



# Rapid City Planning Commission Planned Development Project Report

March 23, 2017

<b>Item 3</b>
<b>Applicant Request(s)</b>
Case # 17PD008, a Major Amendment to the Planned Development to expand a commercial development
Companion Case(s) #: N/A

<b>Development Review Team Recommendation(s)</b>
The Development Review Team recommends that the Major Amendment to the Planned Development to expand a commercial development be approved with the stipulations noted below.

<b>Project Summary Brief</b>
The applicant has submitted a Major Amendment to the Planned Development to allow construction of a second commercial structure within an existing commercial development comprised of approximately 1.82 acres of property zoned General Commercial District. Submitted plans show an existing 7,020 square foot building is existing on the site today. The applicant is proposing to construct an approximately 5,550 square foot commercial building comprised of four suites south of the existing structure. In 2007, the Planning Commission approved an Initial and Final Planned Development (File #07PD001) for the development of commercial retail on the property. Since the property is located within an existing Planned Development and the proposed expansion is more than a 20 percent expansion of the structures on the site, a Major Amendment to the Planned Development is required. No Exceptions have been requested as a part of this Major Amendment.

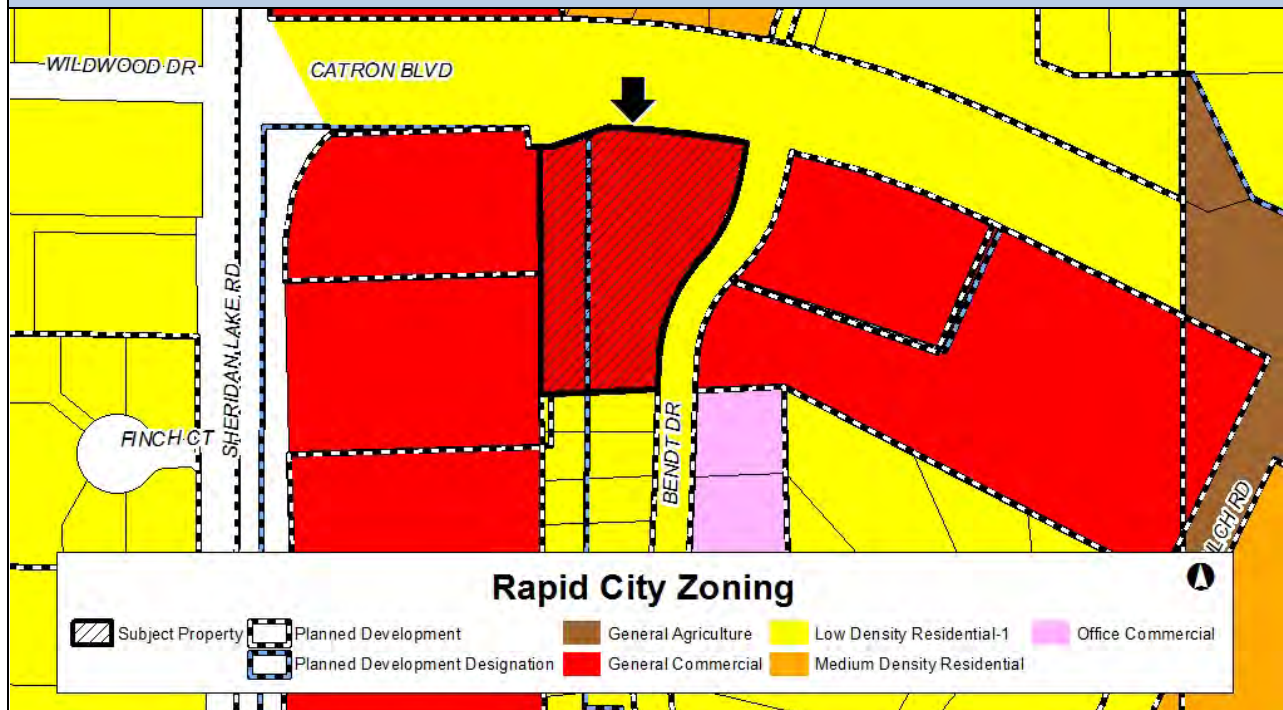
<b>Development Review Team Contacts</b>	
Applicant: Sperlich Consulting	Planner: Robert Laroco
Property Owner: Stoney Creek Plaza, LLC	Engineer: Nicole Lecy
Architect: Upper Deck Architects, Inc.	Fire District: Tim Behlings
Engineer: Sperlich Consulting	School District: Kumar Veluswamy
Surveyor: Sperlich Consulting	Water/Sewer: Nicole Lecy
Other:	DOT: Stacy Bartlett

