Case No. 22VA010

Legal Description:

Tract A Revised of Deadwood Avenue Tract, located in Section 34, T2N, R7E, Rapid City, Pennington County, South Dakota
May 25, 2022

Ms. Vicki Fisher
Community Development Director
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

Ref: 704 Industrial Avenue,
    Tract A Revised, Deadwood Avenue Tract, S34, T2N, R7E
    Pin No. 20-34-177-023
    Application for Variance to Waive a Portion of Paved Surfacing

Dear Vicki,

Transmitted herewith is the Application for Variance to waive a portion of the paved surfacing on 704 Industrial Avenue parking and circulation area. The Building Permit Application, No. CIBP22-0865, to re-purpose the 704 warehouse building into an equipment maintenance and storage facility was denied on May 10, 2022. The purpose of this variance request is to waive the paved surfacing requirement for a portion of the site to allow an alternate surfacing for heavy tracked equipment circulation, maintenance and storage. A request for a variance to waive the installation of sidewalk has been submitted and is scheduled to Public Works Committee and City Council consideration on May 31 and June 6th, respectively.

The following items are submitted for your consideration:

   Application for a Variance – Original
   Checklist – 1 Copy
   Building Permit Comments – 1 Copy
   Vicinity Map – 1 Copy
   704 Ind. Ave. Aerial Renderings – 1 Copy
   Site Plan – 1 Copy
   Project Plans (11 x 17) – 4 Copies
   Project Plans (Reduced 8½ x 11) – 1 Copy
   Application Fee – $250.00

An electronic copy of the variance submittal is available upon request. Please do not hesitate to contact us if there are questions or need for additional information,

Thank you for your consideration in this matter.

Michael Towey, P.E.

TOWEY DESIGN GROUP, INC.
475 Villa Drive, Suite B, Box Elder, SD 57719 | 605.600.3758
mtowey@toweydesigngroup.com
APPLICATION FOR
A VARIANCE

Written statement describing the proposed and/or intended use and detailing the Variances(s) being requested:

Request to waive the requirement to pave approximately 0.464 acres (20,211 sf) of the parking and circulation area of the existing equipment parking and storage area at 704 Industrial Avenue. One existing 20,000 sf warehouse on the property is being re-purposed into a heavy construction equipment repair and storage facility for use by Scull Construction and Site Work Specialists. The site is currently used for storage and maintenance of the Applicant's construction equipment, vehicles and storage of materials. The site uses will remain the same with modifying the interior of the existing warehouse to provide interior vehicle bays and mechanical work areas, and storage space. The existing property is approximately 3.09 acres (134,600 sf) in size and contains three warehouse buildings, 38,000 sf combined. The proposed parking, circulation and storage improvements include surfacing approximately 0.765 acres with asphalt surfacing. The facility will provide repair, maintenance and storage of steel tracked heavy equipment such as bulldozers, excavators and similar construction equipment. Operating and turning movements for these types of units on asphalt surfacing will damage and destroy the pavement. The Applicant is requesting a variance to allow the use of asphalt millings with a dust palliative on the approximate 0.464 acre (20,211 sf) portion of the property to allow unloading/loading, circulation and storage of the tracked equipment. Using millings will allow for ongoing grading and maintenance of the circulation area. Any runoff from the millings area will flow across the paved surfacing and be collected in the stormwater detention and water quality pond before leaving the site. Request to reduce the 25-foot rear yard setback requirement to 9-feet for the two existing eastern warehouse buildings. Existing buildings were constructed the 1970's. The circumstances leading to the current non-compliant rear yard setback are not known. The lots in this area appear to have been replatted and divided into various parcels which may have contributed to the current conditions.

