

STAFF REPORT
January 5, 2006

No. 05PD077 - Planned Commercial Development - Intial Development Plan **ITEM 42**

GENERAL INFORMATION:

PETITIONER	BFA, Inc. for Wal-Mart Stores, Inc.
REQUEST	No. 05PD077 - Planned Commercial Development - Intial Development Plan
EXISTING LEGAL DESCRIPTION	<p>A tract of land located in Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeast corner of the NW$\frac{1}{4}$ of NW$\frac{1}{4}$ of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, a $\frac{1}{2}$ inch pipe, thence S00°02'58"E along the section 1/16 line, a distance of 868.95 feet to the Point of Beginning; Thence first course: S00°02'58"E along the section 1/16 line, a distance of 467.74 feet to the southeast corner of the NW$\frac{1}{4}$ of NW$\frac{1}{4}$ of Section 35, T1N, R7E, BHM, a 5/8" rebar w/cap "4225"; Thence second course: S00°02'58"E along the section 1/16 line a distance of 1331.33 feet to a 5/8" rebar w/cap "4225", which is the southeast corner of the SW$\frac{1}{4}$ of NW$\frac{1}{4}$ of Section 35, T1N, R7E, BHM; Thence third course: N89°24'46"W along the east-west Section $\frac{1}{4}$ line of same Section 35, a distance of 626.98 feet to a point on the south edge of proposed Sammis Trail and the beginning of a nontangent curve, concave to the northeast, having a radius of 427.00 feet, a delta angle of 23°34'48", a chord bearing of N37°36'06"W, and a chord length of 174.49 feet; Thence fourth course: Northwesterly along said curve and the south edge of proposed Sammis Trail, through an angle of 23°34'48", and an arc length of 175.73 to the beginning of a tangent line; Thence fifth course: N25°48'42"W, along the south edge of proposed Sammis Trail, a distance of 414.39 feet to the beginning of a tangent curve, concave to the southwest, having a radius of 481.20 feet, a delta angle of 56°52'22", a chord bearing of N54°14'53"W, and a chord length of 458.28 feet; to the beginning of a nontangent line and the east right of way line of South Dakota Highway 16; Thence sixth course: N07°18'56"E, along the east right of way line of South Dakota Highway 16, a distance of 557.85 feet to a 5/8" rebar w/cap "4225"; Thence seventh course: N07°18'56"E along the east right of way line of South Dakota Highway 16, a distance of 598.55 feet; Thence eighth course: S83°18'29"E a distance of 1144.76 feet to the Point of Beginning, all located in the W$\frac{1}{2}$ of the NW$\frac{1}{4}$ of Section</p>

STAFF REPORT
January 5, 2006

No. 05PD077 - Planned Commercial Development - Intial Development Plan **ITEM 42**

35, T1N, R7E, BHM, Pennington County, South Dakota.
Said parcel contains 45.770 acres, more or less.

PARCEL ACREAGE	Approximately 45.770 acres
LOCATION	East of U.S. Highway 16 and north of Sammis Trail
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Highway Services District - General Agriculture District (Pennington County)
East:	General Agriculture District - Limited Agriculture District (Planned Commercial Development)
West:	General Commercial District (Planned Commercial Development)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/14/2005
REVIEWED BY	Vicki L. Fisher / Bob Dominicak

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Intial Development Plan be **approved in conjunction with the associated Rezoning Request and 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 issuance of a Building Permit, a Preliminary Plat and/or the construction plans shall be reviewed and approved to insure that the outstanding issues specific to the subdivision improvements have been addressed. In particular, construction plans shall be reviewed and approved addressing utility, grading, erosion control, drainage and street improvements;**
- 3. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved for the subject property;**
- 4. Prior to issuance of a Certificate of Occupancy of the "Wal-Mart Supercenter", all of the infrastructure improvements including the extension of utilities as well as the construction of improvements at the intersection of U.S. Highway 16 and Sammis Trail, the construction of Sammis Trail and the rearage road as they abut the subject property and required on site improvements shall be completed;**
- 5. Prior to issuance of a Certificate of Occupancy, access to U.S. Highway 16 from existing Sammis Trail shall be closed. In addition, the street connection between the new Sammis Trail and the existing Sammis Trail shall be completed;**

