

STAFF REPORT
April 5, 2007

No. 07PD003 - Planned Light Industrial Development - Initial and Final Development Plan

ITEM 28

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07PD003 - Planned Light Industrial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 1B of Starlite Subdivision, located in the SW1/4 SW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.48 acres
LOCATION	Southeast of the intersection of Beale Street and Dyess Avenue and north of Eglin Street
EXISTING ZONING	Light Industrial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Agriculture District
South:	Light Industrial District - General Agriculture District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/26/2007
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the Planned Light Industrial Development - Initial and Final Development Plan be continued to the **April 26, 2007** Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

(Update, March 24, 2007. All revised and/or added text is shown in bold print.) This item was continued at the March 22, 2007 Planning Commission meeting to allow the applicant to submit additional information. Subsequently, the applicant submitted a revised site plan showing access to the northern portion of the property and elevations of the proposed screening fence. In addition, the applicant submitted a request to waive the requirement to pave access and/or circulation through the site and to waive the requirement to provide additional landscaping in compliance with the Landscaping Ordinance. Staff has since met with the applicant and his

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consultant to discuss the design of the proposed fencing, the landscaping requirement and the surfacing of the circulation aisle within the storage area. The applicant has indicated that additional and/or revised information will be submitted for review and approval to address these issues. To date, the information has not been submitted. As such, staff is recommending that this item be continued to the April 26, 2007 Planning Commission meeting to allow the applicant to submit the additional and/or revised information as identified.

(Update, March 12, 2007. All revised and/or added text is shown in bold print.) This item was continued at the March 8, 2007 Planning Commission meeting to allow the applicant to submit additional information. Subsequently, the applicant submitted a revised site plan showing access to the northern portion of the property and elevations of the proposed screening fence. In addition, the applicant submitted a request to waive the requirement to pave access and/or circulation through the site and to waive the requirement to provide additional landscaping in compliance with the Landscaping Ordinance.

(Update, February 23, 2007. All revised and/or added text is shown in bold print.) This item was continued at the February 22, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted for review and approval. As such, staff is recommending that this item be continued to the March 22, 2007 Planning Commission meeting to allow the applicant to submit the additional information as identified below.

The applicant has submitted an Initial and Final Planned Light Industrial Development to allow an outdoor storage yard to be located on the southern portion of the subject property. In particular, the applicant has indicated that the storage yard will be used for steel and building products including beams, culverts, pipe and rebar. In addition, the storage yard will not contain any scrap materials.

The property is located approximately 350 feet east of the intersection of Dyess Avenue and Eglin Street on the north side of Eglin Street. Currently, a large outdoor movie screen is located on the subject property. In addition, a metal fence is located along a portion of the southern portion of the property.

STAFF REVIEW:

Staff has reviewed the Initial and Final Planned Light Industrial Development and has noted the following considerations:

Signage and Lighting Plan: To date, a signage and lighting plan has not been submitted for review and approval. As such, staff is recommending that the Initial and Final Planned Light Industrial Development be continued to allow the applicant to submit a signage and lighting plan. If the applicant is not proposing any signage and/or lighting, then a written statement must be submitted identifying no signage and/or lighting for the project.

Parking Plan: The applicant has submitted a site plan showing a 75 foot X 150 foot paved loading and unloading pad to be constructed on the southern portion of the subject property

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directly north of Eglin Street. The Parking Regulations require that vehicle or equipment maneuvering areas also be paved. As such, staff is recommending that a parking plan identifying the access aisles within the storage area be submitted for review and approval. In particular, the access aisles must be paved. Staff is also recommending that construction plans for the loading and unloading area be submitted for review and approval. In addition a grading plan including proposed contours and/or spot elevations for the improved area must be submitted for review and approval. **As noted above, the applicant has requested to waive the requirement to pave access and/or circulation through the site. However, the type of dust palliative and a maintenance schedule has not been submitted for review and approval. As such, staff does not have sufficient information to determine if it is appropriate to waive the requirement to pave access and circulation through site. The applicant has also indicated that asphalt millings may be used within the storage area in lieu of gravel. To date, the applicant has not submitted the design of the access aisle for review and approval. As such, staff is recommending that this item be continued to the April 26, 2007 Planning Commission meeting.**

During staff's site inspection of the subject property, it was noted that the adjacent property, owned by Ace Steel and Recycling, Inc., currently utilized the applicant's proposed loading and unloading area as a second access point to their site. In addition, miscellaneous materials and parked vehicles were within this area. As such, staff is recommending that a revised parking plan be submitted for review and approval identifying a physical separation between the two properties or the applicant must demonstrate that the area is sufficient for all of the proposed and existing use(s). **To date, the applicant has not revised the site plan to show a physical separation between the two properties. In addition, the miscellaneous materials and parked vehicles remain within this area.**

Staff is recommending that the Initial and Final Planned Light Industrial Development be continued to allow the applicant to submit a revised Parking Plan and construction plans as identified.

