



Rapid City Planning Commission

Major Amendment to a Conditional Use Permit

Project Report

August 6, 2015

Applicant Request(s)
Case # 15UR015 – Major Amendment to a Conditional Use Permit to expand an on-sale liquor establishment in conjunction with a winery
Companion Case(s) # NA

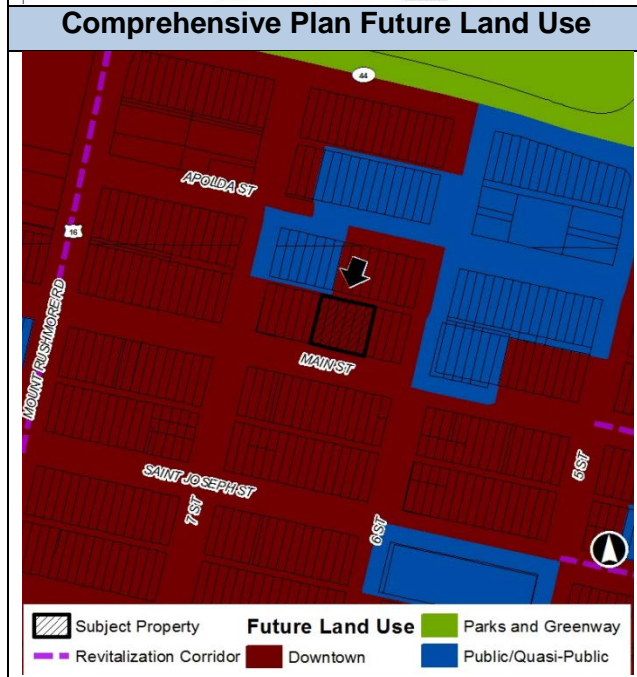
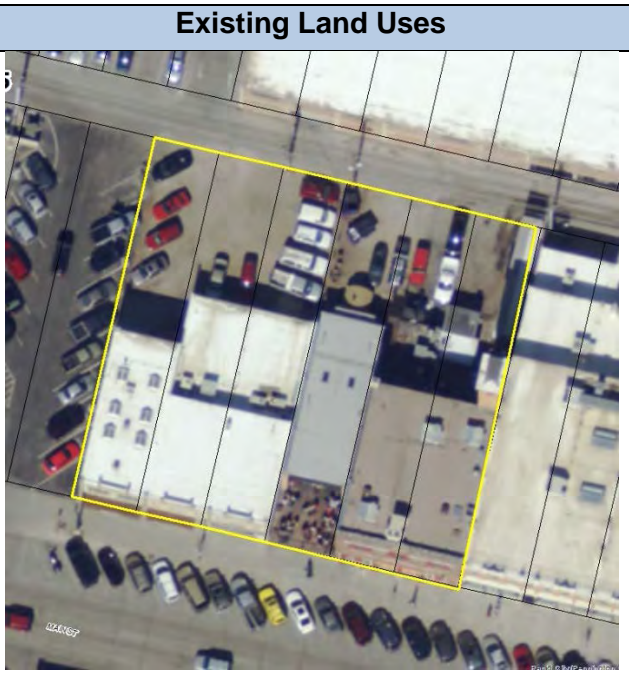
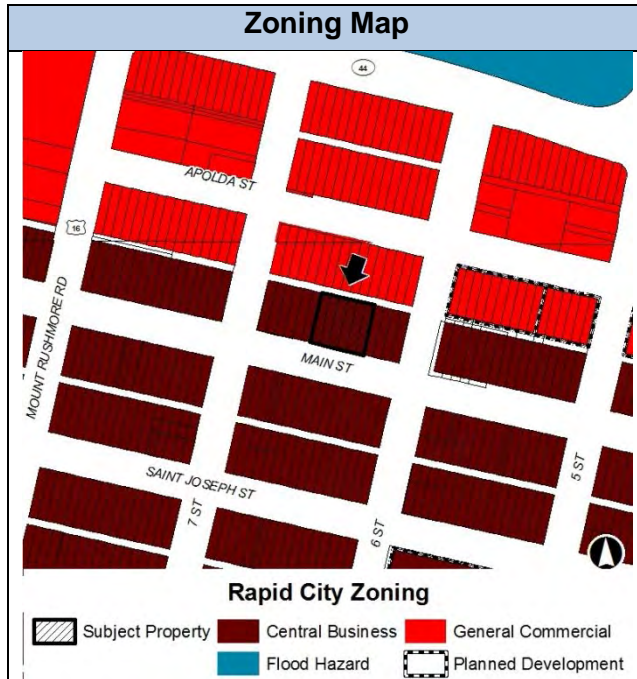
Development Review Team Recommendation(s)
The Development Review Team recommends approval with stipulation(s) as noted below.

