

STAFF REPORT  
August 25, 2005

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**No. 05UR014 - Conditional Use Permit to allow a wholesale and distribution center in excess of 5,000 square feet in size**      **ITEM 44**

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GENERAL INFORMATION:

PETITIONER	Henriksen, Inc. for Jay Hagen/Hagen Glass Co., Inc.
REQUEST	<b>No. 05UR014 - Conditional Use Permit to allow a wholesale and distribution center in excess of 5,000 square feet in size</b>
EXISTING LEGAL DESCRIPTION	<p>A tract of land that is located in a portion of Parcel A of MJK Subdivision located in the NE1/4 of the SE1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, that lies within the following description: commencing at a 5/8" rebar with survey cap marked "FMG Inc. LS SD 6119" at the southeast corner of Lot 2 of Parcel A of MJK Subdivision; thence S00 07'17"E, 224.39 feet to a 5/8" rebar with survey cap marked "LS 2652"; thence S04 11'47"W, 217.29 feet to a point; thence S89 56'47"W, 284.08 feet to a point on the east lot line of Common Area C of Dakota Ridge Subdivision; thence N00 04'16"W, 267.25 feet to a 5/8" rebar with survey cap marked "LS 2652" at the southeast corner of Lot 10 of Block 4 of Dakota Ridge Subdivision; thence N00 02'57"E, 55.10 feet to a 5/8" rebar with survey cap marked "LS 2652" at the northeast corner of Lot 10 of Block 4 of Dakota Ridge Subdivision; thence N00 12'53"W, 54.81 feet to a 5/8" rebar with survey cap marked "LS 2652" at the northeast corner of Lot 9 of Block 4 of Dakota Ridge Subdivision; thence N00 03'04"W, 55.24 feet to a 5/8" rebar with survey cap marked "LS 2652" at the northeast corner of Lot 8 of Block 4 of Dakota Ridge Subdivision; thence N00 14'47"E, 8.76 feet to a 5/8" rebar with survey cap marked "FMG Inc. LS SD 6119" on the east lot line of Lot 7 of Block 4 of Dakota Ridge Subdivision and at the southwest corner of Lot 2 of Parcel A of MJK Subdivision; thence N89 57'43"E, 300.01 feet to a 5/8" rebar with survey cap marked "FMG Inc. LS SD 6119" at the southeast corner of Lot 2 of Parcel A of MJK Subdivision at the point of beginning; all located within a portion of Parcel A of MJK Subdivision located in the NE1/4 of the SE1/4 of Section 18, T1N, R8E, BHM, Rapid City; said parcel containing 3.000 acres more or less.</p>
PARCEL ACREAGE	Approximately 3.0 acres

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LOCATION	South of Heartland Drive, west of South Highway 79
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Heavy Industrial District
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/29/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

**RECOMMENDATION:**

Staff recommends that the Conditional Use Permit to allow a wholesale and distribution center in excess of 5,000 square feet in size be approved with the following stipulations:

1. Prior to any construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to obtaining a building permit, all plans shall be prepared and stamped by a registered architect or engineer as per South Dakota Codified Law 36-18A.
3. An Air Quality Permit shall be obtained if area of disturbance exceeds one acre;
4. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;
5. The signage shall comply with the submitted signs indicated on the site plan or an Amendment to the Conditional Use Permit shall be obtained;
6. The proposed structure shall be fully fire sprinklered and fire alarmed as per the International Fire Code;
7. A minimum of two fire hydrants shall be provided;
8. All applicable provisions of the International Fire Code shall be continually met;
9. No outside storage or display will be allowed on the subject property;
10. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
11. The proposed structure shall conform architecturally to the plans and elevations submitted;
12. A revised landscaping plan shall be submitted for review and approval prior to the Planning Commission meeting;
13. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;
14. Prior to Planning Commission, an elevation plan and material plan shall be submitted for review and approval to indicate an opaque screening fence, not to include chain link with slats, on the west property line adjacent to the residential uses;

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15. No trucks will be allowed to be left running on the property after 9 pm or before 7 am;
16. Prior to Planning Commission, a revised site plan shall be submitted for review and approval indicating the location of a screened dumpster;
17. The Conditional Use Permit will be limited to glass sales and warehousing only. Any changes in use will require a Major Amendment to the Conditional Use Permit; and,
18. 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 west of S.D. Highway 79 and south of Heartland Drive. The subject property is currently undeveloped. The subject property is zoned General Commercial District. The properties north and south of the subject property are zoned General Commercial District. The property located east of the subject property is zoned Heavy Industrial District. The property located west of the subject property is zoned Low Density Residential with a Planned Residential Development.

