

STAFF REPORT
August 8, 2013

No. 13PD028 - Final Planned Development to Construct a Medical Facility **ITEM 7**

GENERAL INFORMATION:

APPLICANT	DJD Enterprises, LLC
AGENT	ARC International, Inc.
PROPERTY OWNER	DJD Enterprises LLC
REQUEST	No. 13PD028 - Final Planned Development to Construct a Medical Facility
EXISTING LEGAL DESCRIPTION	Lot 8 of Skyline Pines East Subdivision, located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2 acres
LOCATION	3006 Tower Road
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:	Office Commercial District (Planned Development)
West:	Office Commercial District (Planned Development Designation)
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	July 12, 2013
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Final Planned Development to construct a medical facility be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to submittal of a building permit, the applicant shall address red-lined comments on

STAFF REPORT
August 8, 2013

No. 13PD028 - Final Planned Development to Construct a Medical Facility **ITEM 7**

- the plans. The red-lined plans shall be returned to Community Planning and Development Services;
3. Upon submittal of a building permit, a lighting plan shall be submitted for review and approval. The lighting plan shall be designed to ensure that 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;
 4. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
 5. Prior to issuance of a building permit, a signed and sealed stormwater report shall be submitted for review and approval for the stormwater facility, demonstrating that stormwater quantity and quality control requirements have been met. In addition, the stormwater report shall address the land use assumptions in the Meade Hawthorne Drainage Plan;
 6. Prior to issuance of a building permit, a shared access easement shall be recorded and a copy shall be submitted with the building permit for the full length of the proposed shared access;
 7. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
 8. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
 9. A minimum of 32 parking spaces shall be provided for Phase I. Two 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;
 10. A minimum of 81,054 landscaping points shall be provided for Phase I. 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 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;
 13. All applicable provisions of the adopted International Fire Code shall continually be met; and,
 14. The Final Planned Development Overlay shall allow for a medical facility on the property. Any change in use that is a permitted use in the Office Commercial District shall require the review and approval of a Minimal Amendment contingent upon sufficient parking being provided. 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.

STAFF REPORT
August 8, 2013

No. 13PD028 - Final Planned Development to Construct a Medical Facility **ITEM 7**

GENERAL COMMENTS:

The applicant has submitted a Final Planned Development Overlay to construct a medical facility on the property. In particular, the applicant is proposing to construct a one-story building with a basement walkout for a total of 8,000 square feet of floor area. The applicant identifies a future building on the property but has indicated that a Major Amendment will be submitted when that phase is ready to be developed. The proposed development is intended for medical offices. The building façade will be constructed of synthetic stucco panels, siding, brick, stone and wood columns in earth tones.

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 485 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 one-story, 8,000 square foot office building with a basement walkout on a 2.0 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. Even though the applicant is meeting all of the design standards of Chapter 17 of the Rapid City Municipal Code, a Final Planned Development Overlay must be approved before a building permit can be issued.

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:*

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 a medical

STAFF REPORT
August 8, 2013

No. 13PD028 - Final Planned Development to Construct a Medical Facility **ITEM 7**

facility on the property. 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:*

Public Works staff has identified the assumed land use for this site within the Meade Hawthorne Drainage Basin Plan to be "very low density residential". The applicant must demonstrate that the difference in the proposed and assumed land use has been addressed within the stormwater facility. As such, prior to issuance of a building permit, a signed and sealed stormwater report must be submitted for review and approval for the stormwater facility, demonstrating that stormwater quantity and quality control requirements have been met. In addition, the stormwater report must address the land use assumptions in the Meade Hawthorne Drainage Plan.

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 property is zoned Office Commercial District with a Planned Development Designation. Even though the applicant is meeting all of the design standards of Chapter 17 of the Rapid City Municipal Code, a Final Planned Development Overlay must be approved before a building permit can be issued.

Access: The submitted plan identifies a 40 foot by 40 foot shared access and utility easement with the property to the east. However, the proposed shared access extends approximately 185 feet. As such, prior to issuance of a building permit, a shared access easement must be recorded and submitted with the building permit for the full length of the proposed shared access. The applicant should be aware that partial completion of the shared access will not be acceptable. As such, the applicant must coordinate with the adjacent property owner prior to grading and installation of the shared driveway.

Design: The applicant is proposing to construct a one-story medical office building with a basement walkout for a total of 8,000 square feet of floor area. The façade of the structure will have synthetic stucco panels, timber columns, and stone veneer accents.

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 red-lined comments on the plans. The red-lined plans must be returned to Community Planning and Development Services.

STAFF REPORT
August 8, 2013

No. 13PD028 - Final Planned Development to Construct a Medical Facility **ITEM 7**

Landscaping: A minimum of 81,054 landscaping points must be provided for the proposed development. The applicant has submitted a landscaping plan that shows a total of 83,240 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 32 parking spaces be provided. In addition, two 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 35 parking stalls to be constructed with Phase I. In addition, two 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 wall signs located on the north and east sides of the building. In addition, a sign will be located on the proposed retaining wall facing Tower Road on the north side of the property. The Sign Code allows a total of 740 square feet of signage for the property. The applicant has stated that 400 square feet will be used for Phase I. The proposed signage is in compliance with the Sign Code.

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 site plan does not identify the location of any outdoor lighting. As such, upon submittal of a building permit, a lighting plan must be submitted for review and approval. 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.

STAFF REPORT
August 8, 2013

No. 13PD028 - Final Planned Development to Construct a Medical Facility **ITEM 7**

Notification: The first class mailings have been returned to Community Planning and Development Services for mailing. The sign has been picked up; however, as of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the August 8, 2013 Planning Commission meeting if this requirement has not been met.