



# Rapid City Planning Commission

## Planned Development Overlay Project Report

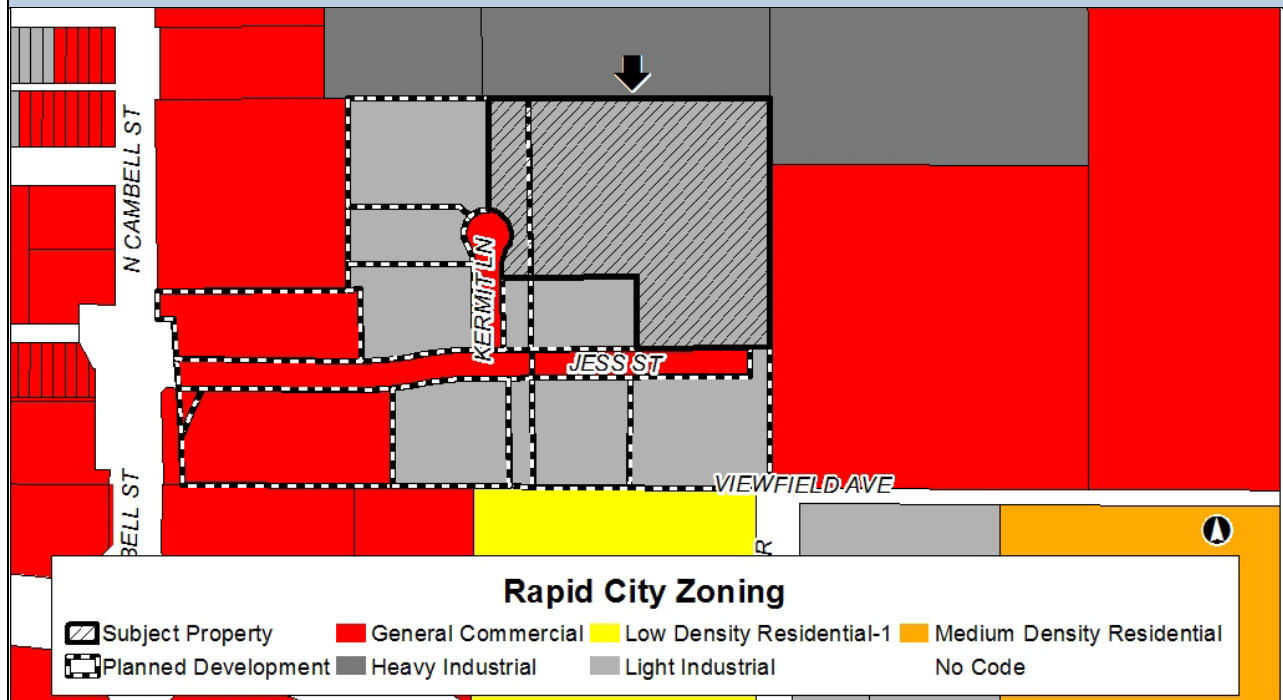
March 8, 2018

Item #4	
<b>Applicant Request(s)</b>	
Case #18PD003 – Major Amendment to a Planned Development to construct a building for Pennington County Services	
Companion Case(s) N/A	
<b>Development Review Team Recommendation(s)</b>	
Staff recommends that the Major Amendment to a Planned Development be approved with the stipulations noted at the end of the project report.	
<b>Project Summary Brief</b>	
<p><b>(Update March 5, 2018. All revised and/or added text is shown in bold.) On March 5, 2018, the applicant requested that the Major Amendment to a Planned Development be withdrawn. Staff recommends that the applicant’s withdrawal be acknowledged.</b> The applicant has submitted a Major Amendment to a Planned Development to construct a building for Pennington County Services. In particular, the applicant is proposing a two phased development. Phase I includes a 13,200 square foot building with a clinic area, an area for fleet vehicles, and storage. Phase II includes an 11,000 square foot building addition for warehousing. The applicant is not requesting any Exceptions from the Zoning Ordinance. The property is located northeast of the intersection of Jess Street and Kermit Lane. The property is currently void of any structural development.</p>	
<b>Applicant Information</b>	<b>Development Review Team Contacts</b>
Applicant: James Scull and Mary Baumgartner-Scull	Planner: Fletcher Lacock
Property Owner: James Scull and Mary Baumgartner-Scull	Engineer: Nicole Lecy
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Nicole Lecy
Other: Scott Edwards, Scull Construction	DOT: Stacy Bartlett
<b>Subject Property Information</b>	
Address/Location	Approximately 185 feet northwest of the intersection of Kermit Lane and Jess Street
Neighborhood	Elk Vale Road Neighborhood Area
Subdivision	DDE Subdivision and Section 32, T2N, R8E
Land Area	2.82 acres
Existing Buildings	Void of structural development
Topography	Relatively flat
Access	Kermit Lane
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ MDU