STAFF REVIEW: Staff has reviewed this request for a Conditional Use Permit as it relates to the applicable provisions of Section 17.54.030 of the Rapid City Municipal Code and has noted the following issues:

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.

Air Quality Permit: Staff noted that if the area of disturbance exceeds one acre, an Air Quality Permit must be obtained.

Design Features: The site plan indicates a 21,262 square foot glass company including an 8,102 square foot showroom/office and a 13,160 square foot warehouse located on the subject property. The building elevation drawings show the exterior of the showroom structure to be stone, brick or concrete masonry wainscoting with horizontal siding in neutral shades of gray. The warehouse materials will be metal rib vertical siding in gray masonry and gray siding. The building elevation drawings also indicated the proposed building will have a total height of 24 feet. In addition, a 900 square foot storage building will be located on the subject property for uses related to the primary structure. This storage building will house lawnmowers and snow plows for use on site and company trucks. The storage building materials will be identical to the main building. No outside storage or display will be allowed on the subject property. The proposed buildings are in compliance with all applicable provisions of the Rapid City Municipal Code.

Use of property: The Conditional Use Permit will limit the use of the property to glass sales and warehousing only. Any change in use will require a Major Amendment to the Conditional Use Permit.

Lighting: The applicant's site plan indicates parking lot lighting to be located on the exterior walls of the structure. All site lighting shall be directed away from the adjacent rights-of-way

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and residential zoned properties.

Signage: The applicant's site plan shows a pole sign located near the exit from the property along Heartland Drive. This sign is 24 feet in height and will be 128 square feet in size. The submitted building elevation drawings show a wall sign to be located on the exterior of the proposed structure. In addition, there are three ground directional signs that are three feet in height. Staff recommends that no off-premise, flashing or electronic motion signs be permitted.

Parking: The Rapid City Municipal Code requires that 45 off-street parking stalls be provided for the proposed development. The applicant's site plan shows a total of 58 off-street parking stalls with four being handicapped accessible and one of those being "van accessible". The proposed parking plan meets the minimum requirements of Section 17.50.270 of the Rapid City Municipal Code.

Landscaping: The Conditional Use Permit will require that 67,756 landscaping points be provided. The applicant's site plan indicates 62,000 landscaping points in numerous trees will be planted along the exterior of the property to serve as a buffer between the proposed commercial use and the adjacent residential properties. Staff is recommending that spruce or coniferous trees be used to serve as the landscaping buffer adjacent to the residences to the west. The balance of the landscaping has not been identified. A revised landscaping plan shall be submitted for review and approval prior to Planning Commission approval indicating the location of a landscape island within the parking lot and the additional landscaping points necessary. A minimum of 50 percent of the landscaping will be located within 20 feet of the parking lot.

Fencing: Section 17.18.080 of the Rapid City Municipal Code requires that an opaque ornamental screening fence not less than five nor more than six feet in height shall be constructed along the adjacent property lines when a General Commercial Zoning District is adjacent to a residential district. The subject property is located adjacent to Low Density Residential properties on the west. The applicant's site plan shows a screening fence proposed along the west property line. No chain link fence with slats will be allowed. Prior to Planning Commission, an elevation plan and materials list shall be submitted for review and approval.

Access: The applicant's site plan shows a shared driveway access that will be the entrance into the subject property. The site plan also shows one exit onto Heartland Drive from the subject property.

Hours of Delivery: The applicant's site plan shows the delivery dock located on the west side of the proposed building. Approximately one or two semi-trailers per week will access this property and one or two small trucks per day. During the day, company vehicles will leave in the morning and return at the end of the day. No trucks will be allowed to be left running on the property after the hours of 9 pm or before 7 am.

Dumpster Locations: The applicant's site plan does not indicate a proposed location of any

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dumpster. Prior to Planning Commission, a revised site plan shall be submitted for review and approval indicating the location of a screened dumpster.

Fire Safety: Staff noted that a minimum of two fire hydrants shall be provided. Staff also noted that the proposed structure must be fully fire sprinklered and fire alarmed as per the International Fire Code. 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.