<b>Subject Property Information</b>	
Address/Location	5509 Bendt Drive, southwest of the intersection of Bendt Drive and Catron Boulevard
Neighborhood	U.S. Highway 16 Neighborhood
Subdivision	Stoney Creek South Subdivision
Land Area	1.82 acres, approximately 79,280 square feet
Existing Buildings	Commercial retail structure
Topography	Generally level
Access	Bendt Drive
Water Provider	Rapid City water
Sewer Provider	Rapid City sewer
Electric/Gas Provider	Black Hills Power/Montana Dakota Utilities
Floodplain	None identified
Other	

### Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC/PD	MUC, Community Activity Center	Commercial retail
Adjacent North	MDR/PD	UN, Community Activity Center	Single family residential
Adjacent South	LDR/PD	LDN, Employment Campus	Single family residential
Adjacent East	GC/PD	MUC, Community Activity Center	Commercial retail/offices
Adjacent West	GC/PD	MUC, Community Activity Center	No structural development

### Zoning Map

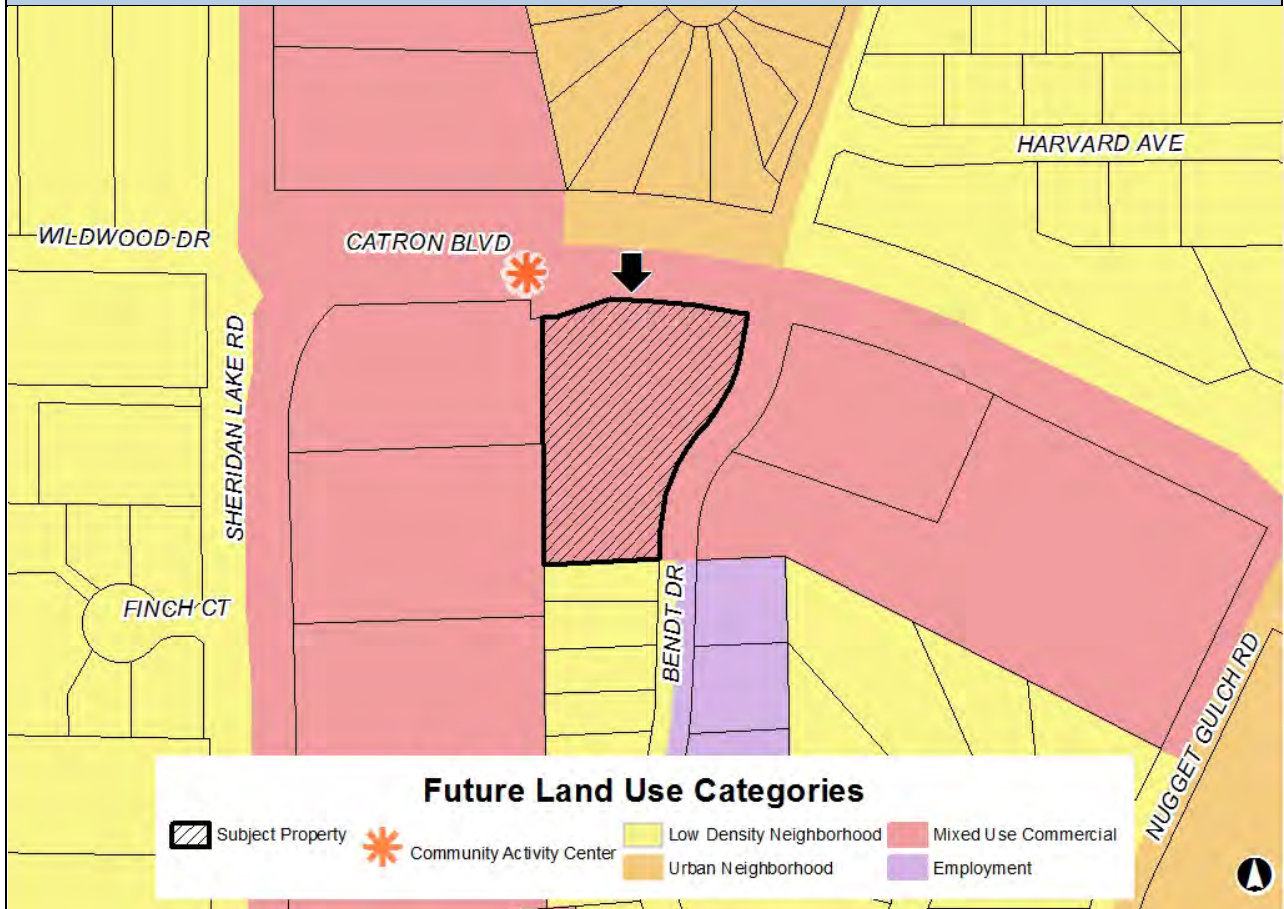


### Existing Land Uses

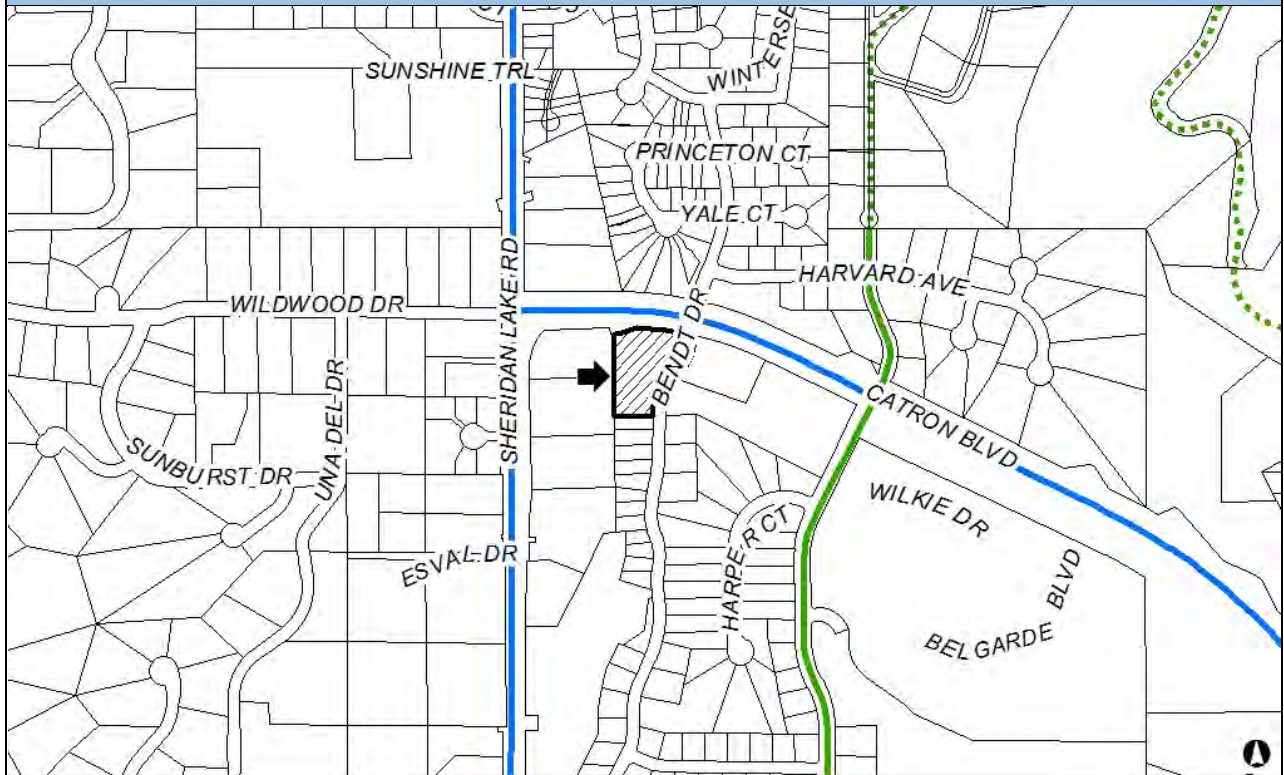




## Comprehensive Plan Future Land Use



## Parks or Transportation Plan



## Major Street Plan








Relevant Case History			
Case/File#	Date	Request	Action
07PD001	3/22/07	Initial and Final Planned Development	PC approved with stips
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed/Existing	
Lot Area	No minimum required	1.82 ac, approximately 79,280 sq ft	
Lot Frontage	No minimum required	Approximately 675 ft	
Maximum Building Heights	4 stories, 45 ft	1 story, 22 ft	
Maximum Density	75%	Approximately 15.9%	
Minimum Building Setback:			
• Front	25 ft from Bendt Drive	61 ft to Bendt Drive	
• Rear	0 ft to west lot line	41 ft to west lot line	
• Side	25 ft to south lot line	53 ft to south lot line	
• Street Side	25 ft to Catron Blvd	>100 ft to Catron Blvd	
Minimum Landscape Requirements:			
• # of landscape points	20,598 points required	22,101 points proposed	
• # of landscape islands	0 required	0 provided	
Minimum Parking Requirements:			
• # of parking spaces	28 required	29 provided	
• # of ADA spaces	2 ADA, 1 van accessible	2 ADA, 1 van accessible	
Signage	Per RCMC	Per RCMC	
