Case No. 18PD004

Legal Description:

Lots 9 thru 24 of Block 11 of C. D. Rounds Subdivision, located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
February 8, 2018

Department of Community Development
City of Rapid City
300 6th St.
Rapid City, SD 57701

Re: Letter of intent for Planned Commercial Development; Initial and Final

To Whom It May Concern;

Please accept this submittal for an Initial and Final Planned Development Overlay for Lots 9-24, block 11, c.d. rounds subdivision, section 33, T2N, R7E; located at 3645 Sturgis Rd. Rapid City, SD, 57702. This parcel and building is most recently known as the location of Freeds Furniture. The plat includes 1.28 acres and contained approximately 48,000 sf of structure on two levels.

Scull Construction is serving as the agent for FHS Two, LLC. (The applicant) in this matter.

Background and History:
The subject property was originally constructed in 1948. The property has served many uses over its history, and for the past several decades has been home to Freeds Furniture. In the summer of 2017 a fire was ignited within the lower level of the far Northern end of the building. This fire was started by a faulty electric chord. In observation the structure of the building suffered minimal structural damage, isolated to the area of ignition in the lower level, however about half of the structure incurred significant smoke damage. The southern half of the structure was undamaged by fire and/or smoke. Since the fire, Freeds Furniture has chosen to relocate their business. Do to the age, construction methodology, the lot size vs building size ratio, and encroachment of R.O.W, this parcel possesses many significant barriers for redevelopment. The purpose in development of this Planned Commercial Development is to work with Rapid City staff and officials to positively redevelop and reuse this parcel by addressing the various hurdles associated with the site, and to mitigate urban sprawl.

Phasing and use:
For purposes of this PCD, the existing structure and site has been divided into two phases. This final PCD specifically address’s phase 1. Please refer to sheet 2 of 6, of the submitted drawings developed by FMG, for delineation of the phases. Phase 2 will be brought before the Department of Community Development with 24 months of approval of phase 1.
Phase 1: Phase 1 consists of approximately ¼ of the site area, and approximately 24,000 sf of building area, on two split levels. Phase 1 will consist of the following uses:

- All of level 1 will be deemed an archery pro-shop and retail area. 5,000 total sf
- All of level 2 will be deemed an archery range, 5,000 total sf
- All of level 3 will be deemed auxiliary storage to the archery business, 5000 sf
- All of level 4 will be deemed a child care facility, 5000 sf. The childcare facility will service up to 30 children, and includes 2,300 of indoor play area. No exterior play area will be provided. This meets the city ordinances
- The existing 4,000 sf metal building will be demolished
- This phase will immediately advance upon approval of this application
- Phase 1 will be operational within 90 days of building permit approval

Phase 2: Phase 2 consists of the remainder of the site area, and approximately 24,000 sf of building area on 2 split levels. Phase 2 plan:

- The phase 2 area, where the smoke and fire damage occurred, is currently undergoing a structural analysis which will determine if the building is salvageable or not.
- Upon completion of the above analysis and determined best use of the building and/or site area, this phase will be brought forth as a major amendment to this Planned Commercial Development
- This phase will advance to an application stage within 24 months of approval of this application

Zoning and Use:
The property is currently zoned General Commercial. No rezoning is being requested.

- The archery business and range is currently a permitted use within this zoning
- The 5,000 sf of auxiliary storage is a permitted use within this zoning
- The childcare facility is considered a conditional use within this zoning, as part of this application we are requesting the conditional use of a childcare facility be granted.

Parking:
The East side of the building borders Sturgis Rd. and has an approximate 34’ front yard setback and consists of 32 parking spaces. To access these spaces a vehicle must cross DOT right of way (ROW), and to leave these spaces a vehicle must back into the ROW. At some time since inception, DOT and/or city codes have changed since, hence making this a non-conforming parking use. Because of the long-term and consistent use of the building, the previous tenant was “grandfathered” into being allowed to use these parking stalls, otherwise categorized as “legal-nonconforming”. Another challenging issue is that the full frontage of the property, over 400 lineal feet, consists of one large curb cut/approach. This creates a hazard to the motoring public as there is no controlled access to Sturgis Rd.

