner clearance of 100 feet. The existing access approach on Wright Street is only 67 feet from the intersection with Haines Avenue. Signalization of the intersection would require that the access approach come into compliance with Figure 2-9 of the Infrastructure Design Criteria Manual.

Floodplain: Large portions of the above legally described property are located within the Federal Emergency Management Agency's 100 Year Floodplain. As such, a floodplain development permit is required prior to start of construction. On December 28, 2012, the applicant obtained a floodplain development permit for the proposed development.

Transportation: The proposed urgent care facility will generate approximately 396 trips per weekday. Based on the Rapid City Arterial Safety Study, the Haines Avenue segment between Lindbergh Avenue and Interstate 90 will most likely need a median installed to

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reduce the high crash rates caused by left turn movements. The applicant should be aware that in the future, full movement out of this site will be restricted to right turn only when the median is installed.

Lighting: The applicant has submitted a site plan that identifies the location of outdoor lighting in the parking lot. All outdoor lighting must 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.

Landscaping: A minimum of 62,552 landscaping points must be provided for the proposed development. The applicant has submitted a landscaping plan that shows a total of 69,990 landscaping points to be provided. The proposed landscaping is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Parking: A minimum of 51 parking spaces must be provided. In addition, seven of the parking spaces must be handicap accessible. One of the handicap spaces must be "van accessible." The applicant has submitted a parking plan showing a total of 85 parking stalls. In addition, seven of the parking spaces are handicap accessible with one of the spaces being "van accessible". The parking plan is in compliance with Chapter 17.50.270 of the Rapid City Municipal Code. All provisions of the Off-Street Parking Ordinance must be continually met.

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 February 7, 2013 Planning Commission meeting if these requirements have not been met.