

STAFF REPORT
May 8, 2008

No. 07UR015 - Conditional Use Permit to allow an on-sale liquor establishment ITEM 4

GENERAL INFORMATION:

APPLICANT/AGENT	Bryan Gonzalez for Century Development Co.
PROPERTY OWNER	Century Development Co. Inc.
REQUEST	No. 07UR015 - Conditional Use Permit to allow an on-sale liquor establishment
EXISTING LEGAL DESCRIPTION	Lot 2 of Huffman Subdivision, located in the NW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.715 acres
LOCATION	1331 E. North Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Light Industrial District
East:	General Commercial District
West:	Light Industrial District - General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/26/2007
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION: Staff recommends that the Conditional Use Permit to allow an on-sale liquor establishment be continued to the **May 22, 2008** Planning Commission meeting with the applicant's concurrence.

GENERAL COMMENTS: **(Updated, April 24, 2008. All revised and/or added text is shown in bold print.) This item was continued to the May 8, 2008 Planning Commission meeting. To date, not all of the additional information has been submitted for review and approval. For that reason, Staff recommends that this item be continued to the May 22, 2008 Planning Commission meeting.**

The applicant has submitted a Conditional Use Permit to allow an on-sale liquor establishment in a General Commercial Zoning District. Section 17.18.030 of the Rapid City Municipal Code allows on-sale liquor establishments as a Conditional Use. The property is located at 1331 East North Street.

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Currently the property is void of any structural development. The applicant has submitted a Master Plan indicating that a 5,989 square foot structure used as a full service restaurant will be located on the property pending approval of the Conditional Use Permit. The property to the north is zoned General Commercial District and is currently undeveloped. The property to the south is zoned Light Industrial District and is currently undeveloped. The property to the west is zoned Light Industrial District and is currently undeveloped. The property to the east is zoned General Commercial District.

Staff Review: Staff has reviewed a Conditional Use Permit to allow an on-sale liquor establishment and noted the following issues:

Master Plan:

A master plan has been submitted showing the construction of three commercial buildings with landscaping and parking on the property. The applicant has indicated that the property will be constructed in phases. Phase One will include the middle commercial building, a 5,989 square foot structure to be used as a full service restaurant with on-sale liquor. However, the Master Plan does not identify the boundaries of Phase One. As such, staff can not determine if sufficient parking, circulation, and access are being provided with the construction of Phase One. On January 11, 2008, staff met with the applicant to discuss the phasing of the project. The applicant has indicated the Master Plan will be revised to show boundaries for each phase of the development. As such, staff is recommending that the Conditional Use be continued to the February 7, 2008 Planning Commission meeting to allow the applicant to submit the revised Master Plan.

Landscaping:

A landscaping plan has been submitted showing the required 93,430 landscaping points for the property. However, the boundaries for Phase I which are needed to calculate the required landscaping points have not been submitted. Staff met with the applicant on January 11, 2008 and discussed landscaping for the property. The applicant agreed to submit a landscaping plan that shows the boundaries of each phase in order for the required landscaping points to be calculated. Staff recommends that the Conditional Use Permit to allow an on-sale liquor establishment be continued until the February 7, 2008 Planning Commission meeting to allow the applicant to submit the additional information.

Utilities and Sewer:

A Master Plan has been submitted for the property. However, the plan does not show the full extent of water lines and fire hydrants for the entire project. The applicant has agreed to submit a Master Plan showing the information. As of this writing the information has not been submitted. As such, staff recommends that the Conditional Use Permit to allow an on-sale liquor establishment be continued until the February 7, 2008 Planning Commission meeting to allow the applicant to submit additional information.

Drainage:

A Master Plan was submitted for the property. However, drainage calculations have not been submitted for review and approval. The applicant has agreed to submit a revised site plan and

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Master Plan for the property that includes drainage calculations for the property. **Staff recommends that the Conditional Use Permit to allow an on-sale liquor establishment be continued to the May 22, 2008 Planning Commission meeting to allow the applicant to submit the additional required information. The applicant is in concurrence with the continuation.**