Project Summary Brief
<p>The applicant has submitted a Major Amendment to a Conditional Use Permit to expand an on-sale liquor establishment in conjunction with a winery. In particular, the applicant is proposing to expand the existing liquor license associated with the “Firehouse Brewing Co” to the “Firehouse Winery”. The Conditional Use Permit approved for the winery allowed for on/off sale wine. The applicant is not proposing to expand the structures or add any new signage.</p>

Applicant Information	Development Review Team Contacts
Applicant: Bob Fuchs – Firehouse Brewing Co	Planner: Fletcher Lacock
Property Owner: Front Range Corporation and Fatter Boys LLC	Engineer: Ted Johnson
Architect: TSP	Fire District: Tim Behlings
Engineer: NA	School District: NA
Surveyor: NA	Water/Sewer: Ted Johnson
Other: NA	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	610 and 616 Main Street
Neighborhood	Downtown / Skyline Drive
Subdivision	Original Town of Rapid City
Land Area	0.48 acres
Existing Buildings	13,500 square feet
Topography	Relatively flat
Access	Pedestrian access from Main Street / alley access to rear of property
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	NA
Other	Downtown Commercial Historic District

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	CB	DT	Two story commercial structures
Adjacent North	GC	DT	Two story commercial warehouse
Adjacent South	CB	DT	Two and three story mixed use structures
Adjacent East	CB	DT	Two story commercial structure
Adjacent West	CB	DT	Parking lot and two story bank



Relevant Case History			
Case/File#	Date	Request	Action
UR1601	7/7/97	Conditional Use Permit to allow an on-sale liquor establishment	Approved
11UR028	11/10/11	Conditional Use Permit to allow a winery	Approved
Relevant Zoning District Regulations			
Central Business District	Required	Proposed	
Lot Area	NA	0.48 acres	
Lot Frontage	NA	150 feet	
Maximum Building Heights	NA	Two stories	
Maximum Density	NA	NA	
Minimum Building Setback:			
• Front	NA	"0" feet	
• Rear	NA	"0" feet	
• Side	NA	"0" feet	
• Street Side	NA	NA	
Minimum Landscape Requirements:			
• # of landscape points	NA	NA	
• # of landscape islands	NA	NA	
Minimum Parking Requirements:			
• # of parking spaces	NA	NA	
• # of ADA spaces	NA	NA	
Signage	1.5 square feet per linear foot of frontage	No new signage proposed	
Fencing	NA	No new fencing proposed	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.185 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to allow an on-sale liquor establishment:	
Criteria	Findings
1. The request will not "adversely affect" the use of any place used for religious worship, school, park, playground, or similar use within (500) foot radius.	There are no places of religious worship or schools within a five hundred foot radius of the subject property. The property is located in a concentrated commercial corridor. It does not appear that the Major Amendment to the Conditional Use Permit to expand the on-sale liquor establishment in conjunction with a winery will have an adverse effect on any places of worship, schools, parks, playgrounds or similar uses.
2. The requested use is "sufficiently buffered" with respect to residential areas so as not to "adversely affect" such areas.	The nearest residential district is located approximately 1,300 feet to the south. The properties to the north are zoned General Commercial District. The properties to the south, east and west are zoned Central Business District. The proposed winery appears to be sufficiently buffered from residential districts.
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."	There are several on-sale liquor establishments located within the area of the subject property. Located approximately 260 feet to the east is Main Street Square. Located approximately 460 feet to the east are three on-sale liquor establishments in conjunction with a restaurant: the "Wobbly Bobby", "Ciao!", and "Que Pasa". Located