Fencing	Per RCMC	None proposed. Residential property to the south has previously installed a 6 ft tall privacy fence.	



Planning Commission Criteria and Findings for Approval or Denial	
<p><b>Pursuant to Section 17.50.050.F.5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for a Planned Development:</b></p>	
	<b>Findings</b>
1. There are certain conditions pertaining to the particular piece of property in question because of its size shape, or topography;	There are no conditions existing on this lot due to size, shape, or topography.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;	The property is currently zoned General Commercial District. Commercial retail is a permitted use in the General Commercial District. The property is located within a previously existing Planned Development requiring a Major Amendment be approved for the proposed expansion. The application of the Zoning Ordinance does not create a practical difficulty or undue hardship.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;	During review of this application, staff noted that the access aisle located in the parking lot west of the proposed building is 9 feet wide. Staff also noted that the parking for the existing building to the north has a similar layout secured through an access and utility easement that provides the minimum 26-foot parking aisle width on adjacent property. Prior to issuance of a building permit, an access and utility easement must be dedicated along the western property line in order to provide sufficient parking access aisle width, similar to the existing

	commercial development located north of the site.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;	Commercial retail is an otherwise permitted use in the General Commercial District. Submitted plans show that if an access and utility easement is provided for parking and access on the western side of the building, then all requirements of the General Commercial District are being met as a part of the request. However, the property is located within a previously approved Planned Development and is a more than 20 percent expansion of the existing structures, requiring the review and approval of a Major Amendment to the Planned Development for the proposed expansion. A literal interpretation of the Zoning Ordinance does not deprive the applicant of rights that others in the same district are allowed.
