

STAFF REPORT

May 23, 2002

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**No. 02PD016 - Major Amendment to the Planned Commercial Development to allow the sale of new and used vehicles**      **ITEM 20**

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GENERAL INFORMATION:

PETITIONER	David and Michaelle Jackson for Auto Body Crafters, Inc.
REQUEST	<b>No. 02PD016 - Major Amendment to the Planned Commercial Development to allow the sale of new and used vehicles</b>
EXISTING LEGAL DESCRIPTION	Lot 5 of SSJE Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	.97
LOCATION	1410 Jess Street
EXISTING ZONING	General Commercial/Planned Commercial Development
SURROUNDING ZONING	
North:	General Commercial/Planned Commercial Development
South:	General Commercial/Planned Commercial Development
East:	General Commercial/Planned Commercial Development
West:	General Commercial/Planned Commercial Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/26/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Major Amendment to the Planned Commercial Development to allow the sale of new and used vehicles be approved with the following stipulations:

Building Inspection Division Recommendations:

1. All provisions of the Rapid City Sign Code shall be continually met;

Urban Planning Division Recommendations:

2. All previous conditions of approval for the Final Commercial Development Plan #00PD020 shall be continually met;
3. That all vehicles displayed or offered for sale on the property must be in good condition;
4. All provisions of Section 17.50.270, the Minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met and that a maximum of seven parking spaces shall be used for auto display; and,
5. The proposed building shall be used as a vehicle repair and/or new and used auto sales

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establishment and shall meet the minimum requirements established for a vehicle repair establishment and new and used car sales as identified in the General Commercial Zoning District. If the proposed building is not occupied by a vehicle repair establishment and/or new and used vehicle sales establishment, then the uses of the building shall be limited to those uses already approved for Lot 1 of Lot A and Lot 2 of Lot A as identified in Final Commercial Development Plan #98PD030 and Final Commercial Development Plan #99PD012. Any other type of use will require a Major Amendment to the Planned Commercial Development

GENERAL COMMENTS: On July 10, 2000, the City Council approved a Final Commercial Development Plan to allow an auto body shop to be located on the above legally described property. The property is located at the northeast corner of the intersection of Jess Street and Kermit Street. The applicant has indicated that they would like to obtain an automobile dealers license and offer automobiles for sale on the property in conjunction with their existing auto body repair business.

A stipulation of approval of the Planned Commercial Development stated that ... "The proposed building shall be used as a vehicle repair establishment and shall meet the minimum requirements established for a vehicle repair establishment as identified in the General Commercial Zoning District. If the proposed building is not occupied by a vehicle repair establishment, then the uses of the building shall be limited to those uses already approved for Lot 1 of Lot A and Lot 2 of Lot A as identified in Final Commercial Development Plan #98PD030 and Final Commercial Development Plan #99PD012. Any other type of use will require a Major Amendment to the Planned Commercial Development." The allowed uses identified in Final Commercial Development Plan #98PD030 and Final Commercial Development Plan #99PD012 included retail sales, personal, professional, and business service establishments, offices and restaurants. The applicant is requesting a Major Amendment to the Planned Commercial Development to allow automotive sales on the subject property.

STAFF REVIEW: Staff has reviewed the Major Amendment to the Planned Commercial Development and has noted the following considerations:

Land Use: The Planned Development Designation approved in 1998 required that a specific list of proposed uses be submitted with each Final Commercial Development Plan. On July 10, 2000 the Final Development Plan for Lot 5 of D.D.E. Subdivision was approved with the provision for a vehicle repair establishment or an allowed use as identified in previously approved Final Development Plans. The applicant has indicated that in addition to the auto body repair they would like to include auto sales as an approved use of the property. The auto sales use must meet the minimum requirements established for a new and vehicle sales establishment as identified in the General Commercial Zoning District and all requirements of the Off-Street Parking Ordinance. Staff notes that if the proposed building is not used for auto body repair or sales, the uses of the building will be limited to those already approved for Lot 1 of Lot A and Lot 2 of Lot A. Any other type of use will require a Major Amendment to the Planned Commercial Development.

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Off-street Parking Requirement: The total parking requirement for the proposed use on the property is 30 parking spaces. Two of the spaces must be handicap accessible. The parking plan identifies a total of 37 parking spaces with two of the spaces being handicap accessible. This meets the parking requirements established by the City's Parking Regulations and allows for a maximum of seven display parking spaces.

As of this writing, documentation of completion of the certified mailing has not yet been submitted by the petitioner. Staff will notify the Planning Commission in the event this documentation is not received by the May 23, 2002 Planning Commission meeting. The required Use on Review sign has been posted on the property.