Do to the change in use of the structure, it is a desire of both the DOT and the Rapid City department of community development to address this legal non-conforming parking situation. Without a compromised solution to this between the applicant/agent and public officials the use of this existing parcel will be reduced to simply a warehouse structure, which does not meet the zoning ordinance, nor does it meet the community development department’s goal of appropriate rehabilitation and reuse of
existing structures within Rapid City. Without a compromised solution the parcel would need to be rezoned to light industrial, and would not meet the desire use of the neighborhood.

In an effort to find the most appropriate solution, the agent has engaged in discussions with both city staff and the DOT. In the agent’s opinion the DOT is the governing body of this issue, as they own and control the ROW. The agent has reached a compromise with the DOT. The DOT has agreed to allow the ROW to be traversed to access and leave (back out into the ROW) the existing parking stalls, and in exchange the agent has agreed to cost share in the construction of 415' of curb and two access approaches with the DOT. This compromise will eliminate the public safety hazard to motorists along Sturgis rd., as well as allow access and use of the existing 32 stalls located along the Sturgis Road frontage. Please see the attached letter from Stacey Bartlett of the SD DOT.

Per the uses listed above, and as calculated in the submittal drawings, this phase will require 46 parking stalls. The agent of this application is requesting that the 32 stalls located on the Sturgis road be counted toward the usable parking stall count. An additional 14 parking stalls have been provided on the rear of the property, along Trail View Dr. With this exception the property can meet the required 46 parking stalls.

Setbacks:
All setbacks meet the zoning ordinance, please refer to the engineered drawings

Landscaping:
As previously mentioned the subject parcel has a high ratio of land vs. building, not allowing much room for landscaping.

- Frontage along Sturgis rd.
  - The entire frontage of this building, as well as the DOT ROW is completely impervious and currently has no landscaping. This creates a significant challenge in providing landscaping. See submitted photos. The agent’s engineered drawings show the creation of four landscape islands within the property boundary, providing 18 shrubs, without reduction in parking.

- Frontage along Trail View Rd.
  - The existing frontage along Trail View currently consists of no landscaping or hard paving. This frontage is mostly encumbered with hard packed and worn gravel. The majority of this land is needed to be utilized to meet the necessary parking requirements. The agent is proposing to topsoil and seed all of the area that will not be paved, as required for parking within the phase 1 boundary. This will provide much needed greenery along this frontage.

To meet the existing city landscape code, phase 1 is required to provide 27,521 points. Per this application the agent is requesting an exception to only provide 13,350 landscape points. This provides the parcel with 13,350 more points than are existing, while also providing the space necessary to meet the parking requirements.
Sidewalks:
There currently are no sidewalks located along Sturgis Rd, or Trail View Dr. The applicant/agent will seek and be granted a variance through the city council to not install sidewalks, prior to a certificate of occupancy being issued for the parcel, or will provide as required. Previously the city council has granted variances to not install properties located on the opposite side of Sturgis Rd.

Signage:
Please reference the manipulated photos of the building’s exterior for signage locations. This shall provide dimensions and intended signage areas. Actual signage may vary slightly from that shown on the photo drawings. All future signage will comply with the current Rapid City sign code. No LED reader boards are being requested.

- Sturgis rd.
  - The existing pole sign will be utilized. A new face with rear illumination will be provided. The setback dimensions of this sign are shown on the engineered drawings.
  - The main front to the archery retail area will include three signs as shown. Assume all will be rear illuminated
  - The archery range will have large non illuminated letters

- Trail View dr.
  - Per the photos one 4x8 non illuminated sign is intended above the entrance to the child care center

Existing sewer and water taps:
There is believed to be 5 ea. Sewer and water taps for the existing building. 2 ea. are located in phase 1, and 3 ea. are located in phase 2.