5. Any adverse impacts will be reasonably mitigated;	During review of the request, staff noted that a 6-foot tall vinyl privacy fence has been installed along the southern property line on the existing residentially developed lot. Upon provision of a signed and executed access and utility easement for the parking and access aisle located west of the proposed structure, all requirements of the General Commercial District will be met. Potential adverse impacts of the proposed development are being adequately mitigated.
6. The requested exception(s) to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified.	As previously noted, no Exceptions to the underlying zoning have been requested as a part of this Major Amendment. Upon provision of a utility and access easement for the parking and access aisle located west of the proposed building, all requirements of the Zoning Ordinance will be met.

**Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial**  
**In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:**

<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
	<b>A Balanced Pattern of Growth</b>
BPG-1.2A	<u>Priority Infill Areas</u> : Community Activity Centers with undeveloped and/or vacant properties should be prioritized and encouraged.
	<b>A Vibrant, Livable Community</b>
N/A	N/A
	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
N/A	N/A
	<b>Efficient Transportation and Infrastructure Systems</b>
N/A	N/A
	<b>Economic Stability and Growth</b>
N/A	N/A



	<b>Outstanding Recreational and Cultural Opportunities</b>
N/A	N/A
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<u>Public Input Opportunities</u> : The Major Amendment to the Planned Development requires notification of surrounding property owners located within 250 feet of the property boundary and posting of a sign on the property. These notification requirements allow public input into the proposed development. As of this writing, there have been no inquiries into the requested Major Amendment.

