

STAFF REPORT
August 8, 2013

**No. 13PD026 - Major Amendment to Planned Development to allow
an Auto Body Shop**

ITEM 14

GENERAL INFORMATION:

APPLICANT	Ryan Gruba
PROPERTY OWNER	First Interstate Bank
REQUEST	No. 13PD026 - Major Amendment to Planned Development to allow an Auto Body Shop
EXISTING LEGAL DESCRIPTION	Lot 10A, Lot 12, Lot 13 Less Lot H3, Lot 14 Less Lot H2, Lot 15 Less Lot H2, Lot 16 less Lot H2, the vacated Kinney Court adjacent to said lots of Owen Mann Subdivision, all located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.32 acres
LOCATION	3205 West Chicago Street
EXISTING ZONING	General Commercial Distirct (Planned Development)
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	General Commercial Distirct - Cement Plan District
South:	Medium Density Residential District (Planned Development)
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	July 25, 2013
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Development to allow an auto body shop be approved with the following stipulations:

1. An Exception is hereby granted to reduce the minimum required parking from 52 parking spaces to 42 parking spaces for the proposed auto body shop operated in compliance with the submitted operations plan. As such, a minimum of 42 parking spaces shall be provided. Two of the parking spaces shall be handicap accessible. One of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;

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2. A building permit shall be obtained prior to any construction;
3. Prior to issuance of a building permit, a Developmental Lot Agreement shall be recorded and a copy shall be submitted to Community Planning and Development Services;
4. A minimum of 49,866 landscaping points shall be continually be provided. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
5. All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Development. Changes to the sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Development. All signage not in conformance with the Sign Code shall require a Major Amendment to the Planned Development. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
6. All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
7. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment;
8. All applicable provisions of the adopted International Fire Code shall continually be met; and,
9. The Major Amendment to the Planned Development shall allow an auto body shop operated in compliance with the submitted operations plan on the property. Any change in use that is a permitted use that meets the requirements of the General Commercial District shall require a building permit. Any change in use that is a Conditional Use in the General Commercial District shall require the review and approval of a Major Amendment to the Planned Development.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to the Planned Development to allow an auto body shop on the property. The previously approved Planned Development stipulated that any change in use from a home builder's supply store would require a Major Amendment. As such, the applicant has submitted this Major Amendment to change the use and to request a reduction in the minimum required parking spaces from 52 parking spaces to 42 parking spaces. The applicant operates "G3 Rods", a full service shop that restores and modifies classic cars and trucks. In addition to body work, the applicant has indicated that there will be a paint booth located within the building. The applicant has stated that they work on approximately 10 vehicles per year and will employ a maximum of 10 employees.

On February 20, 2003, staff approved a Planned Development Designation (File # 03PD005) in conjunction with a Rezoning request. On March 3, 2003, the City Council approved the Rezoning request (File #03RZ003) in conjunction the Planned Development

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Designation.

On June 5, 2003, the Planning Commission approved an Initial and Final Planned Commercial Development (File #03PD017) to allow a home builder's supply store.

On July 7, 2003, the City Council approved a Vacation of Right-of-Way (File #03VR001) for a section of cul-de-sac located on the southwest side of the property.

The property is located on the southwest corner of the intersection of West Chicago Street and 32nd Street. Currently, a one-story commercial building is located on the property.

STAFF REVIEW:

Staff has reviewed the Major Amendment to the Planned Development with respect to Chapter 17.50.050(F)5 and has noted the following considerations:

Parking: The applicant is requesting a reduction in the minimum required parking spaces for the proposed auto body shop from 52 parking spaces to 42 parking spaces. The applicant has stated that the proposed auto body shop is called "G3 Rods", a full service shop that restores and modifies classic cars and trucks. The applicant has stated that the shop works on approximately 10 vehicles per year and will have a maximum of 10 employees. In addition, the applicant has indicated that many of the customers are out-of-state and that other than deliveries, there are a limited number of customers per day. For these reasons, staff recommends that the Exception be granted to reduce the minimum required parking spaces from 52 parking spaces to 42 parking spaces for the proposed auto body shop operated in compliance with the submitted operations plan. As such, a minimum of 42 parking spaces must be provided. Two of the parking spaces must be handicap accessible. One of the handicap spaces must be "van accessible." The applicant has submitted a site plan showing 42 parking spaces located on the property. All provisions of the Off-Street Parking Ordinance must be continually met.

Use: The previously approved Initial and Final Planned Commercial Development stipulated that any change in use from a home builder's supply store would require a Major Amendment to the Planned Development. As such, the applicant has submitted this Major Amendment to the Planned Development to allow an auto body shop and to request a reduction in the minimum required parking spaces from 52 parking spaces to 42 parking spaces. An auto body shop is a permitted use in the General Commercial District. As such, staff recommends that the Major Amendment to the Planned Development to allow an auto body shop operated in compliance with the submitted operations plan on the property, be approved. Any change in use that is a permitted use that meets the requirements of the General Commercial District will require a building permit. Any change in use that is a Conditional Use in the General Commercial District will require the review and approval of a Major Amendment to the Planned Development. All provisions of the General Commercial District must be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment.

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Building Permit: A building permit must be obtained prior to any construction. The subject property is comprised of multiple lots. As such, prior to issuance of a building permit, a Developmental Lot Agreement must be recorded and a copy submitted to Community Planning and Development Services.

The applicant should be aware that additional mechanical equipment will be required, by building code, for the proposed paint booths. In addition, the applicant should be aware that industrial pre-treatment may be required for the sanitary sewer discharge.

Landscaping: A minimum of 49,866 landscaping points must continually be provided. The applicant has submitted a landscaping plan that shows a total of 59,430 existing landscaping points on the property. The existing landscaping is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. All landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Signage and Lighting: The applicant has submitted a sign package identifying the areas on the building where proposed signage will be located. All signage must continually conform to the Sign Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Development. Changes to the sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, will be allowed as a Minimal Amendment to the Planned Development. All signage not in conformance with the Sign Code will require a Major Amendment to the Planned Development. Any electronic reader board signs will require the review and approval of a Major Amendment to the Planned Development. Lighting for the signs must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

The applicant has submitted a lighting plan identifying existing lighting located on the building. All outdoor lighting must continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind.

Fire Department: All applicable provisions of the adopted International Fire Code must continually be met.

Notification: The first class mailings have been returned to Community Planning and Development Services for mailing. The sign has been picked up; however, as of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the August 8, 2013 Planning Commission meeting if this requirement has not been met.