

STAFF REPORT
September 22, 2005

No. 05PD055 - Planned Light Industrial Development - Initial and Final Development Plan

ITEM 27

GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying for Marty Jacob - MBJ, Co.
REQUEST	No. 05PD055 - Planned Light Industrial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 1 through 8 and Lots 21 through 28, Block 7; Lots 1 through 7, Block 12; and vacated alley and East Monroe Street, all located in Northside Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.58 acres
LOCATION	At the southwest corner of the intersection of East Adams Street and Gold Finch Road and at the southwest corner of East Monroe Street and Gold Finch Road
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/12/2005
REVIEWED BY	Karen Bulman / Michelle Horkey

RECOMMENDATION:

Staff recommends that the Planned Light Industrial Development - Initial and Final Development Plan be approved with the following stipulations:

- 1. The use of the property shall be limited to vehicular towing, vehicle storage, sale of used cars, motorcycles and trucks accessory to the vehicle towing, and body and mechanical repair of towed vehicles within an enclosed area;**
- 2. Any expansion, new construction or change in use beyond the uses and structures currently located on the property shall require a Major Amendment to the Planned Light Industrial Development;**
- 3. An exception is hereby granted to waive the requirement to pave East Monroe Street. Any expansion, new construction or change in use shall require that East Monroe Street be paved in accordance with all provisions of the Rapid City**

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- Municipal Code;**
4. **An exception is hereby granted to waive the requirement to pave the parking lot. Any expansion, new construction or change in use will require that the parking lot be paved and striped in accordance with all applicable provisions of the Rapid City Municipal Code;**
 5. **An exception is hereby granted to waive the landscaping requirements. Any expansion, new construction or change in use will require that the landscaping be installed in compliance with all provisions of the Rapid City Municipal Code; and,**
 6. **The Planned Development approval shall expire if the use as approved has ceased for a period of two years.**

GENERAL COMMENTS: On September 8, 2005, the Planning Commission continued this application to the September 22, 2005 Planning Commission meeting to allow the applicant time to review this staff report. All revised and/or added text is shown in bold print. The subject property is located at the southwest corner of the intersection of East Adams Street and Gold Finch Road and at the southwest corner of East Monroe Street and Gold Finch Road. A towing business and related structures are located on the subject property in violation of the Zoning Ordinance. The applicant has submitted numerous applications in an attempt to bring the property into compliance with the Zoning Ordinance. A Determination of Use (05DU001) for a Towing Company in a Light Industrial Zoning District was approved on April 18, 2005. A Comprehensive Plan Amendment (05CA019) to change the North Rapid Neighborhood Future Land Use Plan designation from Medium Density Residential to Light Industrial with a Planned Light Industrial Development, and a Rezoning from Medium Density Residential District to Light Industrial District (05RZ029) have been continued by the City Council pending consideration of this Planned Light Industrial Development application. A Vacation of Right-of-Way for East Monroe Street (05VR005) and a Vacation of Right-of-Way for the alley north of East Monroe and south of East Adams Street (05VR006) were submitted and approved by the City Council on July 5, 2005.

STAFF REVIEW: Staff has reviewed the Planned Light Industrial Development and has noted the following issues:

Land Use: This Planned Light Industrial Development - Initial and Final Development Plan will allow the towing company to continue to operate. The staff is recommending that the use of the property be limited to vehicular towing, vehicle storage, sale of used cars, motorcycles and trucks accessory to the vehicle towing, and body and mechanical repair of towed vehicles within an enclosed area. Any change in use or any structural additions to the property will require the subject property to be brought into compliance with all applicable Rapid City Municipal Codes. In addition, a Major Amendment to the Planned Light Industrial Development will be required. Any Major Amendment to the Planned Light Industrial Development will require a drainage plan to be submitted and East Monroe Street to be paved.

Parking and paving: Chapter 17.50.270 of the Rapid City Municipal Code states that

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all parking and access areas will be paved and all parking facilities shall be marked with striping paint. Curb stops shall be placed on any area that abuts a public or private sidewalk, public right-of-way, or building entrance or exit. The site plan indicates a total of 14 parking spaces including one handicapped space. The handicapped space shall be marked as van accessible and the access aisle shall be located on the driver's right side. Property identified as auto towing use would require 14 spaces. The applicant's site plan indicates five spaces in the parking lot, plus an additional nine spaces in a covered garage, for a total of 14 spaces. Staff is recommending that an exception be granted to waive the paving of the parking areas indicated on the site plan. However, any change in use or expansion of the subject property will require that parking for the subject property be brought into compliance with all applicable off-street parking regulations of the Rapid City Municipal Code.

Landscaping: The site plan indicates one-hundred percent buffered landscaping is located on site along the west property boundary and East Monroe Street. Buffered landscaping is required on all sides of the subject property as the property abuts residential zoning districts. Fifty percent of the landscaping material shall be visible from the residential district whenever possible. Additional landscaping is needed to meet the minimum landscape regulations in the Rapid City Municipal Code. Staff is recommending that an exception be granted to allow the landscaping as indicated on the site plan. Any change in use or expansion of the subject property will require that the landscaping on the site comply with all applicable provisions of the landscaping regulations of the Rapid City Municipal Code.

Vacation of Monroe Street: The vacation of East Monroe Street within the fenced area was approved by City Council on July 5, 2005. The applicant's site plan indicates that the fenced gate is located within the vacated East Monroe Street right-of-way.

As of this writing, the required Planned Light Industrial Development sign has been posted on the property and the receipts from the required certified mailings have been returned.