

STAFF REPORT  
October 25, 2007

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**No. 07PD083 - Major Amendment to a Planned Commercial Development**      **ITEM 52**

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GENERAL INFORMATION:

APPLICANT	Precision Gymnastics Academy
AGENT	Lyle Henriksen for Henriksen, Inc.
PROPERTY OWNER	PCP LLLC
REQUEST	<b>No. 07PD083 - Major Amendment to a Planned Commercial Development</b>
EXISTING LEGAL DESCRIPTION	Lot 7 of SSJE Subdivision, located in the SW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.23 acres
LOCATION	1331 Jess Street
EXISTING ZONING	General Commercial District (Planned Commercial Development)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	General Commercial District - Low Density Residential District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/25/2007
REVIEWED BY	Jonathan Smith / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Commercial Development to allow a change in use, and the reduction of 21 required off-street parking spaces be denied.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Commercial Development to allow a recreation (gymnastics academy) use. As part of this application, the applicant is requesting to reduce the minimum number of off-street parking spaces from 84 spaces to 63 spaces. The property is located at 1331 Jess Street.

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Currently a 15,000 square foot structure is located on the site. An automotive exhaust system repair business (Exhaust Pro) occupies 4,000 square feet of the structure. The remaining 11,000 square feet of the structure is currently vacant. The applicant is proposing to open a gymnastics academy in the vacant portion of the building.

The applicant has submitted a timetable that outlines when the Gymnastic Academy will be in use. The timetable identifies classes beginning at 11:00 am, 4:00 pm, and 6:00 pm throughout the workweek. On Saturday the timetable identifies classes beginning at 9:00 am, 9:45 am, and 10:30 am. The existing use (Exhaust Pro) is currently open from 8:00 am to 5:00 pm Monday through Friday.

The original Final Planned Commercial Development (#00PD039) was approved by City Council on September 5, 2000 with the following stipulations.

1. Knollwood Drainage Basin Fees shall be paid prior to the issuance of a building permit;
2. Prior to Planning Commission approval, topographic information and a grading plan shall be submitted to insure that all requirements of the Knollwood Drainage Basin Design Plan are being met;
3. Prior to Planning Commission approval, a pavement section design and specifications shall be submitted for review and approval;
4. Prior to Planning Commission approval, existing and proposed sewer service line locations shall be identified;
5. Prior to City Council approval, a revised site plan shall be submitted for review and approval showing the proposed approach shifted to the east to align with Kermit Street or that a minimum 50 foot off-set from the end of Kermit Street radius to the proposed approach shall be provided;
6. Prior to issuance of a certificate of occupancy, handicap ramps shall be installed in accordance with City Code;
7. Prior to issuance of a Certificate of Occupancy, all fire codes shall be complied with;
8. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;
9. The building shall be a maximum 15,000 square foot one story structure with metal siding and a metal-pitched roof. The building shall be colored in hues of tan with a four foot high black and red colored band located along the top of the structure. In addition, two 4 foot by 20 foot mounted wall signs shall be located on the north side of the structure. A third mounted wall sign, also measuring 4 foot by 20 foot, shall be located on the west side of the structure. The signs shall incorporate the same color design as the structure and shall be lighted. Prior to City Council approval, a revised floor plan shall be submitted for review and approval identifying a display window along the front of the proposed building;
10. Prior to City Council approval, a revised landscaping plan shall be submitted for review and approval identifying an irrigation system to serve the proposed landscaping;
11. A 4,000 square foot area of the proposed building shall be used as a muffler shop and shall meet the minimum requirements established for a vehicle service establishment as identified in the General Commercial Zoning District. In addition, the remaining 11,000

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- square feet of the proposed building shall be used as an office/retail use with an associated distribution/wholesaling use. Any other type of use will require a Major Amendment to the Planned Commercial Development;
12. A minimum of 57 parking spaces shall be provided with three of the spaces being handicap accessible. The parking lot and the interior circulation on the property shall be paved. All provisions of the Off-Street Parking Ordinance shall be continually met. Any change in use shall trigger a review of the off-street parking requirements to insure compliance with the provisions of Section 17.50.270 of the Off-Street Parking Ordinance; and,
  13. The Final Commercial Development Plan approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council, or if the use as approved has ceased for a period of two years.

