

STAFF REPORT
January 9, 2014

No. 13PD055 - Initial Planned Development Overlay to allow a parking lot **ITEM 14**

GENERAL INFORMATION:

APPLICANT	Andy Langenfeld - Rapid City Medical Center LLP
AGENT	FMG, Inc.
PROPERTY OWNER	GWH Properties LLC
REQUEST	No. 13PD055 - Initial Planned Development Overlay to allow a parking lot
EXISTING LEGAL DESCRIPTION	the southern portion of existing Lot 2 of Block 2 of Minnesota Park Subdivision in the N1/2 of the SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as beginning at a point that is the south corner of Lot 2 of Block 2 of Minnesota Park Subdivision, said point being marked by a 5/8" rebar, Thence N29°42'11"W a distance of 142.52' to a point; Thence N47°07'23"E a distance of 209.94' to a point; Thence along a curve to the left, said curve having a chord bearing of S58°18'56"E, a chord distance of 135.44', a delta of 22°18'46", a length of 136.30' and a radius of 350.00' to a point that is the east corner of Lot 2, said point being marked by a 5/8" rebar with survey cap marked "Lamke LS 5225"; Thence along a curve to the left, said curve having a chord bearing of S24°54'08"W, a chord distance of 29.37', a delta of 03°08'23", a length of 29.37' and a radius of 536.05' to a point, said point being marked by a 5/8" rebar with survey cap marked "Lamke LS 5225"; Thence along a curve to the right, said curve having a chord bearing of S47°46'47"W, a chord distance of 251.31', a delta of 48°53'41", a length of 259.10' and a radius of 303.62' to the point of beginning.
PARCEL ACREAGE	Approximately 0.88 acres
LOCATION	South of Minnesota Street and west of Wisconsin Avenue
EXISTING ZONING	Office Commercial District
FUTURE LAND USE DESIGNATION	Commercial

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SURROUNDING ZONING

North:	Office Commercial District
South:	Medium Density Residential District
East:	Office Commercial District - Medium Density Residential District
West:	Office Commercial District

PUBLIC UTILITIES Rapid City water and sewer

DATE OF APPLICATION December 13, 2013

REVIEWED BY Robert Laroco / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Initial Planned Development Overlay to allow a parking lot be approved with the following stipulations;

1. An Exception is hereby approved to reduce the required amount of handicap parking spaces required for the parking lot from three to zero, contingent upon the provision that sufficient handicap parking shall be provided on the adjacent lot legally described as Lot 1 of Block 1 of the Minnesota Park Subdivision, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota;
2. Prior to issuance of a building permit, a Final Planned Development shall be approved for the property;
3. A building permit shall be required prior to construction. Final approval shall be required prior to use of the parking lot;
4. Prior to issuance of a building permit, final construction plans signed and stamped by a registered professional architect or engineer shall be submitted;
5. Prior to final approval of the parking lot, temporary or permanent erosion and sediment control measures shall be achieved;
6. Upon submittal of a Final Planned Development, a drainage report shall be submitted for review and approval to include the design of the required storm water quality treatment. In addition, the submitted plan shall confirm that the proposed impervious area anticipated as a part of this development was planned for within the South Robbinsdale Drainage Basin. If the proposed impervious area exceeds that anticipated in the Drainage Basin Plan, then plans shall provide on-site detention or confirm where detention will be provided;
7. Upon submittal of a Final Planned Development, the applicant shall submit a full landscaping plan showing that a minimum of 38,333 landscaping points and a minimum of two landscaping islands are being provided, or an Exception shall be obtained to waive/reduce the required landscaping;
8. Upon submittal of a Final Planned Development, a full sign package for any proposed signage shall be submitted to Community Planning and Development Services for review and approval;
9. Upon submittal of a Final Planned Development, a full lighting plan shall be submitted. All outdoor lighting shall be designed to reflect within the property boundaries so as to not shine on adjoining properties and rights-of-way and not be a hazard to the passing motorist or constitute a nuisance of any kind;

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10. All requirements of the International Fire Code shall be continually met;
11. All requirements of the Office Commercial District shall be continually met unless specifically stipulated as a part of this Initial Planned Development, the Final Planned Development, or a subsequent Major Amendment to a Planned Development, and;
12. This Initial Planned Development shall allow for the development of a parking lot. Uses permitted in the Office Commercial District shall be permitted contingent upon an approved building permit and provision of sufficient parking. Conditional uses in the Office Commercial District shall require a Major Amendment to the Planned Development.

GENERAL COMMENTS: The applicant has submitted an Initial Planned Development request to allow a parking lot on approximately 0.88 acres of property zoned Office Commercial District. The applicant has also submitted an associated Preliminary Subdivision Plan application (File #13PL137) to subdivide the property into two lots. One of the two lots will serve as the location for the proposed parking lot. The proposed parking lot will serve as supplemental parking for the medical clinic located to the east of the property at 101 East Minnesota Street.

In 2012, a Conditional Use Permit to allow a Child Care Center was approved for this property (File #12UR022). The anticipated Child Care Center has not been developed for the property and, as such, the applicant has brought forth this Initial Planned Development to allow a parking lot on the property. Prior to issuance of a building permit, a Final Planned Development must be approved for the property.

The property is located approximately 250 feet southeast of the intersection of East Minnesota Street and Wisconsin Avenue. Currently the property is undeveloped.

