

STAFF REPORT
March 21, 2013

No. 13PD008 - Final Planned Development Overlay to Construct an Office Building **ITEM 9**

GENERAL INFORMATION:

APPLICANT	Premier Home Mortgage
AGENT	Upper Deck Architects
PROPERTY OWNER	CRT Properties, Inc.
REQUEST	No. 13PD008 - Final Planned Development Overlay to Construct an Office Building
EXISTING LEGAL DESCRIPTION	Lot 9 of Skyline Pines East Subdivision, located in the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.603 acres
LOCATION	South of Tower Road west of South Highway 16
EXISTING ZONING	Office Commercial District (Planned Development Designation)
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	Office Commercial District (Planned Development Designation)
South:	Office Commercial District (Planned Development Designation)
East:	General Commercial District (Planned Development)
West:	Office Commercial District (Planned Development Designation)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	February 25, 2013
REVIEWED BY	Fletcher Lacock / Ted Johnson

RECOMMENDATION:

Staff recommends that the Final Planned Development Overlay to Construct an Office Building be approved with the following stipulations:

1. An Exception is hereby granted to reduce the minimum required parking from 82 spaces to 81 spaces. A minimum of 81 parking spaces shall be provided. Four of the parking spaces shall be handicap accessible. One of the handicap spaces shall be "van

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2. accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Prior to submittal of a building permit, the applicant shall address redline comments and revise the site improvements report and submit revisions for review and approval;
4. Prior to submittal of a building permit, the applicant shall revise the drainage analysis to provide stormwater runoff control as per Section 4 of the Infrastructure Design Criteria Manual or obtain an Exception to waive stormwater requirements;
6. Upon submittal of a building permit, a revised plan shall be submitted showing the fire and domestic service and valves installation as per Figure 3-7B of the Infrastructure Design Criteria Manual;
7. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
8. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
9. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
10. A minimum of 62,234 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;
11. 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 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;
12. 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;
13. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;
14. All applicable provisions of the adopted International Fire Code shall continually be met; and,
15. The Final Planned Development Overlay shall allow for an office building. Any change in use that is a permitted use in the Office Commercial District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Office Commercial District shall require the review and approval of a Major Amendment to the Planned Development.

GENERAL COMMENTS:

The applicant has submitted a Final Planned Development Overlay to construct an office building. In particular, the applicant is proposing to construct a two story building with a footprint of 7,448 square feet. The proposed building will be the headquarters of Premier

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Home Mortgage, an on-line mortgage provider and will have approximately 55 employees. In addition, the applicant is requesting an Exception to allow 81 parking spaces in lieu of the minimum required 82 parking spaces.

On May 3, 2004, the City Council approved a Rezoning request (File #04RZ016) to change the land use designation from General Agriculture District to Office Commercial District. In addition, the City Council approved an Amendment to the Comprehensive Plan (File #04CA013) to change the future land use designation from Residential to Office Commercial with a Planned Commercial Development.

On May 1, 2009, staff approved a Final Plat (File #09PL013) to create the above legally described property.

The property is located on the south side of Tower Road approximately 220 feet west of the intersection of Tower Road and South Highway 16.

STAFF REVIEW:

Staff has reviewed the Final Planned Development Overlay with respect to Chapter 17.50.050(F)5 and has noted the following considerations:

1. *There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:*

The applicant is proposing to construct a two-story, 7448 square foot office building on a 1.6 acre lot. The proposed development will be located on the north half of the lot. The south half of the lot has steep slopes.

2. *The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:*

The property is zoned Office Commercial District with a Planned Development Designation. A Final Planned Development Overlay must be approved before the property can be developed. The applicant is requesting an Exception to reduce the minimum required parking from 82 spaces to 81 spaces.

3. *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:*

Chapter 17.50.270 of the Rapid City Municipal Code requires a minimum of 82 parking spaces be provided for the proposed use. The applicant is requesting an Exception to the minimum parking requirement to allow 81 spaces in lieu of the required 82 spaces. The applicant has stated that there will be approximately 55 employees. In addition, the applicant has indicated that a majority of the business is handled by phone and on-line contact. As such, there will be limited on-site customer dealings. For these reasons, staff recommends that the Exception to reduce the minimum required parking from 82 spaces to 81 spaces be granted.

