

STAFF REPORT
July 10, 2014

No. 14PD014 - Final Planned Development Overlay to allow a mixed-use commercial development **ITEM 8**

GENERAL INFORMATION:

APPLICANT	The Seed LLC
AGENT	42nd Street Design Studio
PROPERTY OWNER	The Seed, LLC
REQUEST	No. 14PD014 - Final Planned Development Overlay to allow a mixed-use commercial development
EXISTING LEGAL DESCRIPTION	Unit 1 and 1/2 interest in Common Area of Aby's Feed and Seed Condominium, previously Lots 6 thru 16 of Block 76, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.88 acres
LOCATION	412 5th Street
EXISTING ZONING	General Commercial District
FUTURE LAND USE DESIGNATION	Downtown
SURROUNDING ZONING	
North:	General Commercial District (Planned Development)
South:	Central Business District
East:	General Commercial District
West:	General Commercial District (Planned Development)
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	June 13, 2014
REVIEWED BY	Fletcher Lacock / Nicole Lecy

RECOMMENDATION:

Staff recommends that the Final Planned Development Overlay to allow a mixed-use commercial development be approved with the following stipulations:

1. The requested Exceptions to waive the paving and parking lot striping requirements are hereby denied. Prior to issuance of a Building Permit, the site plan shall be revised to show that the parking lot will be paved and striped pursuant to City requirements. In addition, prior to issuance of a Certificate of Occupancy, the paving and striping shall be completed;
2. Acknowledge the previously granted Exception to reduce the minimum required parking

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from 42 parking spaces to 29 parking spaces. Two of the 29 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. Any change in use shall require that additional parking in compliance with the off-street parking ordinance be met or an Amendment to the Planned Development shall be obtained as needed;

3. Acknowledge the previously granted Exception to reduce the minimum required front yard setback from 25 feet to zero feet for the existing structures located on the property. Any future redevelopment of the property shall be constructed in compliance with the minimum setbacks as per Chapter 17.18 of the Rapid City Municipal Code;
4. Acknowledge the previously granted Exception to allow 11,807 square feet of storage in lieu of the maximum allowed 5,000 square feet in the General Commercial District;
5. A Building Permit shall be obtained prior to any structural construction and/or initiation of use(s) into the existing structures. In addition, a Certificate of Occupancy shall be obtained prior to occupancy;
6. Prior to issuance of a building permit for any future changes to the interior or exterior façade, an 11.1 Historic Review shall be approved;
7. Prior to issuance of a sign permit, all signage shall obtain the review and approval of the Historic Sign Board. All signage shall comply with Chapter 17.50.080 of the Rapid City Municipal Code. Future changes to the sign package shall require the review and approval of the Historic Sign Board. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Planned Development. A sign permit shall be required for any signs;
8. All outdoor lighting shall 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;
9. A minimum of 16,500 landscaping points shall 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;
10. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;
11. All applicable provisions of the International Fire Code shall be maintained; and,
12. This Final Planned Development shall allow for a dance studio, an interior design office, retail space and 11,807 square feet of storage. Any change in use that does not increase the minimum parking requirement shall be reviewed as a Minimal Amendment. Any change in use that increases the minimum parking requirement or is a Conditional Use shall require a Major Amendment.

GENERAL COMMENTS:

The applicant has submitted a Final Planned Development to allow a mix of commercial uses in the General Commercial District. The proposed mix of uses includes a dance studio, an interior design office, retail space and 11,807 square feet of storage space. In particular, the applicant is requesting two Exceptions to Chapter 17 of the Rapid City Municipal Code:

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- An Exception to waive the requirement to pave parking and circulation and to allow an alternative paving material. In particular, the applicant is proposing to use interlocking mats called “StabiliGrid” in lieu of paving; and,
- An Exception to waive the requirement for the parking lot to be painted with striping.

On April 24, 2014, the Planning Commission approved an Initial Planned Development (File# 14PD008) to allow a mix of commercial uses with storage in excess of 5,000 square feet in the General Commercial District. The following Exceptions were granted:

- An Exception to reduce the minimum parking requirement from 42 parking spaces to 29 parking spaces;
- An Exception to reduce the minimum required front yard setback from 25 feet to zero feet; and,
- An Exception to allow 11,807 square feet of storage space in lieu of the maximum allowed 5,000 square feet.

