

STAFF REPORT

June 23, 2005

No. 05UR010 - Conditional Use Permit to allow an animal kennel in the Light Industrial Zoning District

ITEM 35

GENERAL INFORMATION:

PETITIONER	James and Melissa Foxworth
REQUEST	No. 05UR010 - Conditional Use Permit to allow an animal kennel in the Light Industrial Zoning District
EXISTING LEGAL DESCRIPTION	Lot 19, Hiway 79 Industrial Park, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .531 acres
LOCATION	3401 South Highway 79
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Heavy Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	5/27/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow an animal kennel in the Light Industrial Zoning District be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the building;
2. The existing building shall be brought into compliance with all ADA handicapped accessibility requirements;
3. All animals cared for must be housed inside overnight;
4. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
5. If animal behavior courses are held on site as an accessory use, than additional parking may be required. In addition, the increase in parking will require a Major Amendment to the Conditional Use Permit;
6. Prior to Planning Commission approval, a revised site plan shall be submitted showing a minimum of 17,454 landscaping points with a minimum of 8,727 points located either in or within 20 feet of the parking lot as per Section 17.50.300 of the Rapid City Municipal Code;

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7. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;
8. A Sign Permit shall be obtained prior to installation of any signage;
9. Any additional signage will require an amendment to the Conditional Use Permit;
10. The structure shall be adequately addressed with 12 inch numbers on a contrasting background and readily visible from the street;
11. All applicable provisions of the International Fire Code shall be continually met; and,
12. The Conditional Use Permit shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: The subject property is located at the southwest corner of Oregon Street and the Service Road located on the west side of South Cambell Street. There is an existing 20,496 square foot, two story structure located on the subject property. The applicant is proposing to use the existing structure as an animal kennel/pet resort. Animal Kennels are a conditional use in the Light Industrial Zoning District. The applicant is requesting approval of a Conditional Use Permit to allow an animal kennel in the Light Industrial Zoning District.

STAFF REVIEW: Staff has reviewed this request for a Conditional Use Permit as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following concerns:

Building Code: Staff noted that a Building Permit must be obtained prior to initiation of any construction and that a Certificate of Occupancy must be obtained prior to occupying the building. The proposed use constitutes a change in use from an S-1 or S-2 occupancy to a B occupancy as defined in the International Building Code. As such, the existing building must be brought into compliance with all of the Americans with Disabilities Act handicapped accessibility requirements.

Air Quality Permit: Staff noted that the area of disturbance does not exceed one acre in size. As such, an Air Quality Permit is not required.

Design Features: The existing structure is 3,042 square feet on the ground floor with a 371 square foot second story loft. The applicant has indicated that the loft area will be used as a caretaker's residence to provide 24 hour care and security for the facility. The Light Industrial Zoning District allows one dwelling unit if the residential use is incidental to the primary use of the property.

The applicant submitted a detailed floor plan of the kennel portion of the building. The applicant is proposing to have 10 indoor kennels that range in size from 33 square feet to 38 square feet in size. Staff noted that all animals cared for must be housed inside overnight.

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Parking: The Rapid City Municipal Code requires that seven off-street parking stalls, with one being a van accessible handicapped stall, be provided for the proposed use. The required number of parking stalls is based on the size of the office/grooming area, kennel area, and the caretakers residence. The applicant's site plan shows a total of 12 off-street parking stalls with one being a van accessible handicapped stall. The proposed parking plan is in compliance with Section 17.50.270 of the Rapid City Municipal Code.

The applicant has indicated that animal behavior courses may be provided in the future. If animal behavior courses are held on site as an accessory use, than additional parking may be required. In addition, the increase in parking will require a Major Amendment to the Conditional Use Permit.

Landscaping: The proposed kennel will require that a minimum of 17,454 landscaping points be provided with a minimum of 8,727 points located either in or within 20 feet of the parking lot. The applicant's site plan does not show the location of any existing or proposed landscaping. Prior to Planning Commission approval, a revised site plan must be submitted showing a minimum of 17,454 landscaping points with a minimum of 8,727 points located either in the parking lot or within 20 feet of the parking lot as per Section 17.50.300 of the Rapid City Municipal Code.

Signage: The subject property has 288 linear feet of frontage along Oregon Street and the Service Road allowing 576 square feet of signage on the subject property. The applicant has indicated that a 67 square foot wall sign will be located on the existing structure. The proposed on-site signage is in compliance with the Sign Code. Staff noted that a Sign Permit must be obtained prior to installation of any signage. Staff also noted that any additional signage will require an amendment to the Conditional Use Permit.

Fencing: There is an existing six foot high chain link fence with one foot of barb wire on top located on the subject property. The existing fence is in compliance with Section 15.40 of the Rapid City Municipal Code.

Fire Safety: Staff noted that the access and circulation through the site appears to accommodate Fire Department apparatus. Staff also noted that the structure must be adequately addressed with 12 inch numbers on a contrasting background and readily visible from the street.

Staff is recommending approval of the Conditional Use Permit with the previously stated stipulations.