

STAFF REPORT  
July 21, 2005

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**No. 05PD046 - Planned Commercial Development to allow the construction of a restaurant in the General Commercial Zoning District**

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**ITEM 34**

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for McDonald's USA, LLC
REQUEST	<b>No. 05PD046 - Planned Commercial Development – Initial and Final Development Plan to allow the construction of a restaurant in the General Commercial Zoning District</b>
EXISTING LEGAL DESCRIPTION	Lot 17 through 26, Block 26, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .919 acres
LOCATION	720 Cleveland Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/24/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Planned Commercial Development to allow the construction of a restaurant in the General Commercial Zoning District be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the structure;
2. The uses allowed within the Planned Commercial Development shall be limited to a restaurant;
3. The proposed structure shall conform architecturally to the plans and elevations submitted;
4. A minimum 15 foot front yard setback shall be provided for the proposed structure;
5. All side and rear setbacks shall be in compliance with the General Commercial Zoning District requirements;

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6. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;
7. The signage shall comply with the submitted sign package or an amendment to the Planned Commercial Development shall be obtained;
8. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance;
9. The parking plan shall continually comply with all other requirements of the Zoning Ordinance;
10. An exception to the Street Design Criteria Manual to allow three driveway approaches on the subject property is hereby granted;
11. The proposed structure shall be fully fire sprinkled and alarmed as per the International Fire Code;
12. All applicable provisions of the International Fire Code shall be continually met;
13. Prior to Planning Commission approval, a revised grading and drainage plan shall be submitted for review and approval addressing the drainage, runoff and erosion of the alley;
14. Prior to issuance of a Building Permit, a utility plan shall be submitted showing all utility lines including water and wastewater service lines. In addition, the utility plan shall also show the existing water and wastewater service lines abandoned at the tap as per City specifications. The utility plan shall also show the post indicator valve in accordance with Standard Detail 8-5 of the Standard Specifications for Public Works Construction 2004 Edition; and,
15. 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.

**GENERAL COMMENTS:** The subject property is located north of Cleveland Street between Mount Rushmore Road and Seventh Street. The applicant is proposing to remove the existing restaurant located on the subject property and construct a new restaurant on the subject property. The applicant is requesting approval of a Planned Commercial Development – Initial and Final Development Plan to allow the construction of a restaurant in the General Commercial Zoning District.

**STAFF REVIEW:** Staff has reviewed the Planned Commercial Development – Initial and Final Development Plan and has noted the following considerations:

**Building Permit:** Staff noted that a Building Permit must be obtained prior initiation of construction, and that a Certificate of Occupancy must be obtained prior to occupying the building.

**Design Features:** The applicant's site plan shows a 5,200 square foot restaurant located on the subject property. The submitted elevation drawings identifies that the proposed restaurant will have a maximum height of 23 feet. The exterior of the building is proposed to be brick, stone and extruded foam insulation sheeting in earth tone colors.

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Setbacks: The applicant is requesting the required front yard setback be reduced from 25 feet to 15 feet. The applicant has indicated that the need for the reduced setback is to accommodate the drive through isle and to facilitate good traffic circulation through the site. The applicant's site plan also shows the proposed structure to be located 110 feet from the west side lot line and 95 feet from the east side lot line. The submitted site plan shows that the proposed structure to be set back 42.5 feet from the rear property line. Due to the fact that the proposed structure will not encroach into the sight triangle and the reduced setback will create additional room on the lot which will provide a better traffic circulation through the site, staff is recommending approval of a reduced front yard setback from the required 25 feet to 15 feet.

Lighting: The applicant's site plan shows exterior and parking lot lighting to be located on the exterior walls of the structure and along the exterior of the parking lot.

Signage: The subject property is permitted 534 square feet of on-site signage. The submitted plans show a total of 171 square feet of wall signage. The applicant's site plan does not show the location of any ground signs on the subject property. If any ground signage is proposed on site, a revised site plan and elevation drawing of the signage must be submitted for review and approval. Staff noted that no off-site signs shall be allowed. Staff also noted that a separate Sign Permit must be obtained prior to installation of any sign on the property.

Landscaping: The proposed Planned Commercial Development will require that 35,300 landscaping points be provided. The applicant's landscaping plan shows that 40,850 landscaping points are provided. The applicant's site plan shows numerous trees and shrubs installed along the perimeter of the parking providing a buffer to the surrounding properties. The applicant's site plan also shows that four landscaping islands will be provided within the parking lot which exceeds the one landscaping island required by ordinance. The submitted landscaping plan is in compliance with Section 17.50.300 of the Rapid City Municipal Code.

Parking Plan: The Rapid City Municipal Code requires that 51 off-street parking stalls with three stalls being handicapped accessible be provided for the proposed development. The applicant's site plan shows a total of 54 off-street parking stalls with three being handicapped accessible and one of those being "van accessible".

The Rapid City Municipal Code also requires that a minimum of seven stacking stalls be provided for the drive-through window. The applicant's site plan shows that eight drive-through stacking stalls are provided. The submitted parking plan is in compliance with Section 17.50.270 of the Rapid City Municipal Code.

Access: The applicant's site plan shows that there will be three driveway approaches into the subject property. There are currently four driveway approaches on the subject property. Due to the fact that the applicant is reducing the number of approaches from four to three and the three approaches will provide better circulation through the property, staff is

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recommending approval of an exception to the Street Design Criteria Manual to allow three driveway approaches on the subject property.

Fire Safety: Staff noted that the number of hydrants, hydrant location, and access to and around the subject property appear to be adequate as shown on the submitted site plan. Staff also noted that the proposed structure must be fully fire sprinkled and fire alarmed as per the International Fire Code.

Grading and Drainage: Staff noted that the submitted grading plan does not identify an outfall at the northeast corner of the site at the corner of the retaining wall. Staff also noted that it appears that the runoff from the subject property may have eroded the alley from the subject property to Seventh Street. As such, a revised grading and drainage plan must be submitted addressing the drainage, runoff and erosion of the alley prior to Planning Commission approval.

Utilities: Staff noted that a utility plan has not been submitted. Prior to issuance of a Building Permit, a utility plan must be submitted showing all utility lines including water and wastewater service lines. Staff also noted that the utility plan must also show the existing water and wastewater service lines abandoned at the tap as per City specifications. Staff noted that the utility plan must also show the post indicator valve in accordance with Standard Detail 8-5 of the Standard Specifications for Public Works Construction 2004 Edition.

Dumpster Locations: The applicant's site plan shows the proposed location of the dumpster to be in the northwest corner of the subject property. The proposed dumpster will be fully enclosed and adequately screened from the public.

Notification: As of this writing, the required sign has not been posted on the property and the receipts from the required notification of surrounding property owners have not been returned. Staff will notify the Planning Commission at the July 21, 2005 Planning Commission meeting if these requirements have not been met.

Staff recommends approval of the Planned Commercial Development – Initial Development Plan with the above stated stipulations.