STAFF REPORT
January 5, 2006

**No. 05PD077 - Planned Commercial Development - Intial ITEM 42
Development Plan**

6. Upon submittal of a Final Planned Commercial Development application, a water and sewer plan prepared by a Professional Engineer shall be submitted for review and approval. In addition, the applicant shall demonstrate that adequate domestic water and fire flows are being provided;
7. Upon submittal of a Final Planned Commercial Development application, a grading plan and geotechnical information shall be submitted for review and approval;
8. Upon submittal of a Final Planned Commercial Development application, a drainage plan as well as an erosion and sediment control plan shall be submitted for review and approval. In particular, the drainage plan shall be submitted in compliance with the Landfill Drainage Basin Plan and shall show flow quantities, directions, collection system elements and any required detention. Any street drainage discharge shall be within the acceptable standards as per the Drainage Criteria Manual;
9. The International Fire code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;
10. Upon submittal of a Final Planned Commercial Development application, a complete landscaping plan shall be submitted for review and approval. The landscaping plan shall comply with the U.S. Highway 16 Neighborhood Area Future Land Use Plan. In particular, the landscaping plan shall provide a forty foot landscape area along U.S. Highway 16 right-of-way. In addition, an informally arranged mix of deciduous and coniferous trees and shrubs, with naturalized grasses and wildflowers shall be incorporated into the landscapes zones. Berms and mass plantings shall also be incorporated into the landscapes zones to screen off-street parking areas from the U.S. Highway 16 roadway and to screen the ground plane for retail uses allowing view opportunities to stores and building mounted signage. In addition, the landscaping shall be designed to focus views into the site at key image locations such as entries, focal points or architectural features, including building mounted signs. All landscape areas shall be irrigated with sensors installed to avoid wasting water;
11. Upon submittal of a Final Planned Commercial Development application, a sign package shall be submitted for review and approval. The sign package shall comply with the U.S. Highway 16 Neighborhood Area Future Land Use Plan. In particular, horizontal profile signage made of subtle, earth toned materials incorporated into the landscaping areas shall be provided. All signs shall be less than 12 feet in height and no pole signs shall be allowed. In addition, plant materials shall be incorporated around the base of the ground mounted signs to aide in integrating the signs into the natural environment. Plant material around floodlight fixtures shall be carefully located to visually screen the fixtures;
12. Upon submittal of a Final Planned Commercial Development application, a lighting package shall be submitted for review and approval. In particular, the lighting package shall be designed to provide lighting within the parking lot while protecting the night skies;
13. Upon submittal of a Final Planned Commercial Development application, the elevations of the proposed structure shall be revised to comply with the U.S.