Applicant’s Justification:
Pursuant to Chapter 17.54.020.D of the Rapid City Municipal Code, before the Board shall have the authority to grant a Variance, the applicant must adequately address the following criteria:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Applicant Response</th>
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<tbody>
<tr>
<td>1. The granting of the Variance will not be contrary to the public interest;</td>
<td>The property is currently unpaved and used for the storages and maintenance of heavy construction equipment and storage of materials. A larger portion of the parking and circulation area will be paved and containment of any stormwater runoff will be collected and treated onsite. The proposed improvements will improve the condition of the site and are not contrary to the public interest. The non-compliant app. 9-foot rear yard setback is an existing condition that has been in place for many years. The proposed re-purposing of the south warehouse build will not change the current condition.</td>
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<td>2. There are special conditions attached to the property that do not generally apply to other properties in the same district;</td>
<td>The property is zoned light industrial, and heavy equipment circulation, storage and maintenance are allowed uses in this district. These types of uses have been and will continue to occur on the site. Waving pavement in heavy equipment circulation, maneuvering and maintenance areas at other construction and repair facilities has been allowed and is a typical practice. The maintenance and storage/maneuvering of heavy tracked equipment is unique to and generally limited to heavy construction facilities and related operations. The app. 9-foot rear yard setback is an existing condition that has been in place for an unknown length of time, there will be no expansion of the buildings.</td>
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<td>3. Owing to special conditions, the literal enforcement of this title will result in unreasonable hardship;</td>
<td>The property is currently used for maintenance and storage of heavy tracked equipment, and will continue in this capacity. Requiring paved surfacing in the identified tracked equipment loading/unloading, circulation and storage area will impose a non-beneficial expense on the Owner, and will require ongoing and continuous major repair of the pavement, which will be expensive and time consuming. Literal enforcement of the setback requirements would require removing the buildings, or a portion of them, to come into compliance. This is an existing condition, any new construction would comply with current setbacks.</td>
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<td>4. By granting the Variance contrary to the provisions of this title, the spirit of this title and the city’s Comprehensive Plan will be observed; and</td>
<td>The loading/unloading, maintenance and storage of heavy construction equipment, including heavy tracked equipment is an allowed use in the Light Industrial Zoning District and is the current use of the property. The Future Land Use of the property is Light Industrial which allows continued occupation and use for construction equipment maintenance and storage. Waiving the surfacing requirement on a portion of the circulation and parking area of the site to allow circulation of tracked equipment and reducing the rear yard setback will allow continued utilization of the property and is within the spirit of the Comprehensive Plan and allowed uses.</td>
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<td>5. By granting the Variance, substantial justice will be done.</td>
<td>Granting the variance to waive paving on a portion of the site will allow the continued utilization of the site without creating an ongoing maintenance issue and increased expense. The design and layout of the surfacing and drainage improvements account for the use of millings on a portion of the site. Damaged pavement and potholes would adversely affect drainage and stormwater management and water quality improvements. The 9-foot rear yard setback is an existing condition that has been in place for an unknown length of time. Granting the setback reduction will allow continued use of the buildings.</td>
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Aerial Renderings of 704 Industrial Avenue

South side of existing building

West end of existing building

North side of existing building

East end of existing building

Re-purposing of existing building will not expand building or alter exterior of building.
Parking Ratio
Warehouse/Storage 0.25/1000 SF
Maintenance Area Industrial Rate 2.10/1000 SF
Loading Space 1.0-20,000 SF
H/C 1.0-50 Spaces

Building 1 15,000 SF
0.00025 x 15,000 = 3.75 Spaces

Building 2 8,000 SF
0.00025 x 8,000 = 2.0 Spaces

Building 3 20,000 SF Total
Maintenance Area 15,000 SF
0.0021 x 15,000 = 31.5 Spaces
Warehouse/Storage Area 5,000 SF
0.00025 x 5,000 = 1.25 Spaces

Required Spaces (37.5) - 38 Spaces
H/C Van Accessible 1 Space

Parking Spaces Provided
Overhead Door Spaces = 6
Parallel Spaces = 6
Handicap Spaces = 2
Standard Spaces = 30
Total = 44 Spaces Provided

Legend
- Loading Space 12' x 40'
- Dumpster Location

704 INDUSTRIAL AVE
SCULL CONST. / SITWORKS
NEW SHOP
RAPID CITY, SD

REVISIONS:
VARIANCE REVIEW 5.25.2022

INTERNAL JOB NUMBER: 21-005
11" x 17" PLAN SET
DESIGNED BY: MT
DRAWN BY: ST
SURVEYED BY: BASELINE
SURVEY DATE: APRIL 2021

SHEET NAME: PARKING

SHEET NO: 16