

STAFF REPORT
August 31, 2010

No. 10FV011 - Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District **ITEM**

GENERAL INFORMATION:

APPLICANT/AGENT THF Stoneridge Development, LLC

PROPERTY OWNER Stoneridge, LLC

REQUEST **No. 10FV010 - Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District**

EXISTING
LEGAL DESCRIPTION

A portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 134.82 feet, and the point of beginning; Thence first course: S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 233.03 feet, to the southeasterly corner of said Lot 4 of Block 2, common to the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°56'11"E, along the southerly boundary of said Lot 3 of Block 2, a distance of 205.60 feet, to the southeasterly corner of said Lot 3 of Block 2, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence third course: S81°55'52"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2 of Block 2; Thence fourth course: S72°01'35"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2 of Block 2; Thence fifth course: S77°25'15"E a distance of 217.74 feet; Thence sixth course: N27°30'18"E, a distance of 281.17 feet, to a point on the westerly edge of Fifth Street right-of-way, common to a point on the northerly boundary of Lot 1 of Block 2 of Fifth Street Office Plaza; Thence seventh course: S62°29'41"E, along the westerly edge of said Fifth Street right-of-way, common to the northerly boundary of said Lot 1 of Block 2, a distance of 279.03 feet, to the northeasterly corner of said Lot 1 of Block 2; Thence eighth course: S62°29'05"E, along the

STAFF REPORT
August 31, 2010

No. 10FV011 - Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District **ITEM**

westerly edge of said Fifth Street right-of-way, a distance of 134.83 feet; Thence ninth course: curving to the right, along the westerly edge of said Fifth Street right-of-way, on a curve with a radius of 909.00 feet, a delta angle of 14°12'45", a length of 225.48 feet, a chord bearing of S55°23'16"E, and chord distance of 224.91 feet; Thence tenth course: S42°58'26"W, along the westerly edge of said Fifth Street right-of-way, a distance of 12.00 feet; Thence eleventh course: S42°54'18"W, a distance of 296.40 feet; Thence twelfth course: S45°50'37"E, a distance of 81.18 feet; Thence thirteenth course: S00°18'52"W, a distance of 297.86 feet, to a point on the northerly edge of Stumer Road right-of-way; Thence fourteenth course: curving to the left, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 430.50 feet, a delta angle of 12°59'30", a length of 97.62 feet, a chord bearing of S53°34'37"W, and chord distance of 97.41 feet; Thence fifteenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 43°15'37", a length of 278.99 feet, a chord bearing of S68°41'45"W, and chord distance of 272.41 feet; Thence sixteenth course: N89°40'48"W, along the northerly edge of said Stumer Road right-of-way, a distance of 730.69 feet; Thence seventeenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 30°00'38", a length of 193.54 feet, a chord bearing of N74°39'10"W, and chord distance of 191.33 feet; Thence eighteenth course: N59°42'02"W, along the northerly edge of said Stumer Road right-of-way, a distance of 351.37 feet; Thence nineteenth course: N12°34'45"E, a distance of 728.41 feet, to the point of beginning

PARCEL ACREAGE	Approximately 30.317 acres
LOCATION	Stumer Road and Black Hills Boulevard
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Public District
South:	General Commercial District (Planned Commercial Development)

STAFF REPORT
August 31, 2010

No. 10FV011 - Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District **ITEM**

East:	Development) General Commercial District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/13/2010
REVIEWED BY	Jim Flaaen / Karley Halsted

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District be approved with the following stipulation:

1. A Building Permit shall be obtained prior to construction of the fence(s).

GENERAL COMMENTS: The applicant has submitted a Fence Height Exception request to allow a maximum 16 foot high fence in lieu of an 8 foot high fence in the General Commercial Zoning District. In particular, the applicant is proposing to install fencing in four areas on the proposed "Wal-Mart Supercenter" site northeast of the intersection of Black Hills Boulevard and Stumer Road. The proposed fencing will enclose the Garden Center along the south portion of the proposed building, the environmental cage and pallet storage areas on the west side of the proposed building and the compressor house on the north side of the proposed building.

