



Rapid City Planning Commission

Planned Development Project Report

October 8, 2015

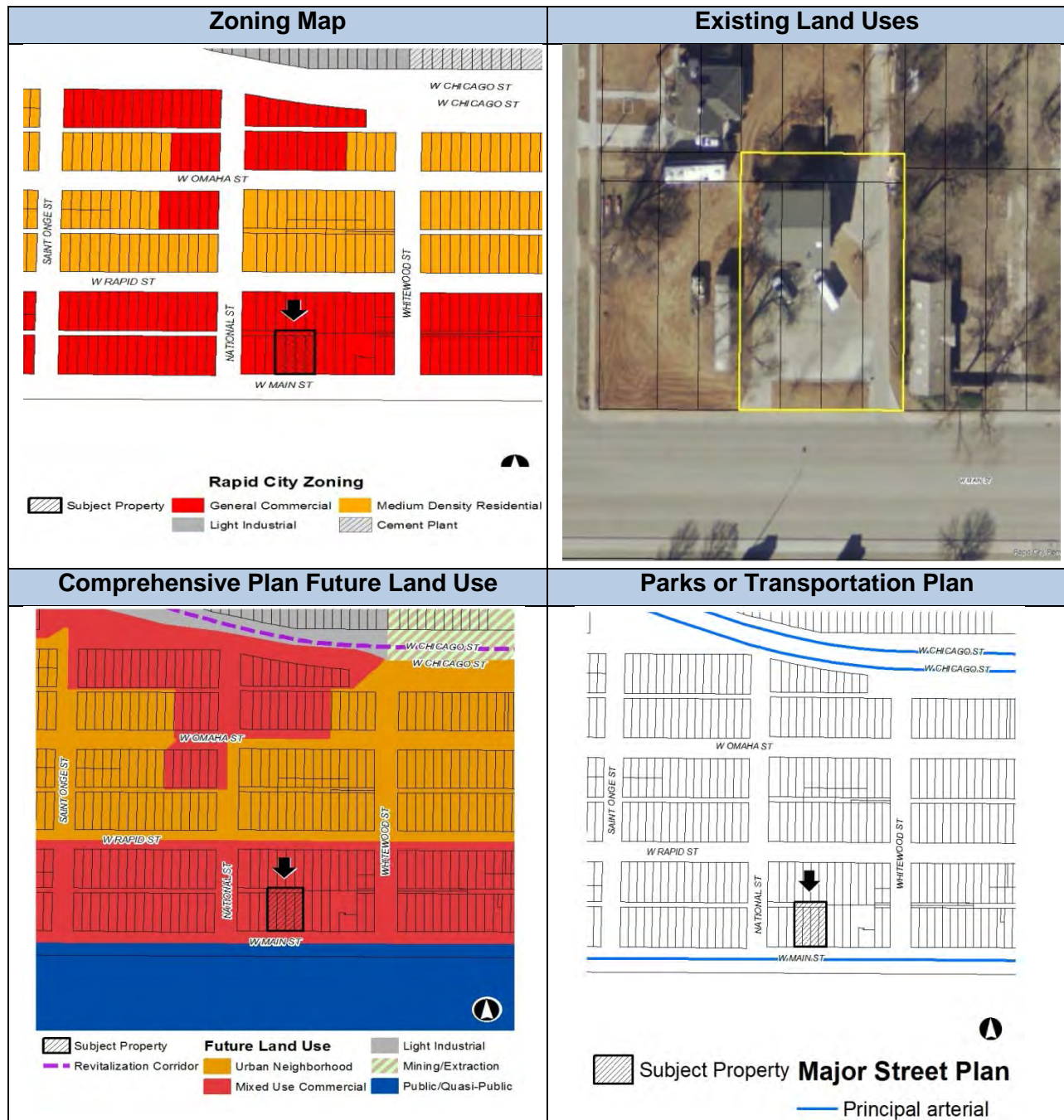
Applicant Request(s)
Case # 15UR022, a Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a casino
Companion Case(s) #: N/A

Development Review Team Recommendation(s)
The Development Review Team recommends that the requested Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a casino be approved with the stipulations noted below.

Project Summary Brief	
The applicant has submitted this request for a Conditional Use Permit to allow an on-sale liquor establishment to be operated in conjunction with a casino on approximately 0.33 acres of property zoned General Commercial District. The existing King of Hearts casino located two blocks to the west of the subject property at 3030 West Main Street is proposing to relocate to 2820 West Main Street. As a part of this relocation, the applicant is proposing to construct a new 2,000 square foot building, parking, and landscaping in compliance with the requirements of the Rapid City Municipal Code. The applicant is proposing that the casino operate from 8:00 am to 12:00 pm daily and is proposing only the sale and service of beer on the property. No outdoor seating or service area is being proposed.	
Applicant Information	Development Review Team Contacts
Applicant: Scott O'Meara for CCKT, Inc.	Planner: Robert Laroco
Property Owner: Avvampato Construction Company, Inc.	Engineer: Nicole Lecy
Architect: KDGI	Fire District: Tim Behlings
Engineer: N/A	School District: Janet Kaiser
Surveyor: 42 nd Street Design Studio	Water/Sewer: Nicole Lecy
Other:	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	2820 West Main Street, approximately 80 feet east of the intersection of West Main Street and National Street
Neighborhood	West Rapid Neighborhood
Subdivision	Providence Addition
Land Area	Approximately 0.31 acres
Existing Buildings	No structural development
Topography	Generally level
Access	West Main Street, proposed access easement from National Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	None identified
Other	

