

STAFF REPORT

June 9, 2005

No. 05UR009 - Conditional Use Permit to allow a wholesale and distribution facility in excess of 5000 square feet in the General Commercial District

ITEM 42

GENERAL INFORMATION:

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| PETITIONER | Fisk Land Surveying for Mike Paulson on behalf of Dairy Farmers of America |
| REQUEST | No. 05UR009 - Conditional Use Permit to allow a wholesale and distribution facility in excess of 5000 square feet in the General Commercial District |
| EXISTING LEGAL DESCRIPTION | Lots 22 and 23, Block 5, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 21,613 square feet |
| LOCATION | 1130 East Saint James Street |
| EXISTING ZONING | General Commercial District |
| SURROUNDING ZONING | |
| North: | Flood Hazard District |
| South: | Low Density Residential District |
| East: | Low Density Residential District |
| West: | Low Density Residential District |
| PUBLIC UTILITIES | City sewer and water |
| DATE OF APPLICATION | 5/13/2005 |
| REVIEWED BY | Vicki L. Fisher / David L. Johnson |

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a wholesale and distribution facility in excess of 5,000 square feet in the General Commercial District be continued to the June 23, 2005 Planning Commission meeting.

GENERAL COMMENTS:

The applicant has submitted a Conditional Use Permit to allow a 20,000 square foot area within an existing structure to be used as a warehouse, wholesale and distribution facility. The Rapid City Municipal Code allows wholesale and distribution centers in excess of 5,000 square feet in the General Commercial District as a conditional use. The applicant has also indicated that a 2,000 square foot area within the existing structure will be used as office(s).

Previously, a dairy facility known as "The Dairy Farmers of America" was located on the

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property. The applicant has indicated that a janitorial supply and distribution facility will be located in the existing structure pending approval of the Conditional Use Permit and the associated Variance request.

The property is located in the northwest corner of the Cherry Avenue/E. St. James Street intersection. Currently, an approximate 22,000 square foot commercial building is located on the property.

STAFF REVIEW:

Staff has reviewed the Conditional Use Permit and has noted the following considerations:

Use: As previously indicated, the applicant is proposing to locate a janitorial supply and distribution facility in the existing structure. As such, the applicant must provide an Industrial Pre-treatment Application identifying the chemicals and materials to be stored and/or distributed within the facility. Staff is recommending that an Industrial Pre-treatment Application be completed and submitted for review and approval upon submittal of a Building Permit application.

Water: The Fire Department staff has indicated that upon submittal of a building permit application, water utility plans must be submitted for review and approval showing the extension of a water main to the subject property. In particular, water utility plans must demonstrate that adequate fire flows are being provided. In addition, the building must be sprinklered.

Parking: The proposed use(s) require that a minimum of 15 off-street parking spaces be provided. In addition, one of the parking spaces must be "van" handicap accessible. The applicant has indicated that parking currently exists within the structure but that it does not meet the minimum standards of the Parking Regulations. As previously indicated, the applicant has submitted a Variance request to reduce the parking requirement from 15 parking spaces to zero spaces. The Zoning Board of Adjustment will consider the request at their June 17, 2005 meeting. As such, staff is recommending that the Conditional Use Permit be continued to the June 23, 2005 Planning Commission meeting to determine the outcome of the Variance request.

Staff is also recommending that prior to Planning Commission approval, the applicant identify the size of the proposed delivery trucks in order to determine if sufficient service bay areas exist to support the turning radii of the vehicles.

Landscaping: A minimum of 3,088 landscaping points must be provided. The applicant's site plan identifies 3,610 landscaping points; however, all of the landscaping is located within the E. St. James Street right-of-way. The Landscaping Regulations state that no more than 25% of the landscaping may be located in the adjacent right-of-way. As previously indicated, the applicant has submitted a Variance request to allow all of the landscaping to be located in the right-of-way as proposed. The Zoning Board of Adjustment will consider the request at their June 17, 2005 meeting. As such, staff is recommending that the

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Conditional Use Permit be continued to the June 23, 2005 Planning Commission meeting to determine the outcome of the Variance request.

Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the June 9, 2005 Planning Commission meeting if this requirement is not met. Staff has not received any calls or inquires regarding this proposal.