

STAFF REPORT

January 25, 2001

**UOR #00UR043 - Use on Review to allow a veterinary clinic
with a kennel in the General Agriculture Zoning District**

ITEM 31

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	UOR #00UR043 - Use on Review to allow a veterinary clinic with a kennel in the General Agriculture Zoning District
LEGAL DESCRIPTION	A parcel of land located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; being more particularly described as follows: beginning at the Northeast Section Corner of said Section 26; thence N 89°55'19" W along the North line of said Section for a distance of 2652.83 feet to the North Quarter Corner, also being the True Point of Beginning of the parcel to be described; thence S 89°55'19" E for a distance of 762.68 feet, more or less, to the northwesterly right-of-way of U.S. Highway No. 16 B; thence S 53°22'32" W, along said right-of-way, for a distance of 215.04 feet; thence continuing along said right-of-way, along a curve concave to the southeast, having a central angle of 16°16'56", a radius of 2939.79 feet and a length of 835.42 feet; thence N 00°02'15" E for a distance of 716.25 feet to the True Point of Beginning; containing 5.600 acres, more or less
PARCEL ACREAGE	Approximately 5.60 Acres
LOCATION	Approximately 1/4 mile east of the intersection of Catron Boulevard and South Highway 16
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District (PRD)
East:	General Agriculture District
West:	(County)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

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RECOMMENDATION: Staff recommends that the Use on Review to allow a veterinary clinic with a kennel in the General Agriculture Zoning District be approved with the following stipulations:

Engineering Division Recommendation:

1. Prior to issuance of a building permit, a site drainage plan, a grading plan and topographic information shall be submitted for review and approval;

Fire Department Recommendations:

2. Prior to issuance of a Certificate of Occupancy, all fire codes shall be complied with;
3. Prior to City Council approval, the site plan shall be revised to show gates within the exercise area to insure emergency access to the proposed building;

Building Inspection Recommendations:

4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
5. Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted;

Transportation Planning Division Recommendations:

6. Prior to issuance of a building permit, an Approach Permit shall be obtained from the South Dakota Department of Transportation;

Air Quality Division Recommendation:

7. An Air Quality Permit shall be obtained prior to any disturbance of one acre or more of land;

Urban Planning Division Recommendations:

8. Prior to City Council approval, the Final Plat shall be approved;
9. Prior to City Council approval, a sign package shall be submitted for review and approval;
10. Prior to City Council approval, the site plan shall be revised to show a 20 foot wide entrance at the two access points into the parking lot. In addition, the parking plan shall comply with all provisions of the Off-Street Parking Ordinance including the disabled parking requirements;
11. Prior to City Council approval, the landscaping plan shall be revised to show a minimum of fifty percent of the landscaping located within the parking lot or within twenty five feet of the parking lot;
12. The kennel shall be located within the proposed veterinary clinic. No outdoor kenneling shall be allowed;
13. Animals shall not be left in the outdoor exercise area overnight or on weekends and shall be supervised at all times;
14. Animal waste shall be disposed of so as to preclude the presence of flies and to prevent the presence of odors offensive to neighboring residences;

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15. Measures shall be taken to control offensive noises so that the proposed use does not constitute a nuisance;
16. The final construction of the addition(s) shall conform architecturally to the plans and elevations submitted;
17. The Use on Review shall expire if the use for which it was granted has ceased for a period of two years or more, or if the use as approved has not been completed within two years of the approval; and,
18. The Use on Review shall be reviewed every five (5) years, or upon a complaint basis.

GENERAL COMMENTS: The applicant is requesting approval of a Use on Review to allow a veterinary clinic with a kennel on the above legally described property. The applicant has indicated that the veterinary clinic shall cater to small animals, specifically cats and dogs. The applicant's site plan indicates that the clinic will initially be a 63 foot X 63 foot structure. A 1,059 foot addition to the clinic is proposed as part of a future expansion project on the property. In addition, an outdoor exercise area is proposed to be located along the southwest side of the building.