**Subject Property and Adjacent Property Designations**

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LI - PD	LI	Void of structural development
Adjacent North	HI	LI	Auto salvage yard
Adjacent South	LI - PD	LI	Auto Body Crafters
Adjacent East	HI and GC	LI	Dwelling
Adjacent West	LI - PD	LI	Industrial buildings

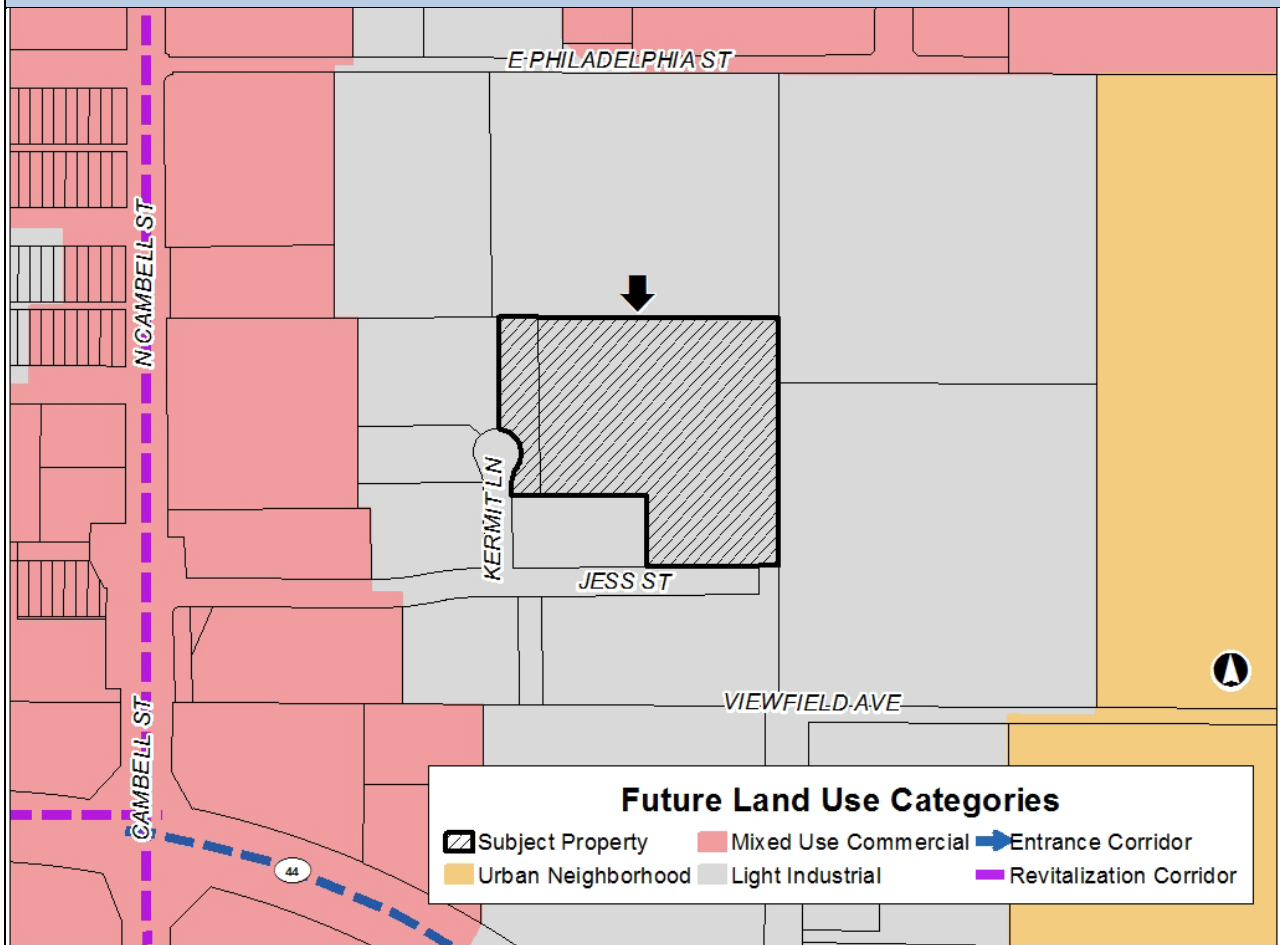
**Zoning Map**



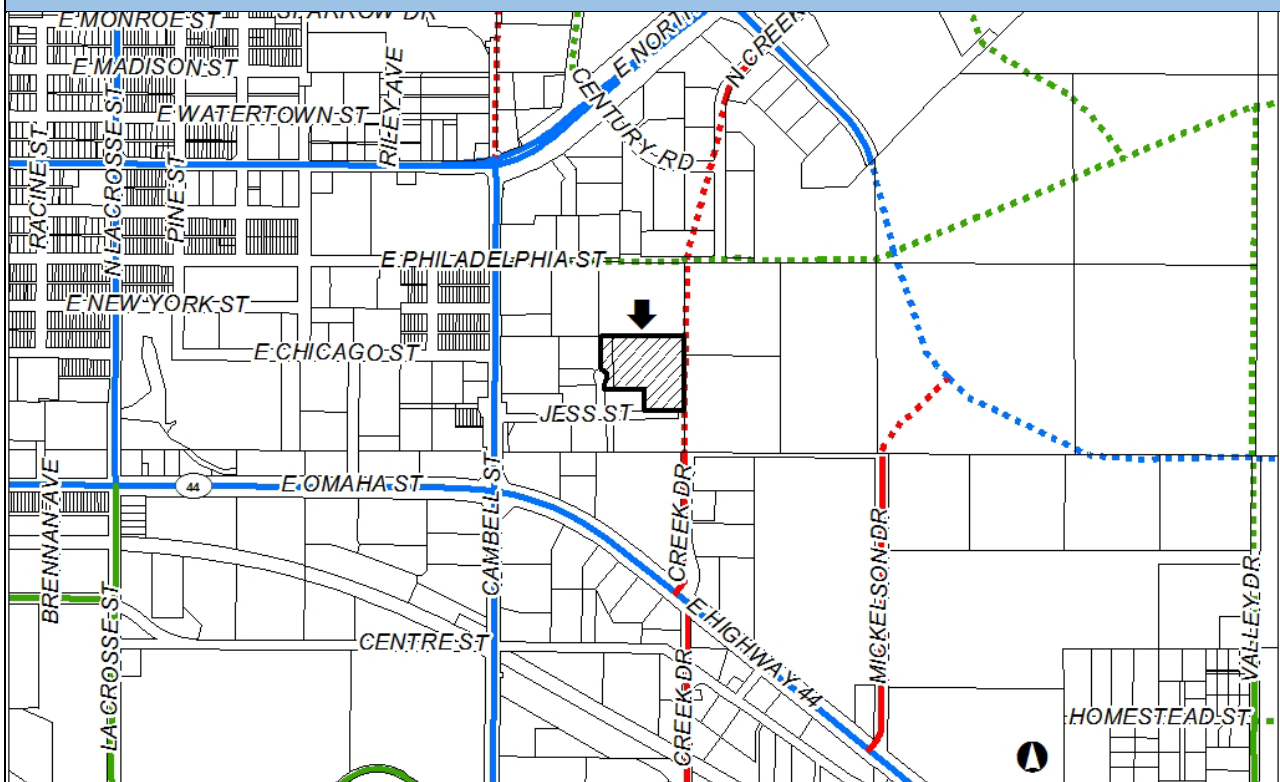
**Existing Land Uses**



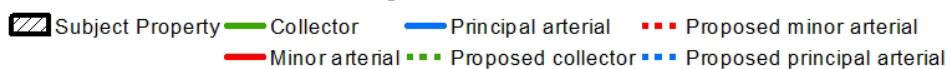
### Comprehensive Plan Future Land Use



### Parks or Transportation Plan



### Major Street Plan



<b>Relevant Case History</b>			
<b>Case/File#</b>	<b>Date</b>	<b>Request</b>	<b>Action</b>
00PD021	07/10/2000	Major Amendment to expand the boundary of the Planned Development	Approved
98PD038	02/01/1999	Major Amendment to allow an on-sale liquor establishment	Approved
98PD012	08/03/1998	Final Planned Development	Approved
<b>Relevant Zoning District Regulations</b>			
Light Industrial District	<b>Required</b>	<b>Proposed</b>	
Lot Area	20,000 square feet	117,612 square feet	
Lot Frontage / Lot Width	N/A	Approximately 335 feet	
Maximum Building Heights	4 stories or 45 feet	23 feet	
Maximum Density	75%	61%	
Minimum Building Setback:			
• Front	25 feet	63 feet	
• Rear	25 feet	381 feet	
• Side	25 feet	67 feet from the south / 47 feet from the north	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	104,412	115,886	
• # of landscape islands	1	1	
Minimum Parking Requirements:			
• # of parking spaces	25	74	
• # of ADA spaces	1	4	
Signage	As per RCMC 17.50.080	Proposed wall signage	
Fencing	8 feet	Proposed 8 foot high chain link fence around outdoor storage area	

<b>Planning Commission Criteria and Findings for Approval or Denial</b>	
<b>Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Major Amendment to a Planned Development:</b>	
<b>Criteria</b>	<b>Findings</b>