STAFF REPORT
January 5, 2006

**No. 05PD077 - Planned Commercial Development - Intial ITEM 42
Development Plan**

- Highway 16 Neighborhood Area Future Land Use Plan. In particular, the structure materials shall be earth tone with primarily subtle, neutral colors reflective of the prairie environment. In addition, a list of building materials shall be submitted for review and approval. Elevations and building materials for the proposed convenience store shall also be submitted for review and approval.
14. Upon submittal of a Final Planned Commercial Development application, the location and size of the dumpsters shall be submitted for review and approval. In addition, the dumpsters shall be screened;
 15. Upon submittal of a Final Planned Commercial Development application, the location, size and noise rating of any exterior air handling equipment proposed for the shopping center and the gas station shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
 16. Upon submittal of a Final Planned Commercial Development application, a revised Parking Plan shall be submitted for review and approval. In particular, the parking shall be calculated at a ratio of 5 parking spaces per 1,000 square foot gross floor area in lieu of the proposed 4.99 parking spaces per 1,000 square foot gross floor area as identified on the site plan for the retail use. In addition, the parking calculation shall include any outdoor use(s) such as the garden area and storage. The parking plan shall also include parking for the proposed convenience store at a ratio of 11.50 parking spaces per 1,000 square foot gross floor area. In addition, the parking lot shall be designed to comply with the Americans with Disabilities Act (ADA) Design Standards;
 17. Upon submittal of a Final Planned Commercial Development application, the delivery truck route to the Wal-Mart Supercenter shall be identified. In addition, the parking lot shall be revised as needed to accommodate the truck traffic. The loading, storage and services areas shall also be screened from the adjacent properties and U.S. Highway 16;
 18. Upon submittal of a Final Planned Commercial Development application, elevations of any proposed fencing, retaining walls and/or screening shall be submitted for review and approval. The fencing, retaining walls and/or screening shall be designed in compliance with the U.S. Highway 16 Neighborhood Area Future Land Use Plan. In particular, the materials shall be warm-toned, natural materials or the materials shall be sympathetic to natural materials. All fences shall be designed so as to have the finished side viewed from the adjacent properties. In addition, chain link fences with slats shall not be utilized;
 19. Overnight parking shall be prohibited from the site and signs shall be posted as needed;
 20. Upon submittal of a Final Planned Commercial Development application, the site plan shall be revised to provide a planter island at a ratio of one such island for every fifty parking spaces or the applicant shall submit a request to reduce the ratio of required planter islands as required by Chapter 17.50.030 of the Landscape Regulations. In particular, the applicant shall demonstrate that the proposed landscape boulevards reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot and must identify the specific size and plant material proposed within each boulevard;
 21. Upon submittal of a Final Planned Commercial Development application, the site

STAFF REPORT
January 5, 2006

**No. 05PD077 - Planned Commercial Development - Initial ITEM 42
Development Plan**

- plan shall be revised and submitted for review and approval to show pedestrian access though the site;
22. **An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;**
 23. **Prior to issuance of a building permits and/or sign permits on Lots 1, 3 and 4, a Major Amendment to the Planned Commercial Development shall be submitted for review and approval identifying the specific use and meeting all of the requirements of the Rapid City Municipal Code. In addition, a revised Traffic Impact Study shall be submitted for review and approval if access to Lots 3 and 4 is proposed to be taken from Lot 2 in lieu of the rearage road;**
 24. **The Planned Commercial Development shall be designed and constructed in compliance with the recommendations as identified in the Traffic Impact Study; and,**
 25. **All provisions of the General Commercial District and the U.S. Highway Neighborhood Area Future Land Use Plan shall be met unless otherwise specifically authorized as a stipulation of the Final Planned Commercial Development or a subsequent Major Amendment.**

GENERAL COMMENTS:

(Update, December 26, 2005. All revised and/or added text is shown in bold print.) This item was continued at the December 8, 2005 Planning Commission meeting to allow the applicant to submit a correct legal description of the subject property and to submit additional information specific to the associated Layout Plat. On December 8, 2005, staff met with several of the applicant's representatives to discuss these outstanding issues. On December 12, 2005, the applicant submitted a revised Layout Plat, a revised conceptual landscaping plan and revised structural elevations of the proposed commercial building. In addition, on December 19, 2005, a revised traffic analysis was submitted for review and approval.

The applicant has submitted an Initial Planned Commercial Development to allow a 217,572 square foot department store and a convenience store to be constructed on the subject property. In addition, the applicant has submitted a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer, and additional pavement and to dedicate additional right-of-way along street sections associated with the proposed development. (See companion item 05SV078.)

On October 27, 2005, the Planning Commission and, subsequently, the City Council, continued a Layout Plat to subdivide the subject property into six commercial lots and a Rezoning request to change the zoning designation of the subject property from General Agriculture District to General Commercial District. In particular, these items were continued to allow the applicant to address traffic and utility concerns. (See companion items 05PL129 and 05RZ047.)

