

STAFF REPORT  
September 6, 2007

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**No. 07PD067 - Planned Unit Development – Final Development Plan**

**ITEM 32**

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GENERAL INFORMATION:

APPLICANT	Founder's Park, LLC
AGENT	Steve Williams for Williams & Associates Architects, Inc.
PROPERTY OWNER	Founder's Park, LLC
REQUEST	<b>No. 07PD067 - Planned Unit Development – Final Development Plan</b>
EXISTING LEGAL DESCRIPTION	Lot 8 of Founder's Park Subdivision, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.22 acres
LOCATION	314 Founders Park Drive
EXISTING ZONING	Office Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	Office Commercial District (Planned Commercial Development)
South:	Office Commercial District (Planned Commercial Development)
East:	Office Commercial District (Planned Commercial Development)
West:	Flood Hazard District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/10/2007
REVIEWED BY	Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Planned Unit Development – Final Development Plan be approved 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. Prior to issuance of a building permit, a joint parking agreement shall be submitted for

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- review and approval and, subsequently, recorded to allow the parking lot to be located on Lots 6, 7, 8 and 9 of Founders Park Subdivision;
4. An Air Quality Permit shall be obtained or an amendment to the existing Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;
  5. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of the Planned Unit Development;
  6. All signage shall conform architecturally to the design plans and color palette submitted as a part of this Planned Unit Development. The lighting for the sign(s) shall be designed to preclude reflection on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign. In addition, no off-premise signage shall be allowed;
  7. Prior to issuance of a building permit, the landscape plan shall be revised to eliminate trees and shrubs within the Major Drainage Easement or within ten feet of the sanitary sewer main located along the east lot line of the property. The revised landscape plan shall continue to provide a minimum of 148,296 landscaping points on Lots 6, 7, 8 and 9 of Founders Park Subdivision as previously approved. 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;
  8. A minimum of 228 parking spaces shall be provided on Lots 6, 7, 8 and 9 of Founders Park Subdivision as previously approved, with the provision that a maximum of 52,000 square foot of gross square footage of office building may be built on the four lots, not including the mechanical and storage area. In addition, five of the parking spaces shall be handicap accessible with one space being "van" accessible. In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
  9. The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;
  10. All outdoor air handling equipment shall be screened on all four sides with a minimum five foot high stone or brick veneer fence and/or mature landscaping;
  11. 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;
  12. All currently adopted Fire Codes shall be met;
  13. All provisions of the Office Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Final Planned Unit Development application or a subsequent Major Amendment; and,
  14. An office building consisting of 11,437 square feet of office space and 4,503 square feet of mechanical equipment and storage space shall be allowed on the property. Any other use shall require a Major Amendment to the Planned Unit Development. The Planned Unit 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. A one year time extension may be granted if a written request is submitted to the Growth Management Director for review and approval prior to the Final Development Plan approval expiration date.

**GENERAL COMMENTS:**

The applicant has submitted a Final Planned Unit Development to allow an office building with 11,437 square feet of office space and 4,503 square feet of mechanical equipment and storage space to be constructed on Lot 8 of Founders Park Subdivision.

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On March 9, 2006, the Planning Commission approved an Initial Planned Residential Development to allow a mix of multi-family units and office uses to be constructed on 20 acres, which included the applicant's property. On March 20, 2006, the City Council approved a Layout Plat to subdivide the 20 acres into three lots. In addition, the City Council approved a Comprehensive Plan Amendment to the Major Street Plan to eliminate West Street as a collector street. The City Council also approved a Variance to the Subdivision Regulations as follows:

1. To waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the 60 foot wide road easement located on proposed Lot 3;
2. To waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and to reduce the right-of-way/easement widths from 49 feet to 20 feet and 24 feet, respectively, for the proposed private access easement with the stipulation that the private access easement be constructed with a minimum 20 foot wide paved surface; and,
3. To waive the requirement to install sidewalk along both sides of the commercial street with the stipulation that a sidewalk be provided along one side of the street.

On April 17, 2006, the City Council approved a Vacation of Right-of-way to vacate West Street with the stipulation that the applicant enter into an agreement with the City to insure that West Street shall remain in place with adequate easement(s) being recorded at the Register of Deed's Office and to insure the coordination of the removal and construction of access street(s) as needed.

On August 21, 2006, the City Council approved a Preliminary Plat to subdivide 20 acres into 11 lots, which included the applicant's property.

On October 26, 2007, the Planning Commission approved a Final Planned Unit Development to allow a 25,754 square foot office commercial structure to be located on proposed Lot 7 of Founders Park Subdivision.

On January 26, 2007, the City approved a Final Plat to create Lots 1, 7 and 8 of Founders Park Subdivision.