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC	No structural development
Adjacent North	GC	MUC	Vacant structure
Adjacent South	No Code-Camp Rapid	Public	National Guard Camp
Adjacent East	GC	MUC	Commercial structure, former location of "Shotgun Willies"
Adjacent West	GC	MUC	No structural development










Relevant Case History			
Case/File#	Date	Request	Action
N/A	N/A	N/A	N/A
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	No minimum required	0.33 acres, approximately 14,500 sq ft	
Lot Frontage	No minimum required	Approximately 100 ft	
Maximum Building Heights	4 stories, 45 feet	1 story, 18 ft	
Maximum Density	75% maximum	13.79%	
Minimum Building Setback:			
• Front	25 ft	25 ft	
• Rear	0 ft	0 ft	
• Side	0ft/0ft	57 ft/0 ft	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	12,500 points required	13,54 points provided	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	5.0/1,000 SFGFA = 10 spaces required	20 spaces	
• # of ADA spaces	1 van accessible	3, 1 van accessible	
Signage	Per RCMC	Per RCMC	
Fencing	Per RCMC	Dumpster enclosure	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.52.030.E of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for a Conditional Use Permit:	
	Findings
1. The location, character, and natural features of the property;	The property is comprised of 0.33 acres located in a commercially zoned neighborhood. The property is generally level.
2. The location, character, and design of adjacent buildings;	Property to the west, north, and east is zoned General Commercial District and is currently undergoing redevelopment. Property to the south across Main Street is zoned No Code and is the location of the Camp Rapid National Guard Camp.
3. Proposed fencing, screening, and landscaping;	<p>A fence enclosure for the dumpster is being proposed in the northeastern corner of the property. However, the applicant should note that the location of the proposed dumpster is located within an existing sanitary sewer easement. No structures are permitted to be located within an easement. As such, prior to issuance of a building permit, revised plans must be submitted showing that the proposed dumpster enclosure is located outside of all easements on the property, or the existing sanitary sewer easement must be vacated.</p> <p>The applicant has submitted a landscaping plan in compliance with the requirement of the Rapid City</p>

	Landscaping Ordinance.
4. Proposed vegetations, topography, and natural drainage;	No significant changes to the existing topography are proposed as a part of this request. A drainage plan addressing storm water quantity and quality must be submitted prior to issuance of a building permit.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons;	Sidewalks currently exist along Main Street. Plans show a total of 20 parking spaces are being provided on the site. Plans show that the circulation and parking located on this property will eventually be part of shared circulation and parking for this site and the property to the west. Access to the site will be from a shared access on Main Street as well as an access easement along the northern property line which accesses National Street. Prior to issuance of a building permit, the required shared access easements on Main Street as well as National Street must be recorded and copies of the recorded access easements must be submitted with the building permit application. The applicant should note that future development of the adjacent site to the west may require that additional parking be provided.
6. Existing traffic and traffic to be generated by the proposed use;	Transportation Planning staff has noted that the proposed on-sale liquor establishment in conjunction with a casino will generate an average of 27 daily peak hour trips. A Traffic Impact Study is not required. West Main Street is a principal arterial street on the City's Major Street Plan, capable of handling high volumes of residential, commercial, and industrial traffic.
7. Proposed signs and lighting;	The applicant has indicated that all signage and lighting will comply with the requirements of the Rapid City Municipal Code.
8. The availability of public utilities and services;	The site is serviced by Rapid City water and sewer. Public Works staff has noted that confirmation will be required that any utility services from previous development of the site must be abandoned in compliance with the requirements of the Infrastructure Design Criteria Manual.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein;	The Rapid City Comprehensive Plan notes that the property is designated for mixed use commercial development. An on-sale liquor establishment in conjunction with a casino is appropriate for property zoned General Commercial District located within a mixed use commercial land use designation.
10. The overall density, yard, height, and other requirements of the zone in which it is located;	Plans show that the proposed structure meets all required density, setback, and building height requirements of the General Commercial 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;	Based on the operations plan for the facility, it does not appear that the proposed casino will function as a bar. The property is located within an established commercial corridor along a principal arterial street. Redevelopment of property in this vicinity continues to bring new uses to the area. Based on the type and density of surrounding development, it does not appear that the proposed use will create excessive noise, odor, smoke, dust, air pollution, or water pollution on the property.
12. The degree to which	Rapid City Municipal Code requires that all on-sale liquor

conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses.	establishments obtain a liquor license. It should be noted that the proposed casino will be the new location for the King of Hearts casino currently located two blocks to the west of the subject property. No outdoor seating or service of alcohol is being proposed as a part of this application. Based on the operation of this facility primarily as a casino and not a bar, the character of the neighborhood as a densely developed commercial corridor, and the additional review criteria of the required liquor license, it appears that potential negative impacts of the proposed development are being mitigated to the greatest extent possible.
Pursuant to Section 17.50.185 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for an on-sale liquor establishment:	
	Findings
1. The requested use will not adversely affect the use of any place used for religious worship, school, park, playground, or similar use within a 500-foot radius:	No places of religious worship, schools, parks, playgrounds, or other similar uses are located within a 500 foot radius of this location.
2. The requested use is sufficiently buffered with regard to residential areas so as not to adversely affect the areas:	The proposed on-sale liquor establishment is located on West Main Street, an established commercial corridor located along a principal arterial street. Property to the north is currently the location of a vacant structure which has been used for residential purposes in the past. However, the General Commercial District is viewed as the appropriate zoning district for an on-sale liquor establishment, especially when operated as accessory to another primary use. A number of other on-sale liquor establishments have operated in proximity to this property in the past, although it should be noted that these on-sale liquor establishments are no longer operating today. It appears that the proposed on-sale liquor establishment is sufficiently buffered from nearby residential areas.
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:	As previously noted, the proposed on-sale liquor establishment will allow the relocation of the existing King of Hearts casino located two blocks to the west of the subject property. The existing King of Hearts casino will be relocating to allow for redevelopment of the property. As such, the overall concentration of on-sale liquor establishments in the area is not increasing as a result of this request. In addition, it should be noted that property to the east is the former location of Shotgun Willies, an on-sale liquor establishment which has recently closed. The proposed on-sale liquor establishment in conjunction with a casino does not create an undue concentration of similar uses and does not cause blight, deterioration, or substantially diminish or impair property values.
4. The proposed use complies with the standards of Chapters 5.12 and 17.54.030 of the Rapid City Municipal Code:	As noted above, the requested on-sale liquor establishment complies with all the requirements for a conditional use. A liquor license must be obtained for the operator of the establishment prior to commencement of the use on the property.

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
BPG1.1A	<u>Compact Growth</u> : The requested Conditional Use Permit proposes new infill development in an established commercial corridor of the City.
	A Vibrant, Livable Community
LC-3.1C	<u>Compatible Infill and Redevelopment</u> : The requested Conditional Use Permit contributes to the redevelopment of an established neighborhood.
	A Safe, Healthy, Inclusive, and Skilled Community
N/A	N/A
	Efficient Transportation and Infrastructure Systems
N/A	N/A
	Economic Stability and Growth
N/A	N/A
	Outstanding Recreational and Cultural Opportunities
N/A	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	<u>Public Input Opportunities</u> : The Conditional Use Permit requires notification of surrounding property owners and posting of a sign on the property. These notification requirements allow public input into the proposed development. As of this writing, there have been no inquiries into the requested Conditional Use Permit.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Mixed Use Commercial
Design Standards:	
GDP-MU7	<u>Rehabilitation of Existing Activity Centers and Corridors</u> : The requested Conditional Use Permit will enhance the existing character of the West Main Street commercial corridor with new development, landscaping in compliance with the requirements of the Rapid City Municipal Code, and positioning of the building close to the street in order to break up large expanses of surface parking.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	West Rapid Neighborhood
Neighborhood Goal/Policy:	
WR-NA1.1D	<u>Mixed-Use Development:</u> The request promotes the diversification of uses within the West Main Street commercial corridor.

The Development Review Team Recommends that the request for a Conditional Use Permit to allow a bed and breakfast be approved for the following reasons:	
•	The requested Conditional Use Permit will allow for the relocation of the existing King of Hearts casino located at 3030 West Main Street to the subject property. The proposed redevelopment of the property complies with all requirements of the Rapid City Municipal Code.
•	The requested Conditional Use Permit will allow for infill and redevelopment of a commercial site located within an established neighborhood.
•	The relocation of the existing King of Hearts casino will not result in an increase in the density of these on-sale liquor establishments. No places of religious worship, schools, playgrounds, parks, or similar uses are located within 500 feet of the subject property. The property is located within an established commercial corridor seen as the appropriate location for on-sale liquor establishments, especially when approved as an accessory to the primary use.

Staff recommends that the requested Conditional Use Permit be approved with the following stipulations:	
1.	Prior to issuance of a building permit, revised plans shall be submitted showing that the proposed dumpster enclosure is being relocated outside of the existing sanitary sewer easement, or the existing sanitary sewer easement shall be vacated.
2.	Prior to issuance of a building permit, the proposed shared access and circulation easement shall be recorded with the Register of Deeds. A copy of the recorded easement shall be submitted to Community Planning and Development Services.
3.	This Conditional Use Permit shall allow for an on-sale liquor establishment to be operated in conjunction with a casino on the property. The on-sale liquor establishment shall operate in compliance with the submitted operations plan and all requirements of the General Commercial District. Changes in the operation of the casino will require a Major Amendment to the Conditional Use Permit. All uses permitted in the General Commercial District shall be permitted contingent upon an approved building permit and provision of sufficient parking. All conditional uses shall require a Major Amendment to the Conditional Use Permit.