

STAFF REPORT
August 9, 2007

No. 07PD057 - Major Amendment to a Planned Residential Development **ITEM 42**

GENERAL INFORMATION:

PETITIONER	Boschee Engineering for Stoney Creek Development
REQUEST	No. 07PD057 - Major Amendment to a Planned Commercial Development
EXISTING LEGAL DESCRIPTION	A parcel of land located in a portion of the NW¼SW¼, lying South of Catron Boulevard, in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: Beginning at the Northeast corner of said NW¼SW¼, Thence S25°04'24"W, 609.82 feet to the true point of beginning, said point is lying on the south right-of-way line of Catron Boulevard; Thence departing said south right-of-way line, S25°51'23"W, 193.96 feet; thence N70°48'41"W, 304.64 feet to a point lying on the easterly right-of-way line of Bendt Drive as shown on the final plat of Stoney Creek South Subdivision; Said point is also lying on a curve concave to the southeast and whose chord bears N44°11'25"E, 11.07 feet; Thence northerly along the arc of said curve to the right whose radius is 174.00 feet, and whose delta angle is 03°38'45", an arc distance of 11.07 feet to a point of reversed curvature; Thence continuing northerly along said easterly right-of-way line of Bendt Drive the following two courses; Thence northerly along the arc of said curve to the left whose radius is 226.00 feet, and whose delta angle is 33°41'44", an arc distance of 132.91 feet to a point of tangency; Thence N12°19'03"E, 57.83 feet to a point lying on the southerly right-of-way line of Catron Boulevard; said point is also lying on a curve concave to the southwest and whose chord bears S70°05'51"E, 306.73 feet; Thence southeasterly along said right-of-way line and along the arc of said curve to the right whose radius is 1356.92 feet, and whose delta angle is 12°58'45", an arc distance of 307.38 feet to the true point of beginning, containing 1.354 acres more or less
PARCEL ACREAGE	Approximately 1.35 acres
LOCATION	At the southeast corner of the intersection of Bendt Drive and Catron Boulevard
EXISTING ZONING	General Commercial District

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SURROUNDING ZONING

North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	General Commercial District

PUBLIC UTILITIES City water and sewer

DATE OF APPLICATION 7/13/2007

REVIEWED BY Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development be denied without prejudice.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Commercial Development to revise the signage previously approved for the property.

The property is located south of Catron Boulevard and east of Bendt Drive. Currently, a car wash and two mini-storage units are being constructed on the above legally described property.

On August 10, 2006 Planning Commission approved a Planned Commercial Development – Initial and Final Development Plan (#06PD033) for the property 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, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Development Service Center Division;
3. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
4. A minimum of 58,986 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
5. A minimum of two parking spaces shall be provided. One of the spaces shall be van handicap accessible. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
6. The sign shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development. In addition, the lighting for the sign shall be designed to preclude reflection on the adjacent properties and/or streets. A sign permit shall also be obtained for the sign;

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7. 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;
8. The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;
9. All mechanical equipment shall be located within the mechanical room as proposed;
10. 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 particular, on-site fire hydrants shall be provided as needed. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;
11. The proposed commercial structure(s) shall be used for a car wash and mini-storage units. Any other use shall require a Major Amendment to the Planned Commercial Development;
12. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Initial and Final Planned Commercial Development;
13. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years; and,
14. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment.

On June 19, 2006, City Council approved a Preliminary Plat (#06PL075) with stipulations for the property.

STAFF REVIEW:

Staff has reviewed the Major Amendment to a Planned Commercial Development and has noted the following considerations:

Signage: The applicant previously submitted a sign package identifying a four foot wide by five foot high ground sign to be constructed with the same building materials as the commercial structures and be earth tone in color. The applicant has submitted a new sign package identifying a 21 foot high pole sign with steel sign cabinets internally lit with fluorescent lighting. The sign will have a total of 108 square feet of signage. The sign will be located at the southeast corner of Catron Boulevard and Bendt Drive.

The overall size and design of the entrance sign is not complimentary and/or appropriate next to a residential development located directly north of Catron Boulevard. In addition, several Planned Commercial Developments have been approved in the area, including the property directly west of this property, and all of those Planned Commercial Developments were approved with a ground sign constructed with similar materials as the proposed building. As such, staff recommends that the Major Amendment to a Planned Commercial Development be denied without prejudice.

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Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the August 9, 2007 Planning Commission meeting if these requirements have not been met.