The property is located on the southeast corner of the intersection of 5th Street and Rapid Street. Currently, the “Abby’s Feed and Seed” silo and two one-story commercial structures are located on the property. The existing uses in the structures include a dance studio, an interior design office and storage space. Several of the structures are identified as contributing structures in the Downtown Commercial Historic District.

STAFF REVIEW:

Staff has previously reviewed that Initial Planned Development and determined that it was in compliance with Chapter 17.50.050.F(5) of the Rapid City Municipal Code. In addition, staff has reviewed the Final Planned Development and has noted the following considerations:

Public Works: The applicant has requested an Exception to waive the requirement to pave parking areas as per Chapter 17.50.270(G)3 of the Rapid City Municipal Code. In lieu of paving, the applicant is proposing to use an alternative surfacing called “StabiliGrid” with grass planted in the grid material. In addition, the applicant is requesting to waive the parking lot striping requirement as per Chapter 17.50.270(G)6 of the Rapid City Municipal Code to prevent grass kill by randomizing parking. The proposed grid material may be affected by freezes and thaws and may be damaged by snow plows. Based on the climate and the proposed uses of the property, staff does not support the alternative to paving. In addition, the applicant has already been granted an Exception to reduce the minimum required parking from 42 parking spaces to 29 parking spaces. Granting the Exception would allow parking to be disorganized and further reduce the number of parking spaces available. As such, the requested Exceptions to waive the paving and parking lot striping requirements are hereby denied. Prior to issuance of a Building Permit, the site plan must be revised to show that the parking lot will be paved and striped. In addition, prior to issuance of a Certificate of Occupancy, the paving and striping must be completed.

The property is served by an eight inch water service which appears to be suitable for the existing uses on the property. The proposed on-site fire hydrant appears to be acceptable. However, the applicant should be aware that the appropriate pipe size should be confirmed for any proposed uses. In addition, the proposed fire hydrant will be private and owned and

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maintained by the property owner. The appropriate size for the proposed sewer service should be confirmed for the anticipated uses on the property. Connection to the sewer main in the alley must be at a man-hole. This issue must be addressed as a part of the Building Permit application.

Zoning: This Final Planned Development will allow for a dance studio, an interior design office, retail space and 11,807 square feet of storage. Any change in use that does not increase the minimum parking requirement will be reviewed as a Minimal Amendment. Any change in use that increases the minimum parking requirement or is a Conditional Use will require a Major Amendment. The following Exceptions approved through the Initial Planned Development, are acknowledged:

- An Exception to reduce the minimum parking requirement from 42 parking spaces to 29 parking spaces;
- An Exception to reduce the minimum required front yard setback from 25 feet to zero feet; and,
- An Exception to allow 11,807 square feet of storage space in lieu of the maximum allowed 5,000 square feet.

All provisions of the General Commercial District must be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment.

Landscaping: The existing development on the property requires that a minimum of 16,500 landscaping points be provided. The applicant has submitted a landscape plan that shows a total of 16,550 landscape points have been provided. The landscape plan is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code.

Signage and Lighting: The applicant has submitted a lighting plan and a sign package identifying the location of existing and proposed lighting and signage. The applicant should be aware that prior to issuance of a sign permit, all signage must obtain the review and approval of the Historic Sign Board. A Sign Permit must be obtained for each sign.

Building Permit: A Final Planned Development Overlay must be approved prior to issuance of a Building Permit. A Building Permit must be obtained prior to any structural construction and a Certificate of Occupancy must be obtained prior to occupancy. The applicant should be aware that an 11.1 Historic Review must be approved prior to issuance of a building permit for any future changes to the interior or exterior façade.

Fire Department: All applicable provisions of the International Fire Code must be maintained.

Notification Requirements: The mailings have been returned to Community Planning and Development Services for posting. Staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the July 10, 2014 Planning Commission meeting if this requirement has been met.

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