

STAFF REPORT
March 21, 2013

No. 13PD005 - Final Planned Development to Allow the Construction of an Industrial Building **ITEM 6**

GENERAL INFORMATION:

APPLICANT	Terry Stocker
PROPERTY OWNER	Singer Properties LLC
REQUEST	No. 13PD005 - Final Planned Development to Allow the Construction of an Industrial Building
EXISTING LEGAL DESCRIPTION	Tract H of Fountain Springs Business Park, located in the NE1/4 of the SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.5 acres
LOCATION	South of South Plaza Drive west of the intersection of South Plaza Drive and Harmony Heights Lane
EXISTING ZONING	Light Industrial District/ Planned Development Designation
FUTURE LAND USE DESIGNATION	Industrial
SURROUNDING ZONING	
North:	Light Industrial District/ Planned Development Designation
South:	Business Park District/ Planmned Development
East:	General Agriculture District/ Planned Development
West:	Light Industrial District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	February 22, 2013
REVIEWED BY	Robert Laroco / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Final Planned Development to allow the construction of an industrial building be approved with the following stipulations:

1. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to issuance of a building permit, the applicant shall demonstrate that the adjacent property to the east can be served by sanitary sewer within Harmony Heights Lane, or revise plans to show sanitary sewer lines are being extended the length of the property;
3. Prior to issuance of a building permit, the applicant shall submit revised plans showing

STAFF REPORT
March 21, 2013

No. 13PD005 - Final Planned Development to Allow the Construction of an Industrial Building **ITEM 6**

- the required sidewalk is being provided, or obtain an Exception waiving the requirement to install sidewalks;
4. Prior to issuance of a Certificate of Occupancy, temporary or permanent site stabilization shall be achieved;
 5. An air quality construction permit shall be obtained for any disturbance of earth greater than one acre;
 6. All parking shall comply with the approved parking plan and the requirements of the Rapid City Parking Ordinance;
 7. All landscaping shall comply with the approved landscaping plan and the requirements of the Rapid City Landscaping Ordinance;
 8. All signage shall comply with the Rapid City Municipal Code. Changes to the signage which comply with the Rapid City Sign Code shall be permitted. Signage requiring approval by the Board of Adjustment shall require a Major Amendment to the Planned Development. A sign permit is required for each sign;
 9. All development of the property shall maintain handicap accessibility at all times;
 10. All development on the site shall continually comply with the requirements of the Light Industrial District unless specifically stipulated as a part of a Major Amendment to the Planned Development, and;
 11. This Final Planned Development shall allow for construction of an industrial building. All permitted uses within the Light Industrial District shall be permitted. All conditional uses within the Light Industrial District shall require a Major Amendment to the Planned Development.

GENERAL COMMENTS: The applicant has submitted a Final Planned Development Overlay to allow construction of an industrial building on property zoned Light Industrial District. In particular, the applicant is proposing to construct an industrial building with paved parking and landscaping. The proposed structure is comprised of six suites, each with a service bay accessed via overhead door, limited office space, and restrooms.

On July 7, 1999, City Council approved a request to Rezone the property from Office Commercial District to Light Industrial District (File #99RZ014) in conjunction with a Planned Development Designation (File #99PD016). The applicant is now proposing to construct an industrial building on the site and, as such, has submitted this application for a Final Planned Development.

The property is located approximately 125 feet south-southwest of the intersection of South Plaza Drive, Plaza Boulevard, and Harmony Heights Lane. The property is void of structural development and is currently being utilized as vehicle storage.

STAFF REVIEW: Staff has reviewed the request for a Final Planned Development Overlay pursuant to the requirements of Rapid City Municipal Code Chapter 17.50.050.F(5) and has noted the following considerations:

There are certain conditions pertaining to the particular piece of property in questions because of its size, shape, or topography;

The property is comprised of approximately 1.5 acres of land zoned Light Industrial District.

STAFF REPORT
March 21, 2013

No. 13PD005 - Final Planned Development to Allow the Construction of an Industrial Building **ITEM 6**

An industrial service building is a permitted use in the Light Industrial District. The original rezoning request which changed the zoning on the property from Office Commercial District to Light Industrial District was approved contingent upon the approval of a Planned Development Designation for the property. As such, a Final Planned Development is required to develop the property. There are no conditions pertaining to this particular piece of property due to size, shape or topography.

The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;

An industrial service facility is a permitted use in the Light Industrial District. A Planned Development Designation was put in place on the property to ensure that future development and uses would be appropriate for the surrounding neighborhood. The applicant has not requested any exceptions to the requirements of the Light Industrial District. The submitted landscaping plan shows screening being provided on the west side of the property, providing a buffer for the proposed structure. South Plaza Drive has been constructed as an industrial street capable of accommodating industrial traffic.

Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;

The applicant has not requested any exceptions to the Light Industrial District. The Planned Development Designation approved for the property serves as the tool to ensure that development of the property will be compatible with the surrounding neighborhood. Land to the west is zoned Light Industrial District and several properties to the west of this location have been developed with similar light industrial service facilities and industrial buildings. The submitted parking plan shows the required handicap parking spaces are being provided. Building inspections staff has noted that handicap access must be provided throughout the facility. It appears that the requested Final Planned Development will not create undue hardship to the public good or impair the intent and purpose of the regulations.

A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;

The Light Industrial District is intended to provide areas in which the principal use of land is for light manufacturing and assembly plants, processing, storage, warehousing, wholesaling and distribution in which operations are conducted so that noise, odor, dust and glare are completely confined within an enclosed building. The proposed structure is comprised of six suites, each with a service bay, limited office space, and restrooms. A literal interpretation of this chapter would not deprive the applicant of rights that others in the same district are allowed.

Any adverse impacts will be reasonable mitigated;

This Final Planned Development will serve as the tool to ensure that any adverse impacts of the proposed development are being mitigated. Submitted plans show that the proposed structure meets all the requirements for setbacks, lot coverage, and building height in the

STAFF REPORT
March 21, 2013

**No. 13PD005 - Final Planned Development to Allow the ITEM 6
Construction of an Industrial Building**

Light Industrial District. All provisions of the Light Industrial District will continually be maintained. Building Inspections staff has noted that temporary or permanent site stabilization must be achieved prior to issuance of a Certificate of Occupancy. In addition, Building Inspections staff have note that handicap access to the facility must be continually maintained.

Utilities: Submitted plans show that sanitary sewer lines are not being extended the length of the property abutting South Plaza Drive. Public Works staff has noted that extension of all public utilities is required with the development of a property. Prior to issuance of a building permit, plans must be revised to show that the sanitary sewer line is being extended to the eastern extents of the property, or the applicant must demonstrate that the property to the east can be served by sanitary sewer lines located in Harmony Heights Lane.

Parking: Submitted plans show an industrial structure of approximately 9,467 square feet, requiring a total of 20 parking spaces. A total of 34 parking spaces are being provided in the parking lot, with an additional six service bays bringing the total number of off-street parking spaces to 40. Staff recommends that parking comply with the approved site plan and the requirements of the Rapid City Parking Ordinance.

Sidewalks: Submitted plans do not show a sidewalk is being provided as required pursuant to Section 2.15.4 of the Infrastructure Design Criteria Manual. The applicant has submitted a request to waive the requirement to provide sidewalk. The requested exception went before the Public Works Committee on March 12, 2013. The Public Works committee recommended the requested exception be denied. The item is scheduled to be heard at the City Council on March 18, 2013. Prior to issuance of a building permit, revised plans must be submitted showing that the required sidewalks are being provided or an exception waiving the requirement to install sidewalk must be obtained.

Landscaping: Based on the submitted plans, a total of 55,873 points of landscaping are required. The submitted landscaping plan shows a total of 60,000 points of landscaping are being proposed. Plans show a landscaping screen is being provided on the western portions of the property, minimizing the impact of the building and site development. Staff recommends that the landscaping comply with the approved landscaping plan and all requirements of the Rapid City Landscaping Ordinance.

Signage: A sign package has not been submitted for the property. However, all proposed signage must comply with the Rapid City Municipal Code. Changes to the signage which comply with the Rapid City Sign Code will be permitted. Changes to the signage requiring approval by the Zoning Board of Adjustment will require a Major Amendment to the Planned Development. A sign permit is required for each sign.

The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objectives of the existing standard sought to be modified;

A service facility is a permitted use in the Light Industrial District. Development of the property through the Planned Development process will ensure that the property will meet

STAFF REPORT
March 21, 2013

**No. 13PD005 - Final Planned Development to Allow the ITEM 6
Construction of an Industrial Building**

the development standards set forth by the Ordinance and consistent with development in the area. The location of the proposed landscaping will provide screening from neighboring properties and the adjoining roadway. The proposed development meets all the requirements of the Light Industrial District. For these reasons, staff recommends that the Final Planned Development Overlay be approved with the stipulations outlined above.

Notification Requirements: The sign has been posted on the property. As of this writing, the green cards and white receipts that serve as proof of the required certified mailing have not been returned to Community Planning and Development Services. Staff will inform the Planning Commission at the March 21, 2013 Planning Commission meeting if these requirements have not been met. As of this writing, there have been no inquiries into the proposed Planned Development Overlay.