The property is located northeast of the intersection of Black Hills Boulevard and Stumer Road and west of 5th Street. The property is currently void of any structural development.

STAFF REVIEW: Section 15.40.040 of the Rapid City Municipal Code states that, a variance to the fence height requirements can be granted by the City Council if the exception is not contrary to the public interest and the exception will not be injurious to the surrounding neighborhood. Staff has reviewed the proposed Fence Height Exception as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Planned Development: The applicant has previously submitted a Planned Commercial Development – Initial Development Plan (#10PD031) to locate a "Wal-Mart Supercenter" on the property. The Initial Development Plan was approved with stipulations by the Planning Commission on June 14, 2010 and upheld upon appeal by the City Council on June 28, 2010.

Fence: As previously stated, the applicant has proposed to construct fences in four locations surrounding the proposed "Wal-Mart Supercenter" building. The four proposed locations

STAFF REPORT
August 31, 2010

No. 10FV011 - Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District **ITEM**

include:

Compressor House Area:

- The proposed fence for the Compressor House Area will be located on the north side of the proposed building and will extend 18 feet 8 inches away from the building wall and will be 114 feet in length. The proposed fence will comprise of two black metal gates measuring 14 feet high and 8 feet wide. The fencing will be installed as part of a brick enclosure with brick walls that will be a maximum of 16 feet in height. The brick will be dark brown in color to match the proposed building.

Pallet Storage Area:

- The proposed fence for the Pallet Storage Area will be located west of the proposed building and will be part of a 12 foot by 91 foot 5 inch enclosure to screen and secure the pallet storage area. The east side of the proposed structure will be made up of a 10 foot high black metal fence and two 10 foot high black metal sliding gates. The east side of the enclosure will face the proposed building. The north, south and west sides of the proposed enclosure will be constructed of Red Bryan precast panels that will be non-transparent and will screen the contents of the enclosure from properties to the north, south and west.

Environmental Cage Area:

- The proposed fence for the Environmental Cage Area will be located on the west side of the proposed building and will extend approximately 8 feet away from the building wall to the west and will be approximately 38 feet in length. The fence will consist of 12 foot high black vinyl coated chain link fence with three access gates on the north, south and east sides of the structure. The enclosed area will include a Red Bryan precast roof resulting in the total height of the enclosure to be 12 feet 6 inches.

Garden Center Area:

- The proposed fence for the Garden Center Area will be located on the south side of the proposed building. The proposed Garden Center will be an approximately 13,122 square foot area on the south side of the building which will be enclosed with a combination of stone wall and black metal fencing. The proposed fence will consist of 6 access gates that will be 11 feet 4 inches tall on the east and south sides of the Garden Center Area that will be set within a stone wall that will be 16 feet 8 inches tall. In addition, the fence will include 10 sections where the fence will be located on top of a brick wall resulting in a total height of 12 feet. Separating each section will be a dark brown brick column to match the existing building which will be approximately 12 feet 6 inches tall.

Staff recommends that the proposed fences and wall sections continually conform to the architectural plans, locations, elevations and color palette submitted as part of this Fence Height Exception.

STAFF REPORT
August 31, 2010

No. 10FV011 - Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District **ITEM**

Building Permit: Section 15.40.060 of the Rapid City Municipal Code requires that a Building Permit be obtained for all fences over six feet in height. As such, a Building Permit for the fence(s) must be obtained prior to construction and/or installation of any fence.

Adjacent Properties: Staff review has noted that the proposed fencing and wall sections are designed to screen exterior storage, mechanical and retail sales areas from view from neighboring properties. The proposed fencing will help to create a buffer to adjacent uses around the property and help to improve the aesthetics of the property. As such, it does not appear that the proposed fence(s) will create any negative impacts on the adjacent properties.

Easements: The proposed fence(s) will not be located within any proposed or existing utility or drainage easements.

Sight Triangles: The proposed fence(s) will not be located in any vehicular or pedestrian sight triangles.

Staff recommends that the Fence Height Exception to allow a maximum 16 foot high fence in lieu of an 8 foot fence in the General Commercial Zoning District be approved with the stipulations as identified above.