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Applicant: The Seed, LLC

JUL 31 2015

Agent: The Seed, LLC

**Rapid City Community Planning
& Development Services**

Property Owner: The Seed, LLC

Request: Major amendment(s) to Planned Commercial Development

Legal Description: Lots 6 thru 16 of Block 76, Original Town Site, located in Section 1, TIN, R7E, BHM,
Rapid City, Pennington County, South Dakota

Acreage: .88

Location: 406 thru 412 5th Street

Existing Zoning: General Commercial District

Future Land Use Designation: Central Business District

We are requesting the following 2 major amendments to the Planned Commercial Development:

1. Reduction of the parking requirement from 58 to 30 spaces due to a change of use as shown in attached floor plan. A previous exception to 29 spaces was approved in the initial approval of the PCD.
 2. Waive landscape requirements.
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1. **PARKING EXCEPTION:** The application of the General Commercial District parking requirements for this site will create a practical difficulty and undue hardship to development and use of this property.
 - A. Adjacent properties to the east and west are located in the Central Business District and are allowed to utilize on-street parking with no requirements for on-site parking. Our property which is limited by the unique character and placement of existing buildings is at an extreme disadvantage when it comes to meeting parking requirements of the GC district. The exception will mitigate this practical difficulty and facilitate the repurposing and use of the property.
 - B. The structures on the property are no longer viable for their original use - grain mill or grain storage facility. The property is a Contributing Structure to the historic District so no portions of it can be removed to provide additional parking. Both of these items are contributing reasons that the property remained vacant for 20+ years. In order to repurpose and bring use to the property compromise in parking requirements is imperative.

- C. This property is designated for a Downtown Use on the City's Future Land Use Plan and expected future development of the neighborhood is for Downtown Use or Central Business district which would, once approved, eliminate on-site parking requirements. This was noted in the initial approval of the PCD in the granting of parking space requirement exceptions.
 - D. A substantial number of vacant parking spaces are available daily in the 400 block of Main Street. I observe 10 to 20 empty street parking spaces in that block during the day and it is completely empty in the evenings.
 - E. Metered parking is available directly across the street in the city parking ramp. More than adequate parking exists in the areas surrounding the structure.
 - F. More than 40% of the activity on the site and thus 40% of the anticipated parking load on the site occurs after 4:00PM or on weekends when the city parking lot is empty and available.
 - G. The three major tenants on the site have a parking agreement in place that mandates cooperation and coordination with the other tenants whenever a larger than normal parking load is anticipated and also governs the management of employee parking to maximize the number of spaces available to the public.
 - H. For our particular use there is a substantial amount of drop off and pick up traffic on the site where the patrons never actually park.
2. EXCEPTION TO THE LANDSCAPING REQUIREMENT: For many of the same reasons above we are also requesting an exception to the Landscaping requirement but add the following ~~specific to landscaping~~:
- A. We need to maximize the number of parking spaces available on the site using all available space.
 - B. About 90% of the landscaping ~~being~~ required on the site is not visible from the street or in any way by the general public. The landscaping requirements of the general commercial district may technically apply but in reality have little practical effect as the purpose of the landscaping ordinance is to provide an aesthetically pleasing view of the site from the street.
 - C. We will provide exterior seasonal plantings on the street front and in the interior areas as shown in the attached drawings.

- D. Relative to our class uses we have a substantial number of drop-offs and pick-ups of children on site and we are adding a designated area for this use to facilitate the safety of our users in an area that currently calls for landscaping. We need this space for that designated area. We believe that the safety of our young users outweighs the need for landscape materials. The area proposed for this purpose is unavailable without an exception to the landscape requirement. This particular need became apparent only after the initial use was approved in the original PCD approval.

In summary, due to the unique conditions of this site it is imperative to the repurposing and use of the property that we not be held to higher development requirements than the adjoining properties and uses. When the Central Business District was originally created it would be reasonable to presume that this property and building was excluded due to the industrial nature and use of the grain mill. Since the property no longer serves that industrial purpose we are asking you to not hold us to a different and higher standard of development than our neighbors enjoy.

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Operational parameters for "The Seed" (name tentative)

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Gallery -

- Staff - one full time, one night and weekend part-time (both owners)
- Hours of operation - by appointment only during the business day and open to the public evenings and weekends
- Exhibit openings, intimate performances or open houses would occur evenings/weekends - anticipate maximum cumulative attendance to be 80 per event.
- Any larger events (concerts, plays, etc) would utilize theater at Barefoot Dance or other venue.

Classes -

- One classroom space
- Hours - Classes will be scheduled for evenings and weekends, with a possibility of adding limited day classes during the summer months for youth
- Attendance - 10 per class plus instructor
- Frequency - one class a day maximum
- No classes will be scheduled when another event is occurring (opening, etc)

Artist Studios -

- Hours - 24/7 access
- Number of studios - 12 once building fully utilized, 4 in initial phase

Collective space/Artist memberships

- Members will have use of shared equipment, materials and space as well as discounts on class registration, etc.
- Hours - equipment and space will be available 24/7, but amount of use per month will be determined by level of memberships.
- Usage - Will schedule to ensure no more than five artists utilizing space at any one time.