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The applicant is proposing to develop a portion of property zoned Light Industrial District located north of Jess Street. The property is located within the boundary of an existing Planned Development. As such, a Major Amendment to a Planned Development is needed to further develop the property.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The applicant is proposing a two phase development. Phase I includes a clinic, warehouse, and vehicle fleet area for Pennington County Services. Future Phase II includes an 11,000 square foot warehouse extension for future tenants. The proposed uses are permitted in the Light Industrial District.
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:	The applicant is not requesting any Exceptions with this Major Amendment to a Planned Development application. Staff have identified a number of issues that must be addressed prior to issuance of a Building Permit. The property consists of two lots that are being developed together. As such, prior to issuance of a Building Permit, the property owner must record a Developmental Lot Agreement to ensure that the parking for the proposed







	<p>development is not sold separately from the building. In addition, the proposed outdoor storage area is required to be fenced with an opaque screening fence. The site plan identifies an 8 foot high chain link fence around the proposed outdoor storage area. As such, upon submittal of a Building Permit, the site plan must be revised to show an opaque screening fence around the outdoor storage area or an Exception must be obtained.</p> <p>The applicant has also indicated that they will be requesting a Variance from Chapter 12 of the Rapid City Municipal Code to waive the requirement to install property line sidewalk. Prior to issuance of a Building Permit, the applicant must revise the site plan to show property line sidewalk in compliance with the Infrastructure Design Criteria Manual or obtain a Variance from the City Council.