<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	Mixed Use Commercial, Community Activity Center
<b>Design Standards:</b>	
Chapter 10, p 98	<u>Community Activity Centers</u> : In order to remain economically resilient, the characteristics of the Community Activity Center include spaces that incorporate a broader mix of services, offices, and other employment and civic uses to the desired mix of activity-generating uses.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	U.S. Highway 16 Neighborhood
<b>Neighborhood Goal/Policy:</b>	
US16-NA1.1B	<u>Mixed Use Development</u> : The proposed Institute encourages a mix of uses designed to build a critical mass of activities intended to support development in surrounding area.
US16-NA1.1C	<u>Community Activity Centers</u> : The intersection of Bendt Drive and Catron Boulevard is within an identified Activity Center designated for development within the neighborhood.

<b>The Development Review Team Recommends that the request for a Major Amendment to the Planned Development be approved for the following reasons:</b>	
•	The applicant is proposing a second 5,550 square foot structure in addition to the existing 7,020 square foot commercial retail center. Commercial retail is a permitted use in the General Commercial District. The previously approved Planned Development on the property requires a Major Amendment to the Planned Development for the proposed Expansion.
•	The proposed parking requires an access and utility easement be secured on adjacent property to the west in order to provide the minimum required 26-foot wide parking aisle width. Upon submittal of the required access and utility easement, all requirements of the General Commercial District are being met as a part of this request.

<b>Staff recommends that the requested Major Amendment to the Planned Development be approved with the following stipulations:</b>	
1.	Prior to issuance of a building permit, an access and utility easement securing a minimum 26-foot wide access aisle on the west side of the proposed structure shall be recorded at the Register of Deeds. A copy of the executed and recorded access and utility easement shall be submitted to Community Planning and Development Services;
2.	Prior to issuance of a building permit, all redline comments shall be addressed and all redlined plans shall be returned to Community Planning and Development Services;
3.	Prior to issuance of a building permit, the applicant shall enter into an agreement securing access to the water-valve shutoff, and a Covenant Agreement for the maintenance of the proposed stormceptor shall be recorded. In addition, the Erosion and Sediment Control Plan shall be signed by the property owner in compliance with Rapid City Standard Specifications;

4.	All signage shall comply with the requirements of the Rapid City Municipal Code. No Light Emitting Diode (LED) message centers are being approved as a part of this request. The addition of LED message centers in the future shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign, and;
5.	This Final Planned Development shall allow construction of a second 5,550 square foot commercial structure in addition to the existing 7,020 square foot commercial retail center. All requirements of the General Commercial District shall be continually maintained unless specifically stipulated as a part of a future Major Amendment. All uses permitted in the General Commercial District shall be permitted contingent upon the provision of sufficient parking and an approved building permit. All conditional uses in the General Commercial District shall require a Major Amendment to the Planned Development.



## Rapid City Community Planning & Development Services

### Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

Applicant Request(s)	
<b>Case #17PD008</b>	Major Amendment to the Planned Development to allow expansion of a commercial retail center
<b>Companion Case(s)</b>	N/A
<b>ADVISORIES: Please read carefully!</b>	
1.	A building permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to use;
2.	An air quality permit shall be obtained for disturbances of earth greater than on acre;
3.	All construction plans shall be signed and sealed by a registered professional pursuant to SDCL 36-18A;
4.	All requirements of the currently adopted Building Code shall be met;
5.	All requirements of the International Fire Code shall be met;
6.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
7.	All erosion and sediment control measures shall be installed and continually maintained as necessary;
8.	ADA accessibility shall be maintained as necessary;
9.	All landscaping shall be installed and maintained in compliance with the requirements of the Rapid City Municipal Code;
10.	All lighting shall be designed to preclude shining on adjacent properties and rights-of-ways, so as not to create a nuisance to neighboring properties and traffic.