On June 1, 1998 the City Council approved a resolution annexing the subject property into the corporate limits of the City of Rapid City. The applicant has submitted a Rezoning Request to rezone the property from No Use District to General Agriculture District. The property is currently an unplatted balance. As such, the applicant has also submitted a Final Plat to create a 5.6 acre lot to be known as Tract B of Meadow View Subdivision. (See companion items 00RZ059 and 00PL131, respectively.)

STAFF REVIEW: Staff has reviewed the Use on Review request and has noted the following considerations:

Design Features: The building elevations indicate that the veterinary clinic will be a one story structure with a pitched roof. The exterior of the proposed structure will be a combination of wood and glass. Based on existing and future residential development within the area, staff is recommending that the veterinary clinic be constructed as proposed to insure compatibility with the residential use(s) within the area.

The applicant's site plan also indicates that the kennels will be located within the veterinary clinic and that an outdoor exercise area will be located along the southwest side of the building. To further mitigate any adverse impacts the proposed use may have on existing and future residential use(s) within the area, staff is recommending that no outdoor kenneling be allowed and that no animals shall be left in the outdoor exercise area overnight or on weekends and supervised at all times. In addition, measures must be taken to control offensive noises so that the proposed use does not constitute a nuisance.

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Staff is recommending that the Use on Review be reviewed every five years to insure that the use is not adversely affecting the surrounding properties as they continue to develop. As development within the area occurs, addition restrictions may be required to insure that the facility continues to function compatibly with the surrounding area.

Signs: The applicant's site plan does not identify any ground signs on the property or any wall signs on the proposed building. Since the property will function in a commercial capacity, it is assumed that some type of signage will be proposed. Prior to City Council approval, a complete sign package must be submitted for review and approval.

Landscaping: A minimum of 31,860 landscaping points are required. The applicant's site plan identifies that 36,000 landscaping points are being provided. The Landscaping Regulations require that a minimum of fifty per cent of the landscaping points must be located in the parking lot or within twenty five feet of the parking lot. The site plan shows 12,000 landscaping points located within twenty five feet of the parking lot with no landscaping within the parking lot. Prior to City Council approval, the landscaping plan must be revised to show a minimum of 15,930 landscaping points either in the parking lot or within twenty five feet of the parking lot.

Parking: The Off-Street Parking Regulations requires five parking spaces per 1,000 square foot gross floor area or, in this situation, a total of 25 parking spaces. The applicant's site plan identifies 25 parking spaces with one of the spaces being "van handicap" accessible. The minimum number of required off-street parking spaces is being provided. The parking plan also identifies two entrances into the parking lot. Both entrances measure 12 feet in width. The Fire Department is requesting that the access width be increased to 20 feet to insure adequate emergency vehicle ingress and egress and compliance with the Uniform Fire Code. Staff is recommending that the parking plan be revised as identified prior to City Council approval.

Fire Department Concerns: In addition to the parking plan revisions as identified above, the Fire Department is requesting that gates be located within the fence surrounding the outside exercise area to insure emergency access to all points of the proposed clinic. Staff is recommending that the site plan be revised to show the access gate(s) and submitted to the Fire Department for review and approval prior to City Council approval.

Water and Sewer: Water and sewer plans have been submitted in conjunction with the accompanying Final Plat. The plans identify that City water and sewer will be extended east down Catron Boulevard to the subject property. Staff is recommending that the Final Plat be approved prior to City Council approval of the proposed Use on Review to insure that all site improvements are in place or that surety has been posted for the utility improvements.

Catron Boulevard: Catron Boulevard serves as legal access to the subject property. The site plan identifies that an existing approach adjacent to the subject property will be used for the

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proposed clinic. The veterinary clinic and kennel is an expansion in use on the property and, as such, requires that an Approach Permit be obtained from the South Dakota Department of Transportation. Staff is recommending that the Approach Permit be obtained prior to City Council approval.

Notification: As of this writing, the sign has not been posted on the property. Staff will notify the Planning Commission in the event this requirement is not met as required by the Zoning Ordinance. The receipts from the certified mailing have been returned. To date, staff has not received any inquiries or objections regarding this request.