As noted above, on December 12, 2005, the applicant submitted a revised Layout Plat expanding the boundaries to include the property located between the existing Sammis Trail right-of-way and the new Sammis Trail right-of-way. In particular, the revised Layout Plat identifies the subdivision of 53.17 acres into six commercial lots

STAFF REPORT
January 5, 2006

No. 05PD077 - Planned Commercial Development - Initial Development Plan **ITEM 42**

leaving a 59.75 acre unplatted balance. In addition, the applicant has submitted a Planned Development Designation application for 7.947 acres of the property located south of the new Sammis Trail right-of-way and a revised Rezoning request to include the entire 53.17 acres. The applicant has also submitted a Variance to the Subdivision Regulations to waive the requirement to install additional pavement, curb, gutter, sidewalk, water and sewer along U.S. Highway 16, to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the existing Sammis Trail and to install curb, gutter sidewalk, street light conduit, water and sewer and to dedicate additional right-of-way along the proposed access easement. In addition, the applicant has submitted this Initial Planned Commercial Development for the 45.77 acres located north of the new Sammis Trail right-of-way. In particular, the Initial Planned Commercial Development proposes to allow the construction of a 217,572 square foot "Wal-Mart Supercenter" to be located on proposed Lot 2. (See companion items #05RZ057, 05PL129, 05PD090 and 05SV078.)

The property is located in the northeast corner of the intersection of Moon Meadows Drive and U.S. Highway 16 and is currently void of any structural development.

STAFF REVIEW:

Staff has reviewed the Initial Planned Commercial Development and has noted the following considerations:

Design Features: The applicant has submitted elevations of the "Wal-Mart Supercenter" showing the building as a one story structure with brick and wood accents at the main entrances along the front of the building. The balance of the building is shown as a light sandstone color with a darker brown band running around the perimeter of the building and accent pillars in the same darker brown color. In addition, the elevation(s) identify a bright blue roof with red and white signage. However, the U.S. Highway 16 Neighborhood Area Future Land Use Plan states that the structure materials must be earth tone with primarily subtle, neutral colors reflective of the prairie development. The proposed blue roof is not in compliance with the adopted plan. As such, staff is recommending that upon submittal of a Final Planned Commercial Development application, the elevations of the proposed structure be revised to comply with the U.S. Highway 16 Neighborhood Area Future Land Use Plan as identified. In addition, a list of building materials must be submitted for review and approval. Elevations and building materials for the proposed convenience store must also be submitted for review and approval.

Landscaping Plan: The applicant has submitted a conceptual landscaping plan showing a 40 foot landscape buffer along U.S. Highway 16 with a narrower strip of landscaping along the balance of the proposed lots as they abut adjacent rights-of-way. In addition, the landscaping plan shows a landscaping buffer around the detention area to be located within the northeast corner of the subject property. The landscaping plan also identifies landscape boulevards within the parking lot. Staff is recommending that upon submittal of a Final Planned Commercial Development application, a complete landscaping plan be submitted for review and approval. The landscaping plan must comply with the U.S. Highway 16 Neighborhood Area Future

**No. 05PD077 - Planned Commercial Development - Intial ITEM 42
Development Plan**

Land Use Plan. In particular, the landscaping plan must continue to provide a forty foot landscape area along U.S. Highway 16 right-of-way. In addition, an informally arranged mix of deciduous and coniferous trees and shrubs, with naturalized grasses and wildflowers must be incorporated into the landscapes zones. Berms and mass plantings must also be incorporated into the landscapes zones to screen off-street parking areas from the U.S. Highway 16 roadway and to screen the ground plane for retail uses allowing view opportunities to stores and building mounted signage. In addition, the landscaping must be designed to focus views into the site at key image locations such as entries, focal points or architectural features, including building mounted signs. All landscape areas must be irrigated with sensors installed to avoid wasting water.