</p> <p>Staff has also identified an issue with the proposed ADA parking spaces. The two ADA spaces identified with Phase I show a shared access aisle measuring 5 feet in width. Chapter 17.50.270(H)6.b states that when a van accessible parking space shares an access aisle with another ADA space the minimum required access aisle width is 8 feet. As such, upon submittal of a Building Permit, the site plan must be revised to show an 8 foot wide access aisle for the proposed Phase I ADA parking.</p> <p>Chapter 17.50.300(E)1.c of the Rapid City Municipal Code identifies that a landscaped planter island must be provided for every 50 parking spaces. The site plan identifies 44 parking spaces being provided with Phase I and an additional 19 parking spaces with Phase II. As such, upon submittal of a Building Permit for Phase II of the development, a revised site plan must be submitted identifying one landscaped planter island.</p> <p>The proposed Major Amendment to a Planned Development identifies a second phase which will include an 11,000 square foot addition to the Phase I building. The site plan indicates that proposed Phase II will comply with the development standards of the Light Industrial District. As such, any change in use or expansion of use in compliance with the parking regulations will require a Building Permit. Any change in use or expansion of use that requires additional parking or any Conditional Use will require the review and approval of a Major Amendment to the Planned Development.</p>
<p>4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:</p>	<p>The proposed industrial building comprised of a clinic, vehicle fleet area, and warehousing is identified as a permitted use in the Light Industrial District. As such, a literal interpretation of the ordinance does not deprive the applicant of rights others in the district(s) are allowed.</p>
<p>5. Any adverse impacts will be reasonably mitigated:</p>	<p>Public Works staff has provided the applicant with a list of redline comments that must be addressed prior to issuance of a Building Permit.</p>