To the best of our knowledge 1 ea. within the phase 1 area is currently in use. These will remain in service, and it is the intention that the other taps within phase 1 will be utilized as well to provide service to two new bathrooms. If these taps are not utilized they will be abandoned within 1 year of approval of this application.

The remaining 3 ea. located in phase 2 will be abandoned within one year of approval of this application if they are not reused within that time frame.

Fire Safety:
The existing structure is not protected with a fire suppression system at this time, and has a minimal fire alarm system. The agent has engaged with the Rapid City fire department and plans to fully sprinkler all of the phase 1 structure, and to upgrade the fire alarm system, upon approval of this application. A new fire service water line will be installed. It is currently assumed this will be a 4" line, however that is yet to be determined. If the structure in phase 2 remains, the same upgrades will be done within the stated time frame.

Storm water:
Please refer to the Technical memorandum provided by FMG Engineering.
Building heights:
The existing building heights have been provided in the photos provided with the application.

Outdoor lighting:
The existing outdoor lighting will remain in the reuse of this facility. 4 new wall mounted, led lights will be located on the frontage facing Trail View Dr. This will provide lighting to the newly designated parking area.

Misc. Items:
Please refer to the engineered drawings provided by FMG for information related to the following:
- Setbacks
- Parking locations
- Landscaping plan
- Existing and proposed curb cuts
- Existing and proposed utility services
- Sign setbacks
- Existing lot lines
- Final existing and new grading contours
- Phasing plan

Serving as the Agent of this application, Scull Construction has attempted and feels that we have provided a thorough and detailed analysis of the subject property regarding its current state, and how to collectively work with the Planning Department to provide an appropriate redevelopment and reuse plan. If you desire further description or conversation regarding any of the proposed uses or exceptions, we welcome your input and the opportunity to clarify or provide further detail.

Feel free to contact the undersigned at any time.

Sincerely,

[Signature]
Andrew J. Scull
ascull@scullconst.com
c:605-431-4557
w:605-342-2379
Fletcher Lacock, AICP  
Planner III - Current Planning Division  
Department of Community Development  
605.394-4120

-----Original Message-----
From: Andy Scull [mailto:ascull@scullconst.com]  
Sent: Tuesday, February 27, 2018 2:14 PM  
To: Lacock Fletcher <Fletcher.Lacock@rcgov.org>  
Subject: pcd review freeds old building

Fletcher,

I would like to add an exception request to the PCD associated with the old freeds furniture location on Sturgis rd.

I would like to request an exception to the requirement to provide a screened fence along general commercial property that adjoins residential use.

Specifically we are asking to not be required to install a screen fence on the west side of the property that runs parallel to trails view rd.

Thank you for your consideration.

Andrew J. Scull  
President

Mobile: 605-431-4557  
Rapid City office: 605-342-2379  
Dickinson office: 701-483-5485
The proposed signage shown is preliminary. All signage to meet current Rapid City sign code ordinance.

All sign letters to be raised black non-illuminated.

Back illuminated signs.

See pole sign picture.

Black Hills Archery Complex 13' 4" 14' 4" 18' 6" 28' 8" 17' 4" 8' 7"

12' 0"
phase 1 this side of the line

future phase 2 this side of the line

existing pole sign is approx 4x8 and is approx 27' high

26' 8"
Floor 1
CEILING HEIGHT - 9'10"

N
Floor 2
CEILING HEIGHT - 9'4"
Floor 3
CEILING HEIGHT - 6' 11"
BOTTOM OF BEAM HEIGHT - 6' 3"

AUXILLARY STORAGE FOR ARCHERY SHOP
Floor 4 Reno.

CEILING HEIGHT - 7'6"
BOTTOM OF BEAM HEIGHT - 6' 8"

18PD004

Reception

Bathroom

ADA Bathroom

Infant Care

Infant Care Play Area
200 sf

Indoor Play Area
2,300 Square Feet

Child Work Room

Child Work Room