STAFF REVIEW:

Staff has reviewed the applicant's Major Amendment to a Planned Commercial Development request and noted the following considerations:

USE:

The applicant is proposing to locate a "gymnastics academy" use on the property. As noted, a portion of the building is currently an automobile exhaust system repair service. Staff has concerns with the two uses being located in the same building. The automobile exhaust repair use currently operates in one of the bays inside the structure. The majority of the patrons associated with the proposed use are children. Staff has significant concerns with the compatibility of the two uses being located in the same structure. To date no information has been submitted documenting the manner in which ventilation will be separated between the two areas of the building. No information has been submitted regarding how air infiltration will be limited between the two potentially incompatible uses. Due to significant potential of public safety issues associated with the recreational use of a portion of the building by youth and the automobile exhaust repair business; staff cannot support the location of two incompatible uses in the same structure at this time. For this reason staff recommends that the request to allow the "gymnastics academy" use on the property be denied.

SIGNAGE:

The applicant has submitted a proposed wall sign package. The proposed wall signs consist of a logo that measures 28 square feet, and a series of three additional wall signs that identify the business name and measure 202 square feet collectively. An existing "Exhaust Pro" sign on the building measures 206 square feet. Staff has noted that the total signage on the building is 484 square feet, and that the proposed wall sign package is less than the allowable maximum building sign square footage of 492 square feet.

In addition the applicant has also submitted a proposed pole sign. The proposed pole sign measures 72 square feet. An existing sign located on an existing pole measures 96 square feet. Collectively the existing and proposed pole sign measure 169 square feet, staff has noted that the proposed pole sign is less than the maximum allowable pole signage of 492 square feet. Prior to the installation of any signs the applicant is required to obtain a Sign Permit.

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LANDSCAPING:

The applicant has submitted a landscape plan identifying 39,180 landscape points. The applicant's landscape plan identifies large trees, shrubs and grass. The site is required to have 38,753 landscape points per section 17.50.300. Staff has noted that the applicant's landscape plan meets the minimum requirements of section 17.50.300. All landscaping is required to be maintained in a live and vegetative state.

FIRE CODE:

Staff has noted that the building is currently fire sprinklered, and contains both fire alarm and fire detection devices. Staff has noted that additional fire protection measures may be addressed/required at issuance of a Building Permit for any interior renovations. In addition the Fire Code shall be continually met.

ELEVATIONS:

The 15,000 square foot building on the property is a metal building with some brick veneer accents on the lower portion of the front elevation. The applicant is not proposing any changes to the elevations.

PARKING:

The proposed "gymnastic academy" use, combined with the existing use (Exhaust Pro) requires a minimum of 84 off-street parking spaces. Currently 63 off-street parking spaces are provided including three handicap accessible spaces, two of which are van accessible. The applicant is requesting that the number of minimum off-street parking spaces be reduced by 21 spaces or 25%. This proposed reduction in the number of required off-street parking spaces is not a minor deviation and raises significant questions regarding the adequacy of the site to support the proposed use. The potential congestion associated with inadequate parking aggravates the potential safety concerns associated with children being unloaded on the site particularly during the peak after school hours.

Staff finds that hours of operation for the existing use and the scheduled classes for the proposed use overlap during both the morning and afternoon Monday through Friday. This creates a conflict between the two uses in regards to off-street parking, and adds to the potential congestion in the parking area with young children present raising significant public safety concerns. For this reason staff recommends that the request to reduce the amount of off-street parking by 21 spaces be denied.