

STAFF REPORT
January 7, 2010

**No. 09PD107 - Planned Residential Development - Initial and Final
Development Plan to allow an on-sale liquor establishment**

ITEM 40

GENERAL INFORMATION:

APPLICANT	Elks Lodge #1187
AGENT	Lawrence Bulman
PROPERTY OWNER	Elks Lodge 1187
REQUEST	No. 09PD107 - Planned Residential Development - Initial and Final Development Plan to allow an on- sale liquor establishment
EXISTING LEGAL DESCRIPTION	Tract 2, Tract 3R and Tract 4 of the E1/2 of Section 16, Tract 5R, and Lots GC1 of Block 1 of Elks Country Estates and Lot GC-2 revised of Block 2 of Elks Country Estates, all located in Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 176.73 acres
LOCATION	333 Jolly Lane
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District - Low Density Residential II District
South:	General Agriculture District - Low Density Residential II District
East:	General Agriculture District - Limited Agriculture District (Pennington County)
West:	Low Density Residential II District - Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/10/2009
REVIEWED BY	Patsy Horton / Ted Johnson

RECOMMENDATION:

Staff recommends that the Planned Residential Development - Initial and Final Development Plan to allow an on-sale liquor establishment be approved with the following stipulations:

1. The following uses shall be allowed: a lodge, clubhouse with on-sale liquor, a golf

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- course, cart barns, member-only temporary recreational vehicle parking, accessory structures and associated recreational uses, including tennis courts. Any other use shall require a Major Amendment to the Planned Residential Development;
2. Prior to issuance of a Certificate of Occupancy for the clubhouse, the applicant shall provide documentation that the fire sprinkler system is operational throughout the entire clubhouse/lodge;
 3. Prior to issuance of a building permit for any additional structure(s) and/or parking lot expansion(s), a grading plan and a drainage plan shall be submitted for the entire site, including the clubhouse, cart barn, pump house(s), maintenance building(s) and associated parking lots;
 4. The proposed structure(s) shall conform architecturally to the approved plans, elevations and color palette submitted as part of this Planned Residential Development Plan;
 5. All signage shall conform to the sign package submitted and shall be limited to the existing signs. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Residential Development. No electronic signs are being approved as a part of this sign package. The addition of any other sign shall be submitted for review and approval as a Major Amendment to the Planned Residential Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Residential Development. The Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The 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. The International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational as required prior to the issuance of any building permit(s) and/or any construction on the site using combustible material(s). In particular, on-site fire hydrants shall be provided as needed. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The clubhouse/lodge structure shall be fully fire sprinkled and fire alarmed as per the 2003 International Fire Code;
 7. A minimum of 7,653,296 landscaping points shall be provided. Approval of this Planned Residential Development allows a reduction of the 50% requirement adjacent to the parking lot for a total of 456,000 points near the parking lots as currently exists. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 8. Prior to issuance of a building permit for a parking lot expansion(s) or improvement(s), landscaping planters shall be installed as required in Chapter 17.50.300 of the Rapid City Municipal Code;
 9. All provisions of the General Agriculture District shall be met unless otherwise specifically authorized as a stipulation of this Final Residential Development Plan application or a subsequent Major Amendment;
 10. A minimum of 207 parking spaces shall be provided with seven handicap accessible spaces. One of the handicap spaces shall be "van" accessible. All provisions of the Off-Street Parking Ordinance shall be continually met. Expansion of the permitted uses shall

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- be allowed contingent upon the minimum number of off-street parking spaces being provided pursuant to the Parking Regulations;
11. A six foot high wood privacy fence shall be installed and maintained around any proposed outdoor trash receptacles;
 12. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: The applicant is requesting approval of a Planned Residential Development Initial and Final Development Plan to allow for a golf course, a clubhouse with an on-sale liquor establishment, a pump house(s), restroom facilities, maintenance facilities and accessory structures on the above legally described property. The lodge includes a restaurant, lounge, meeting rooms, Pro Shop, cart barns, driving range, three-sided roofed shelters, playground facilities for members' families, restroom facilities adjacent to the golf course, member RV storage/parking and accessory structures. Additionally, future expansion of the facility may include tennis courts and additional overflow parking for tournaments.

The Elks Lodge #1187 Golf Course Clubhouse was originally constructed in 1963 and annexed into the City of Rapid City on April 4, 1988. The property is located west of Jolly Lane approximately one-half mile south of SD Highway 44.

