

STAFF REPORT  
January 25, 2007

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**No. 06UR024 - Conditional Use Permit to allow the slaughter of ITEM 27 animals and a meat processing and retail facility**

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GENERAL INFORMATION:

PETITIONER	Fisk Land Surveying and Consulting Engineers, Inc. for Rebecca and Robert Goosen
REQUEST	<b>No. 06UR024 - Conditional Use Permit to allow the slaughter of animals and a meat processing and retail facility</b>
EXISTING LEGAL DESCRIPTION	Lot A of Tract 2 of Kormylo Subdivision, located in Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.95 acres
LOCATION	Northeast of the intersection of South Dakota Highway 79 and Minnesota Street
EXISTING ZONING	Heavy Industrial District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	Heavy Industrial District
East:	Heavy Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	11/9/2006
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

**Staff recommends that the Conditional Use Permit to allow the slaughter of animals and a meat processing and retail facility be denied.**

GENERAL COMMENTS: **This staff report has been revised as of January 15, 2007. All revised and/or added text is shown in bold print.** The applicant has submitted a Conditional Use Permit to allow the slaughter of animals in a Heavy Industrial Zoning District. Section 17.34.030 of The Rapid City Municipal Code allows the slaughter of animals as a Conditional Use.

Currently a temporary concrete plant is located on the subject property. The applicant has indicated that a 3,825 square foot structure used for meat processing will be located on the property pending approval of the Conditional Use Permit.

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The properties to the north are zoned Heavy Industrial with Zandstra Construction and Hanger Prosthetics and Orthotics located on the properties. The properties to the east and south are zoned Heavy Industrial and are currently undeveloped. The property to the west is zoned General Commercial and is currently undeveloped.

The property is located at the northeast intersection of South Dakota Highway 79 and Minnesota Street.

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

Land Use: As previously indicated, the applicant is proposing to locate a 3,825 square foot processing facility on the subject property for processing beef, pork, and buffalo. The applicant indicated that up to eight cattle and four buffalo will be processed at the site per week. The animals will be delivered to the site by a 3/4 ton truck and cattle trailer and the applicant indicated that no semi-trucks will be used for delivery.

Properties located approximately 500 feet to the west of the proposed use are currently used as a Mobile Home Park with approximately 128 units, a Credit Union, and single family residences. The creation of odors, disease, noise, dust/air pollution and the increase in the traffic flow will adversely affect the area. Concerns have been expressed with odors caused by the keeping of the animals and the infestation of flies associated with the animals. The proposed facility is not compatible with existing business services and residential land uses located in the area and could negatively impact the adjacent General Commercial and Residential land uses. As such, staff recommends that the Conditional Use Permit to allow the slaughter of animals and a meat processing and retail facility be denied.

**On January 2, 2007 the applicant submitted a letter summarizing the operating procedures of the proposed facility and a floor plan detailing the layout and uses of the structure. The letter states that livestock will not be kept on site for more than 24 hours, the animals will be treated for pests prior to transportation to the facility and again at the facility, there will be no on-site rendering, and there will be no storage of waste outside the building. The applicant appears to be trying to address the concerns with odors and pest associated with the proposed use. However, it is difficult for the City to monitor and regulate the proposed operating procedures of the facility. The proposed development is not compatible with existing business services and residential land uses located in the area and could negatively impact the adjacent General Commercial and Residential land uses.**

Building Permits: Staff noted that a building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy.

Sign Permit: Staff noted that a sign permit shall be obtained prior to installation of any signage.

Floodplain Development Permit: Staff noted that a portion of the subject property is located in

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the 100 year floodplain. Prior to issuance of a building permit the applicant shall obtain a Floodplain Development Permit and Elevation Certificate.

Minnesota Street: Minnesota Street is located along the south lot line of the subject property and is classified as a minor arterial street on the City's Major Street Plan requiring that the street be located in a minimum 100 foot wide right-of-way. Currently, Minnesota Street is located in an approximate 80 foot wide right-of-way and has an approximate 27 foot wide paved surface. Staff noted that at the time of the platting of the subject property, the developer will be responsible for constructing an arterial street to a collector street standard and dedicating the minimum required right-of-way.

Fire Safety: Staff noted that an additional fire hydrant would be required on site since the existing fire hydrant is approximately 500 feet from the proposed structure when traveling an approved route. Staff also noted that the minimum fire flow and flow duration for buildings other than one and two family dwellings shall be as specified in Table B105.1 of the 2003 International Fire Code. The structure as shown has side walls greater than 12 feet high indicating the possibility of high pile combustible storage. The structure would then be required to be fully fire sprinkled as per the 2003 International Fire Code.

Water System: Staff noted that the water system was reviewed and approved through the building permit process.

Wastewater System: Staff noted that the wastewater system was reviewed and approved through the building permit process.

Parking: The proposed industrial structure requires that a minimum of eight off-street parking spaces be provided. In addition, one of the parking spaces must be "van" handicap accessible. The applicant's site plan shows 13 parking spaces with two "van" handicap accessible spaces.

Landscaping: A minimum of 81,248 landscaping points must be provided. The applicant's site plan identifies 85,621 landscaping points. The landscaping as shown meets the minimum landscaping point requirements.

**On January 2, 2007 the applicant submitted a revised landscape plan with 12 additional deciduous and coniferous trees to screen the receiving area and enclosed holding pen.**

Legal Notification Requirement: The sign has been posted on the subject property and the receipts from the certified mailings have been returned. To date staff has received five calls and two letters expressing concerns with this proposal.

This item was continued to the January 4, 2007 Planning Commission meeting at the applicant's request. On December 19, 2006 the applicant requested that this item be continued to the January 25, 2007 Planning Commission meeting to allow them time to submit additional information. **This item was continued to the January 25, 2007**

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**Planning Commission meeting at the applicant's request.**

**The proposed development is not compatible with existing business services and residential land uses located in the area and could negatively impact the adjacent General Commercial and Residential land uses. As such, staff recommends that the Conditional Use Permit to allow the slaughter of animals and a meat processing and retail facility be denied.**