

**We feel the following ordinances are being met:**

- **17.80.050** Area Regulations
  - See note below
- **17.18.060** Height Regulations
  - See note below
- **17.18.100** Flood fringe building district
  - Building does not fall in the flood fringe district

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APR 12 2013

**RAPID CITY COMMUNITY PLANNING  
& DEVELOPMENT SERVICES**

The current building is already being used and appears to conform to Area and Height regulations, existing use of the building would indicate approval by the city, that it either meets requirements or has been exempted from requirements. *Please see attached photos 1, 2, 3, 4, 5.*

**We are requesting a variance on the following regulations**

- **Per 17.18.020** – Uses Permitted
  - The current Planned Development **09PD047** Recommendation 9, only allows for the use of a Restaurant with a Liquor License, offices and retail commercial uses. Per zoning regulations, churches (use 18) are an allowable use in the General Commercial District. We are requesting a church also be allowed to use the Fairmont Creamery Building, because it is zoned General Commercial.
- **17.18.070** Off-Street Parking (see 17.50.270)
  - The original Planned Development **09PD047** recommendation 2, states, “An Exception is hereby granted to allow ZERO off-street parking spaces in lieu of the 123 required parking spaces; however, a change in use of building alteration increasing the parking requirement shall require a Major Amendment to the Planned Commercial development.”
    - Since the requirements of the church will not increase the required parking, we are requesting the exception for zero off-street parking spaces stay in place. We feel our use will not require more parking than can be provided by on street parking.
  - As indicated on **09PD047** the existing off-street parking spaces on site do not meet the size requirements for off-street parking. The current building requires 123 spaces. The Main (first floor), and second floor contain a total of 18050 square feet of office or retail space. The Lower Level (currently occupied by The Beanery, to be occupied in the future by Realis Community Church) occupies 4,453 square feet. There is an additional 1,020 square feet of storage in the lower level.