In addition, staff is recommending that upon submittal of a Final Planned Commercial Development application, the site plan be revised to provide a planter island at a ratio of one such island for every fifty parking spaces or the applicant must submit a request to reduce the ratio of required planter islands as required by Chapter 17.50.030 of the Landscape Regulations. In particular, the applicant must demonstrate that the proposed landscape boulevards reduce the heat, noise, wind and air turbulence and the glare of automobile lights within the parking lot and must identify the specific size and plant material proposed within each boulevard. Staff supports the concept of utilizing landscape boulevards pending review of the specific size and proposed materials.

Sign Package: The elevations submitted for the “Wal-Mart Supercenter” identify wall signs along the front of the building. However, a complete sign package for both the “Wal-Mart Supercenter” and the convenience store has not been submitted. Staff is recommending that upon submittal of a Final Planned Commercial Development application, a sign package be submitted for review and approval. The sign package must comply with the U.S. Highway 16 Neighborhood Area Future Land Use Plan. In particular, horizontal profile signage made of subtle, earth toned materials incorporated into the landscaping areas must be provided. All signs must be less than 12 feet in height and no pole signs will be allowed. In addition, plant materials must be incorporated around the base of the ground mounted signs to aide in integrating the signs into the natural environment. Plant material around floodlight fixtures must be carefully located to visually screen the fixtures.

Parking Plan: The site plan identifies parking for the “Wal-Mart Supercenter” being provided at a ratio of 4.99 parking spaces per 1,000 square foot gross floor area. In addition, no parking is being provided for the proposed outdoor uses, such as the garden center and storage. As such, staff is recommending that upon submittal of a Final Planned Commercial Development application, a revised Parking Plan be submitted for review and approval. In particular, the parking must be calculated at a ratio of 5 parking spaces per 1,000 square foot gross floor area in lieu of the proposed 4.99 parking spaces per 1,000 square foot gross floor area as identified on the site plan for the retail use. In addition, the parking calculation must include any outdoor use(s) such as the garden area and storage. The parking plan must also include parking for the proposed convenience store at a ratio of 11.50 parking spaces

STAFF REPORT
January 5, 2006

No. 05PD077 - Planned Commercial Development - Intial ITEM 42
Development Plan

per 1,000 square foot gross floor area.

Truck Route: The loading dock area for the “Wal-Mart Supercenter” is located along the north side of the building. However, the applicant has not identified the delivery truck route within the proposed parking lots. As such, staff is recommending that upon submittal of a Final Planned Commercial Development application, the delivery truck route to be identified. In addition, the parking lot must be revised as needed to accommodate the truck traffic if needed. The loading, storage and services areas must also be screened from the adjacent properties and U.S. Highway 16.

Overnight Parking: Wal-Mart Stores in other communities allow the overnight parking of recreation vehicles within their parking lots. However, a representative from Wal-Mart has indicated that overnight parking, including the parking of recreational vehicles is not proposed. As such, staff is recommending that overnight parking be prohibited from the site and that signs be posted as needed.

Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). The Fire Department has also indicated that prior to issuance of a building permit, all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. Staff is recommending that all International Fire Codes be continually met.

Infrastructure Improvements: As previously indicated, the applicant has also submitted a Layout Plat to subdivide 53.17 acres into six lots, which includes the subject property. Staff is recommending that prior to issuance of a Building Permit, a Preliminary Plat and/or the construction plans be reviewed and approved to insure that the outstanding issues specific to the subdivision improvements have been addressed. In addition, staff is recommending that prior to issuance of a Certificate of Occupancy, a Final Plat be approved to insure that all rights-of-way and access easements have been recorded. Staff is also recommending that prior to the opening of the “Wal-Mart Supercenter”, all of the infrastructure improvements including street improvements and utility extensions be completed.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the January 5, 2006 Planning Commission meeting if these requirements have not been met.