Dust Palliative: Chapter 17.50.270.G.4 of the Rapid City Municipal Code states that "all commercial, light industrial and heavy industrial uses which involve outdoor storage shall apply a dust palliative approved by the City engineer to all unpaved areas utilized for storage. An approved dust palliative shall be applied annually or as directed by the engineering division". To date, the dust palliative information and maintenance plan has not been submitted for review and approval. As such, staff is recommending that the Initial and Final Planned Light Industrial Development be continued to allow the applicant to submit the information as identified. **As noted above, the type of dust palliative and a maintenance schedule has not been submitted for review and approval.**

In addition, an Air Quality Permit must be obtained prior to any disturbance of one acre or more of land. A Construction and Parking Lot Permit must also be obtained prior to the start of construction of any parking lot area.

Land Use/Fencing: The Light Industrial District allows an outdoor storage yard for building materials as a permitted use within the district contingent upon a seven foot obscuring

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fence, wall or mass planting located around the storage area. The applicant has submitted a site plan showing a proposed fence along the west and north side of the storage area. In addition, the applicant has submitted an elevation showing the fence as a seven foot high chain link fence with slats and with an approximate two foot high rolled barb wire along the top of the chain link fence. The total fence height measures approximately nine feet. Chapter 15.40.090 of the Rapid City Municipal Code states that barb wire fencing material is allowed in an industrial district when located not less than six feet above ground. However, Chapter 15.40.040 of the Rapid City Municipal Code states that a maximum eight foot high fence is allowed in an industrial district. As such, staff is recommending that the design of the fence be revised reducing the height of the fence to eight feet or a Fence Height Exception must be obtained.

The applicant has indicated that the existing metal fence located along the south and west lot lines of the subject property will remain in place. To date, elevations of the fence have not been submitted for review and approval. The applicant has submitted revised elevations of the proposed fence to be located along the north and west side of the storage area. In particular, the elevations show the fence as a seven foot high chain link fence with slats and with an approximate one foot high rolled barb wire along the top of the chain link fence, for a total fence height of eight feet. In addition the applicant has submitted an elevation of the existing fence located along the south and east side of the storage area. In particular, the elevation identifies a seven foot high steel screen fence. A site inspection identified that the existing fence consists of several colors, white, light blue and white panels with large areas of rust.

This area is a mix of industrial and commercial uses(s). The properties located west of the subject property are currently zoned General Commercial District. The property located north and south of the subject property is currently zoned General Agriculture District. The property located east of the subject property is zoned Light Industrial District. Staff has reviewed the proposed and existing fence elevations and has noted concern that the proposed fencing material along Interstate 90, a principal arterial street, and Eglin Street, a minor arterial street, may not be appropriate. In addition, the chain link fence with slats and rolled barb wire and the multi-colored steel screen fence are not consistent with other fencing within the area.

The South Dakota Department of Transportation has recently completed improvements to Exit 60 located west of the subject property. In addition, the South Dakota Department of Transportation is currently completing improvements to Exit 61 located east of the subject property. The two Exits serve as an entryway into our community with the subject property located between them. A couple high end commercial developments are also proposed to be located within this area. In particular, the City is reviewing a proposed shopping mall to be located west of E. North Street, to be known as "Rushmore Crossing". In addition, a second mall location is being proposed north of the interstate. Staff has concerns that the proposed fencing elevations and materials are not appropriate at the entryways as identified and within close proximity to commercial development.

On December 7, 2006, the City Council approved a Rezoning request for the subject

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property from General Commercial District to Light Industrial District. In addition, a Planned Development Designation was approved for the site requiring that an Initial and Final Light Industrial Planned Development be reviewed and approved to insure that the use would not negatively impact the surrounding properties. As such, staff is recommending that this item be continued to allow the applicant to submit revised fence elevations more appropriate for an area mixed with commercial and light industrial development. **As noted above, staff met with the applicant and his consultant to discuss the screening requirement on the subject property. The applicant indicated that a revised screening fence design would be submitted for review and approval. To date, the information has not been submitted. As such, staff is recommending that this item be continued to the April 26, 2007 Planning Commission meeting.**

Landscaping Plan: To date, a landscaping plan has not been submitted for review and approval. Chapter 17.50.300.E.a states that the square footage of the developed portion of the lot not covered by a building shall equal the required number of points. As such, staff is recommending that the Initial and Final Planned Light Industrial Development be continued to allow the applicant to submit a landscaping plan in compliance with the Rapid City Municipal Code. **To date, a landscaping plan has not been submitted for review and approval.**

Phasing Plan: The applicant has indicated that the storage yard will be located in the southern portion of the subject property. To date, a phasing plan for the balance of the subject property has not been submitted for review and approval. In addition, the applicant must identify access to the northern portion of the subject property through the southern portion of the property in lieu of Beale Street. As such, staff is recommending that the Initial and Final Planned Light Industrial Development be continued to allow the applicant to submit a Phasing Plan as identified. **A Phasing Plan has been submitted for review and approval. In addition, access to the northern portion of the property is identified through the southern portion of the property.**

The applicant should be aware that any future use of the northern portion of the subject property will require the review and approval of an Initial and Final Planned Light Industrial Development.

Staff is recommending that the Initial and Final Planned Light Industrial Development be continued to allow the applicant to submit the additional information as outlined above.