	<p>approximately 280 feet to the southeast are the Alex Johnson Hotel with “Paddy O’Niell’s” and the “Vertex”. Located approximately 260 feet to the southwest is the “Brass Rail”. Located approximately 420 feet to the north is “Sanford’s Pub & Grub”. Located approximately 380 feet to the east is the “Oasis Lounge”. This is the established Central Business District. These types of uses are typically located within the downtown core. Staff does not find that the expansion of the on-sale use will cause blight, deterioration or diminish or impair property values.</p>
<p>4. The proposed use has been reviewed under Chapter 17.54.030(E) Criteria for Review.</p>	<p>See below</p>
<p>Staff has reviewed the proposed use with respect to Chapter 17.54.030(E) and has noted the following issues:</p>	
<p>1. The location, character and natural features of the property:</p>	<p>The properties are located at 610 and 616 Main Street. The existing structures are a two story commercial structures. The “Fire House Brewing Co” and the “Firehouse Winery” are located on these properties.</p>
<p>2. The location, character and design of adjacent buildings:</p>	<p>Two and three-story commercial structures are located on properties to the south, east, and west. A two-story commercial warehouse is located on the property to the north.</p>
<p>3. Proposed fencing, screening and landscaping:</p>	<p>The applicant has identified that on the north side of the “Firehouse Brewing Co” property, a white moveable fence is used to enclose the back patio area during “Summer Nights”. The applicant is not proposing any new fencing as a part of this Major Amendment.</p>
<p>4. Proposed vegetation, topography and natural drainage:</p>	<p>The applicant is not proposing any changes to the site.</p>
<p>5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:</p>	<p>Pedestrian access is from Main Street. The Central Business District does not require that on-site parking be provided.</p>
<p>6. Existing traffic and traffic to be generated by the proposed use:</p>	<p>It does not appear that the proposed expansion to the on-sale liquor use will generate additional traffic as the winery itself is not expanding.</p>
<p>7. Proposed signs and lighting:</p>	<p>The applicant is not proposing any new signage or lighting. There is existing signage located on the south side of the structures. The applicant should be aware that additional signage may require historic review.</p>
<p>8. The availability of public utilities and services:</p>	<p>The property is currently served by public utilities including Rapid City sewer and water.</p>
<p>9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:</p>	<p>The Central Business District is intended to be used for commercial, financial, professional, governmental and cultural activities. The applicant is proposing to expand the full liquor license use to include the “Firehouse Winery”. The proposed on-sale liquor use expansion is a conditional use in the Central Business District.</p>

10. The overall density, yard, height and other requirements of the zone in which it is located:	The existing structures on the property are in compliance with the density, yard and height requirements of the Central Business District.
11. The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	It does not appear that the proposed expansion of the on-sale liquor use will have a negative effect on noise, odor, smoke, dust, air, and water pollution if operated in conjunction with a winery.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulation of approval will ensure that the on-sale liquor use will only be operated in conjunction with a restaurant and a winery. Any expansion to the use will require a Major Amendment to the Conditional Use Permit.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:

Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-1.2B	Priority Activity Centers for Reinvestment: The properties are located in the Downtown regional activity center which is a hub for many community activities. The “Firehouse Brewing” and “Firehouse Winery” are adaptive reuses of existing historic structures and promote the reinvestment of the corridor.
	A Vibrant, Livable Community
LC-4.1B	Diverse Mix of Uses: The “Firehouse Brewing Co” and “Firehouse Winery” are a combination of brewery, winery, and restaurant.
	A Safe, Healthy, Inclusive, and Skilled Community
	NA
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: The property is located on the north side of Main Street which is identified as a Principal Arterial Street on the City’s Major Street Plan.
	Economic Stability and Growth
EC-1.2B	Downtown as Entertainment Center: The proposed Major Amendment to the Conditional Use Permit supports the growth of existing businesses located in the downtown.
	Outstanding Recreational and Cultural Opportunities
	NA



Responsive, Accessible, and Effective Governance

GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to the Conditional Use Permit requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Major Amendment is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.
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Comprehensive Plan Conformance – Growth and Reinvestment Chapter

Future Land Use Plan Designation(s):	Downtown Mixed-Use
Design Standards:	
NA	The existing brewery, winery, restaurant, and theater encourages the variety of uses which are identified as primary uses for the downtown.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	Downtown / Skyline Drive
Neighborhood Goal/Policy:	
DSD-NA1.1B	Regional Activity Center: The existing businesses located on the property support the enhancement, reinvestment, and revitalization of the downtown area as the premier regional destination for shopping, business, dining, arts, and entertainment.

Findings

Staff has reviewed the Major Amendment to the Conditional Use Permit to expand an on-sale liquor establishment in conjunction with a winery pursuant to Chapter 17.16, Chapter 17.54.030(E), and Chapter 17.50.185 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The property is located in the established downtown commercial corridor. The proposed expansion of the on-sale use to include a full liquor license does not appear to have a negative impact on the neighborhood.

Planning Commission Recommendation and Stipulations of Approval

Staff recommends that the Conditional Use Permit to expand an on-sale liquor establishment in conjunction with a winery be approved with the following stipulation:	
1.	The Major Amendment to a Conditional Use Permit shall allow the expansion of the on-sale use to include the sale of wine, beer, and liquor in conjunction with a winery. Any expansion to the on-sale use shall require a Major Amendment to the Conditional Use Permit. Any change in use that is a permitted use in the Central Business District shall require the review and approval of a Building Permit. Any change in use that is a Conditional Use in the Central Business District shall require the review and approval of a Major Amendment to the Conditional Use Permit.