STAFF REVIEW: Staff reviewed the Planned Residential Development Initial and Final Development Plan to allow an on-sale liquor establishment in conjunction with a golf course as it relates to the applicable provisions of Section 17.54.030 of the Rapid City Municipal Code and has noted the following issues:

1. *The request will not "adversely affect" the use of any place for religious worship, school, park, playground, or similar use within a five hundred foot radius.*

Elks Lodge #1187 has a small private playground for member families only. The balance of the surrounding property has been developed as a golf course. As such, this request for an on-sale liquor establishment in conjunction with a full service restaurant does not appear to have an adverse effect on any place of religious worship, school, playground, park, or areas of similar use.

2. *The requested use is "sufficiently buffered" with respect to residential areas so as not to adversely affect such areas.*

Residential development currently exists around the perimeter of the golf course property. However, there are large pine trees, accounting for approximately 2,726,000 landscaping points, between the golf course and the residential structures in order to buffer the structures from the golf course activity. The Planned Residential Development will serve as a tool to insure that the site is continually maintained as proposed in order to minimize the impact on the adjacent residential development and to insure that a buffer is continually provided between the uses.

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3. *The proposed use will not create an undue concentration of similar uses, so as to cause "blight, deterioration, or substantially diminish or impair property values".*

The Elks Club Golf Course is a members-only recreational facility and operated in conjunction with a full service restaurant with on-sale liquor. The on-sale liquor use for this site is accessory to the principal use of the property as a members-only golf course. The provision of on-sale liquor to members as an accompaniment to meals would not appear to alter the nature of the private recreational business. This request for an on-sale liquor use in conjunction with a private recreational facility does not appear to constitute an undue concentration which would cause blight or deterioration or diminish land values in the surrounding area.

4. *The proposed use has been reviewed under Chapter 17.54.030 (E) Criteria for Review.*

Existing Development: The existing one story clubhouse was constructed in 1963. Additional accessory structures, including the Pro Shop, maintenance buildings, cart barns, restroom facilities and shelters have been constructed on the property as well. Signage and lighting have also been installed as submitted with the Development Plan. As such, staff recommends that the proposed structures continually conform architecturally to the plans and elevations and color palette submitted as part of this Final Residential Development Plan.

Restrooms: The applicant's site plan included one existing restroom and one proposed restroom. The applicant indicated that the existing restroom located at Site Plan F has private water and sewer and that the proposed restroom located at Site Plan J will connect to City water and sewer located in the adjacent Jolly Lane right-of-way when constructed.

Parking: There are currently 250 parking stalls provided on-site and 11 handicapped accessible stalls, with ten of those as "van" accessible. Based on the existing use of the site, a minimum of 207 stalls are required. Any expansion of the existing parking lots must be constructed in compliance with the Parking Regulations. Additionally, all off-street parking shall be paved and maintained so as to eliminate dust or mud, shall be rectangular and not less than 9 feet in width and 18 feet in length, and shall have a minimum aisle width of 26 feet.

Fire Code: Staff noted that all applicable provisions of the International Fire Code must be continually met and that prior to issuance of a Certificate of Occupancy for the clubhouse expansion, the applicant will need to provide verification to the Fire Department that the sprinkler system is operational.

Grading and Drainage Plan: Prior to any future expansion of the existing facilities inclusive of parking lot expansions, the applicant must submit grading and drainage plans for the entire site for review and approval to ensure that any impacts to the adjacent properties are mitigated. The applicant's site plan identifies several existing detention ponds within the Federally-designated 100 year Floodplain. Future expansion of the existing facilities may

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require Floodplain Development Permits depending on the location of the proposed expansion.

Lighting and Signage: The applicant indicated that the only lighting proposed is located within the existing main parking lot and existing building security lighting and that no other lighting is proposed. As such, staff recommends that all existing lighting be so maintained as to preclude shining on the adjacent residential development.

Notification Requirement: As of this writing, the receipts from the certified mailings have not yet been returned. The signs have been posted on the property. Staff will notify the Planning Commission if this requirement has not been met before the January 7, 2010 meeting.

Staff recommends that the Planned Residential Development - Initial and Final Development Plan to allow an on-sale liquor establishment be approved with the above-referenced stipulations.