6. The requested exception 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 noted above, the applicant is not requesting any Exceptions from the Zoning Ordinance.
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**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:**

**Comprehensive Plan Conformance – Core Values Chapters**

 <b>A Balanced Pattern of Growth</b>	
BPG-1.1A	<b>Compact Growth:</b> The property is located northeast of the intersection of Jess Street and Kermit Lane. The proposed development supports compact growth as the area has paved streets and water and sewer availability.
 <b>A Vibrant, Livable Community</b>	
N/A	
 <b>A Safe, Healthy, Inclusive, and Skilled Community</b>	
N/A	
 <b>Efficient Transportation and Infrastructure Systems</b>	
TI-2.1A	<b>Major Street Plan Integration:</b> The applicant is proposing to develop a part of a larger property. Located along the eastern property line is a future Minor Arterial Street extension of Creek Drive. The previously approved Major Amendment to a Planned Development required that the street be constructed with the future development of the property. However, the applicant is not proposing to plat at this time. As such, prior to issuance of a Building Permit, the applicant must enter into an agreement with the City to secure the future dedication of right-of-way and future construction of Creek Drive.
TI-2.3A	<b>Sidewalk Inventory:</b> The applicant has indicated that they will pursue a Variance to waive the requirement to install sidewalk along Kermit Lane. Sidewalk is currently constructed to the west and south of the subject property. Prior to issuance of a Building Permit, the site plan must be revised to show property line sidewalk or a Variance must be approved by City Council.
 <b>Economic Stability and Growth</b>	
N/A	
 <b>Outstanding Recreational and Cultural Opportunities</b>	
N/A	
 <b>Responsive, Accessible, and Effective Governance</b>	
GOV-2.1A	<b>Public Input Opportunities:</b> The proposed Major Amendment to a Planned Development requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Major Amendment to a Planned Development is

	before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.
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<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	<b>Light Industrial</b>
<b>Design Standards:</b>	
GDP-EA1	<b>Pedestrian Connection and Amenities:</b> As noted above, the applicant will pursue a Variance from the City Council to waive the requirement to install sidewalks. The proposed request is in conflict with the Comprehensive Plan which supports providing pedestrian access and connectivity.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	<b>Elk Vale Road Neighborhood Area</b>
<b>Neighborhood Goal/Policy:</b>	
EV-NA1.1C	<b>Mixed-Use Development:</b> The property is zoned Light Industrial District on the eastern edge of a commercial district which abuts North Cambell street. The proposed use supports the expansion of industrial use.

<b>Findings</b>	
Staff has reviewed the Major Amendment to a Planned Development to construct a building for Pennington County Services pursuant to Chapter 17.50.050(F)5 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The proposed Major Amendment to a Planned Development supports the goal of promoting compact development in a developing industrial area. The applicant should be aware that a Developmental Lot Agreement must be recorded prior to issuance of a Building Permit and that an agreement must be recorded securing the future timing of construction of Creek Drive.	

<b>Planning Commission Recommendation and Stipulations of Approval</b>	
Staff recommends that the Major Amendment to a Planned Development to construct a building for Pennington County Services be approved with the following stipulations:	
1.	Upon submittal of a Building Permit, the site plan shall be revised to show an 8 foot wide access aisle for the proposed Phase I ADA parking;
2.	Upon submittal of a Building Permit, the site plan shall be revised to show an opaque screening fence or an Exception shall be obtained;
3.	Upon submittal of a Building Permit for Phase II of the development, a revised site plan shall be submitted identifying one landscaped planter island;
4.	Prior to issuance of a Building Permit, the applicant shall enter into an agreement with the City to secure the timing of the future dedication of right-of-way and future construction of Creek Drive;
5.	Prior to issuance of a Building Permit, the property owner shall plat the property or record a Developmental Lot Agreement;
6.	Prior to issuance of a Building Permit, the applicant shall revise the site plan to show property line sidewalk in compliance with the Rapid City Municipal Code or obtain a Variance from the City Council;
7.	All signage shall comply with the requirements of the Rapid City Municipal Code. Electronic or Light Emitting Diode (LED) message centers are not permitted 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,
8.	The Major Amendment to a Planned Development shall allow for a two phase industrial development. Any change in use or expansion of use in compliance with the parking regulations shall require a Building Permit. Any change in use or expansion of use that requires additional parking or any Conditional Use shall require the review and approval of a Major Amendment to the Planned Development.