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All provisions of the Office Commercial District must be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment. The Final Planned Development Overlay will allow for an office building. Any change in use that is a permitted use in the Office Commercial District will require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Office Commercial District will require the review and approval of a Major Amendment to the Planned Development.

4. *A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:*

The literal interpretation of the Zoning Ordinance would not deprive the applicant of rights that others in the same district are allowed.

5. *Any adverse impacts will be reasonably mitigated:*

The applicant is requesting an Exception to reduce the minimum required parking spaces from 82 spaces to 81 spaces. The applicant has indicated that the proposed use will have approximately 55 employees and the nature of the business will limit the number of on-site customers. The reduction in parking is minimal and should not have a negative impact.

6. *The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified:*

The applicant is requesting an Exception to reduce the minimum required parking from 82 spaces to 81 spaces. The applicant has stated that the proposed use is an on-line mortgage company which conducts the majority of business over the phone and on-line. The stipulations of approval of this Final Planned Development Overlay will serve as a tool to ensure that the applicant meets the standards of the Building Code, Sign Code and Fire Code.

Design: The applicant is proposing to construct a two story office building with a building footprint of 7,448 square feet. The interior of the building will be a mix of divided and undivided office space. The façade of the structure will have sandstone colored stone bands, light earth tone stone veneer, timber trusses and “weathered cedar” asphalt shingles on the roof. The mechanical units will be located on the roof of the proposed structure within a mechanical well. In addition, a parapet is being constructed around the mechanical well.

Easements: Prior to this application being placed on the Planning Commission agenda, the applicant had to address issues with an existing access easement on the property. An access easement has previously been secured to provide access to future development on the property to the south. In order to maximize the parking on the site, the applicant proposed vacating a portion of the existing access easement on the east property line to use that area for parking. In order to continue to provide access to the property to the

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south, an access easement was then recorded in what will be the proposed parking aisle. The Vacation of Access Easement was approved and the new access easement has been recorded. As such, this application has been placed on the agenda.

Engineering: Public Works staff has identified issues that need to be addressed prior to issuance of a building permit. In particular, the applicant must address redline comments and revise the site improvements report and plan, and submit revisions for review and approval. The applicant must also address several drainage issues. In particular, the drainage analysis must include analysis of Drainage Element 227 capacity, outfall metering and revisions to the stormwater treatment island, parking lot grading and stormwater capture. As such, the applicant must revise the drainage analysis to provide stormwater runoff control or obtain an Exception to waive stormwater requirements as per Section 4 of the Infrastructure Design Criteria Manual. In addition, a revised utility plan must be submitted showing fire and domestic service and valves installation as per Figure 3-7B of the Infrastructure Design Criteria Manual.

Landscaping: A minimum of 62,234 landscaping points must be provided for the proposed development. The applicant has submitted a landscaping plan that shows a total of 64,041 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: The proposed use requires that a minimum of 82 parking spaces be provided. The applicant is requesting an Exception to reduce the minimum required parking from 82 spaces to 81 spaces. The applicant has indicated that the proposed use will have approximately 55 employees and the nature of the business will limit the number of on-site customers. The reduction in parking is minimal and should not have a negative impact. For these reasons, staff recommends that the Exception to reduce the minimum required parking from 82 spaces to 81 spaces be granted. In addition, four 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 81 parking stalls. In addition, four of the parking spaces are handicap accessible with one of the spaces being "van accessible". All provisions of the Off-Street Parking Ordinance must be continually met.

Air Quality: An Air Quality Construction Permit must be obtained prior to any surface disturbance of one acre or more.

Building Permit: A building permit must be obtained prior to any construction and a Certificate of Occupancy must be obtained prior to occupancy. Upon submittal of a building permit, plans must be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A. Temporary or permanent site stabilization must be achieved prior to issuance of a Certificate of Occupancy.

Signage and Lighting: The applicant has submitted a sign package identifying a back-lit wall sign located on the north side of the building. The proposed sign is 9 feet wide by 7 feet high. The proposed signage is in compliance with the Sign Code.

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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 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.

The applicant has submitted a lighting plan that identifies the location of outdoor lighting on the exterior of the building and 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.

Fire Department: All applicable provisions of the adopted International Fire Code must continually be met.

Notification: 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 March 21, 2013 Planning Commission meeting if these requirements have not been met.