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

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

The property is comprised of approximately 0.88 acres of land zoned Office Commercial District. Property to the north and west is also zoned Office Commercial District. Property to the south is zoned Medium Density Residential District and Public District. Property to the east is zoned Medium Density Residential District. The area is located in a developing section of the City. The size, shape, or topography of the lot does not create particular conditions limiting the development of the property.

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

The proposed parking lot will serve as supplemental parking for the medical clinic located to the east of the subject property, providing an additional 80 parking spaces. The applicant has indicated that the existing medical clinic will be remodeled to increase the overall

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amount of clinic space in the structure. In addition, the applicant has indicated that this proposed parking lot will be primarily used by employees of the existing and expanding medical offices. As of this writing, the applicant has not provided a parking calculation for the existing and anticipated uses on the medical clinic lot. As such, a determination cannot be made as to whether the additional parking spaces located in the proposed parking lot will be required to meet the parking demands of the medical clinic. The applicant should be aware that when a building permit is submitted for the proposed expansion/remodel, a parking calculation must be provided showing that all parking requirements are being met and, if necessary, a parking agreement will be required showing that additional parking is being provided on a separate lot.

The applicant has stated they do not intend to provide handicap parking on the proposed lot and instead will provide the required amount of handicap parking on the adjacent lot. Based on the expected use of the proposed parking lot as employee parking for the neighboring property as well as the provision of handicap parking on the neighboring lot, it does not appear that the requested Exception will have a negative impact on the neighborhood or the development of the area. As such, staff recommends that the requested Exception to reduce the required amount of handicap parking spaces from three to zero be approved contingent upon provision of sufficient handicap parking on the adjacent lot.

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 continually maintained unless specifically authorized as a stipulation of this Initial Planned Development, the Final Planned Development or a subsequent Major Amendment to the Planned Development.

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

The Office Commercial District is intended to provide a place for those types of institutional and commercial activities that require separate buildings and building groups surrounded by landscaped yards and open areas. Land, space, and aesthetic requirements of these uses make desirable either a central location or a suburban location near residential neighborhoods. A parking lot is a conditional use in the Office Commercial District, provided that the facilities are paved, that the facilities meet all the requirements of the Office Commercial Zoning District, and that the facilities are operated in conjunction with a permitted or conditional use in the Office Commercial District. A literal interpretation of this chapter does not deprive the applicant of rights that others in the same district are allowed.

Any adverse impacts will be reasonably mitigated;

Public Works comments: Upon submittal of a Final Planned Development, a drainage report must be submitted for review and approval to include the design of the required storm water quality treatment. In addition, the submitted plan must confirm that the proposed impervious area anticipated as a part of this development was planned for within the South Robbinsdale Drainage Basin. If the proposed impervious area exceeds that anticipated in the Drainage

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Basin Plan, then plans must provide on-site detention or confirm where detention will be provided.

Building Inspections comments: A building permit must be obtained prior to construction and final approval must be obtained prior to use of the parking lot. In addition, all plans must be signed and sealed by a registered professional architect or engineer pursuant to SDCL 36-18A. Permanent or temporary erosion and sediment control measures must be in place prior to occupancy.

Fire Department comments: The Rapid City Fire Department has not noted any concerns with the proposed Initial Planned Development. All requirements of the International Fire Code must be met.

Landscaping: Submitted plans show that a minimum of 38,333 points of landscaping are required for the property. A full landscaping plan was not submitted with this Initial Planned Development. The applicant's Letter of Intent states that requirements of the Rapid City Landscaping Ordinance will be met, or an Exception will be obtained. Upon submittal of a Final Planned Development, the applicant must submit a complete landscaping plan showing that a minimum of 38,333 landscaping points and a minimum of two landscaping islands are being provided, or an Exception must be obtained to waive/reduce the required landscaping.

Submitted plans show that the proposed parking lot will provide an additional 80 parking spaces for the medical clinic. The number of proposed spaces requires that a minimum of two landscaping islands be provided on the property. The landscaping plan submitted as a part of the Final Planned Development must provide the two required landscaping islands, or an Exception to waive the required landscaping islands must be obtained. All landscaping must comply with the requirements of the Rapid City Landscaping Ordinance.

Signage: A sign package has not been submitted with this Initial Planned Development. Upon submittal of a Final Planned Development, a full sign package must be submitted to Community Planning and Development Services for review and approval.

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;

This Initial Planned Development will allow the development of a parking lot. Uses permitted in the Office Commercial District will be permitted contingent upon provision of sufficient parking. Conditional uses in the Office Commercial District will require a Major Amendment to the Planned Development. With the exception of handicap parking, it appears that the proposed parking lot will comply with the requirements of the Rapid City Municipal Code. The anticipated expansion of the medical clinic uses on the neighboring property will require provision of sufficient handicap parking, and the proposed parking lot will be used primarily by employees of the medical clinic. As such, the provision of handicap parking on the property does not appear warranted. The Final Planned Development will ensure that the proposed parking lot meets the design standards of the City and the Office

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Commercial District. For these reasons, staff recommends that the Initial Planned Development to allow a parking lot be approved with the stipulations outlined above.

Notification Requirements: As of this writing, the required notification mailing has not been submitted to Community Planning and Development Services. The sign has been picked up, but staff has not confirmed that the sign has been posted on the property at this time. Staff will inform the Planning Commission at the January 9, 2013 Planning Commission if these requirements have not been met. As of this writing, there have been no inquiries regarding the proposed Initial Planned Development.