The property is located at the western terminus of W. Chicago Street. A joint parking lot has been constructed on Lots 6, 7, 8 and 9 of Founders Park Subdivision. No other structural development currently exists on the applicant's property.

**STAFF REVIEW:**

Staff has reviewed the Final Planned Unit Development application and has noted the following considerations:

**Design Features:** The applicant has submitted elevations of the proposed office building. The elevations identify that the office building on Lot 8 will be a two story structure with a canopied entry and a covered balcony. The applicant has also submitted a list of building materials and design standards identifying that the buildings will be constructed with a combination of stone or brick veneer, fiber-cement siding or copper looking metal wall finish,

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wood, glass, stucco, heavy timber accents and have a pitched roof with shake looking roofing. In addition, the applicant has indicated that the structure will be earth tone in color. Staff is recommending that the proposed structure(s) conform architecturally to the plans and elevations and color palette submitted as part of this Initial Planned Unit Development.

Landscaping: The previously approved Initial Planned Unit Development (#06PD083) for Lots 6, 7, 8 and 9 of Founders Park Subdivision stipulated that a minimum of 148,296 landscaping points be provided on the four lots. In addition, one larger planter island was permitted in lieu of four smaller planter islands. The landscape plan submitted with this application complies with the previously approved landscape plan with the exception of proposed trees and shrubs located along the east lot line. In particular, the trees and shrubs are located within a Major Drainage Easement. In addition, staff has noted that a sanitary sewer main is located within this area of the property. As such, staff is recommending that prior to issuance of a building permit, the landscape plan shall be revised to eliminate trees and shrubs within the Major Drainage Easement or within ten feet of the sanitary sewer main located along the east lot line of the property. The revised landscape plan must continue to provide a minimum of 148,296 landscaping points on Lots 6, 7, 8 and 9 of Founders Park Subdivision as previously approved. In addition, all landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Parking: The previously approved Initial Planned Unit Development (#06PD083) for Lots 6, 7, 8 and 9 of Founders Park Subdivision reduced the parking requirement from 264 parking spaces to 228 parking spaces with the provision that a maximum of 52,000 square foot of gross square footage of office building may be built on the four lots, not including the mechanical and storage area. The applicant has submitted a site plan showing 228 parking spaces with four handicap accessible parking spaces. In addition, the parking lot has already been constructed. The proposed 11,437 square foot office commercial use permitted with this application combined with the previously approved 25,754 square foot office commercial use on Lot 7 results in a total of 37,191 square foot of office commercial use, less than the permitted 52,000 square foot area. Staff is recommending that a minimum of 228 parking spaces continually be provided on Lots 6, 7, 8 and 9 of Founders Park Subdivision as previously approved. In addition, five of the parking spaces must be handicap accessible with one space being "van" accessible. In addition, all provisions of the Off-Street Parking Ordinance must be continually met.

Staff has also noted that the parking lot is designed as a joint parking facility located on all four of the lots. As such, staff is recommending that prior to issuance of a building permit, a joint parking agreement must be submitted for review and approval and, subsequently, recorded to allow the parking lot to be located on Lots 6, 7, 8 and 9 of Founders Park Subdivision.

Signage: The applicant has submitted a sign package identifying a 5.5 foot high by 11.5 foot wide ground sign at the entrance of the building. In addition, the applicant has indicated that the sign will be constructed with stone or brick veneer to match the proposed office building. Staff is recommending that all signage conform architecturally to the design plans and color palette submitted as a part of this Planned Unit Development. The lighting for the sign(s) must be designed to preclude reflection on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

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The applicant has also submitted a Master Plan showing future joint identification signage on Lot 6 and Lot 9 of Founders Park Subdivision. It appears that the signage will advertise businesses on Lots 6, 7, 8 and 9 of Founders Park Subdivision. However, constructing joint identification signs or entrance signs within a development complex does not allow for any other ground mounted signs within the development. The applicant should be aware that joint identification signs or entrance signs will not be permitted since separate ground mounted signs will be constructed on Lot 6 and Lot 7 of the development.

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). In particular, one on-site fire hydrant must be provided for each structure. 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. The proposed structure must be fully fire sprinkled and fire alarmed as per the currently adopted Fire Code. Staff is recommending that all adopted Fire Codes be continually met.

Setbacks: The previously approved Initial Planned Unit Development (#06PD083) for Lots 6, 7, 8 and 9 of Founders Park Subdivision reduced the rear yard setback along the east lot line of the property for the proposed office buildings from 25 feet to 10 feet. The applicant's site plan identifies that the proposed office building will provide a minimum ten foot setback as required.

Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the September 6, 2007 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.