



Rapid City Planning Commission

Planned Development Project Report

March 24, 2016

Item # 7

Applicant Request(s)

Case # 16PD007, a Major Amendment to the Planned Development to allow a mixed-use development and to allow an on-sale liquor establishment in conjunction with a restaurant
 Companion Case(s) #: N/A

Development Review Team Recommendation(s)

The Development Review Team recommends that the Major Amendment to the Planned Development to allow a mixed use development and to allow an on-sale liquor establishment in conjunction with a restaurant be approved with the stipulations noted below.

Project Summary Brief

Update 3/24/16: All revised text is included in bold. This item was continued from the March 10, 2016 Planning Commission meeting to allow notification requirements to be met. The applicant has submitted a Major Amendment to the Planned Development to allow a mixed use development and to allow an on-sale liquor establishment in conjunction with a restaurant. On April 9, 2015, the Planning Commission approved a Major Amendment to the Planned Development to redevelop the existing TMA building, located at 329 Main Street, with "flexible office space" (File #15PD004). Now the applicant is proposed to develop the property with six apartment units, approximately 7,090 square feet of retail/office space, and approximately 2,090 square feet of restaurant. The applicant is proposing the sale and service of beer and wine as an accessory to the restaurant. As a part of this request, the applicant is seeking Exceptions to reduce the required parking and landscaping on the site. The property is individually listed on the National Register of Historic Places.

Development Review Team Contacts

Applicant: Matt Ehlman	Planner: Robert Laroco
Property Owner: MWT Leasing, MHK Leasing, LLC	Engineer: Dan Kools
Architect: TSP, Inc.	Fire District: Tim Behlings
Engineer: TSP, Inc.	School District: Janet Kaiser
Surveyor: TSP, Inc.	Water/Sewer: Dan Kools
Other:	DOT: Stacy Bartlett

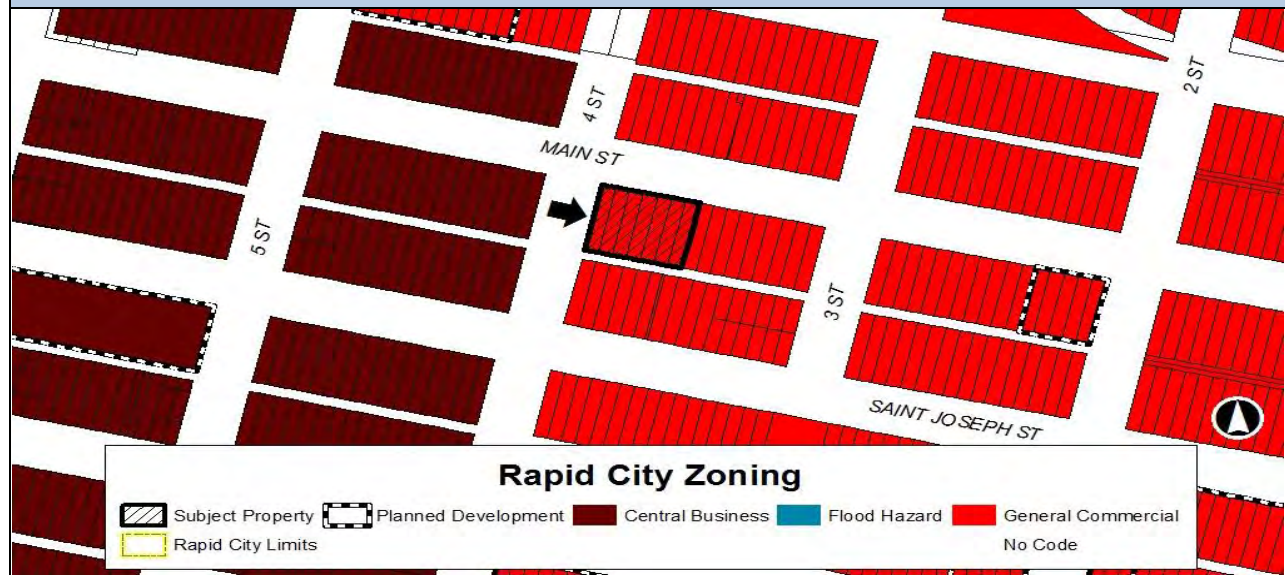
Subject Property Information

Address/Location	329 Main Street, southeast of the intersection of Main Street and 4 th Street
Neighborhood	Downtown/Skyline Drive Neighborhood
Subdivision	Original Township of Rapid City
Land Area	0.56 acres, approximately 24,394 sq ft
Existing Buildings	Existing commercial/retail structure
Topography	Level
Access	Main Street, 4 th Street
Water Provider	Rapid City water
Sewer Provider	Rapid City sewer
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/PD	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent North	GC	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent South	GC	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent East	GC	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent West	CBD	Downtown, Corridor	Revitalization	Existing retail/commercial/service

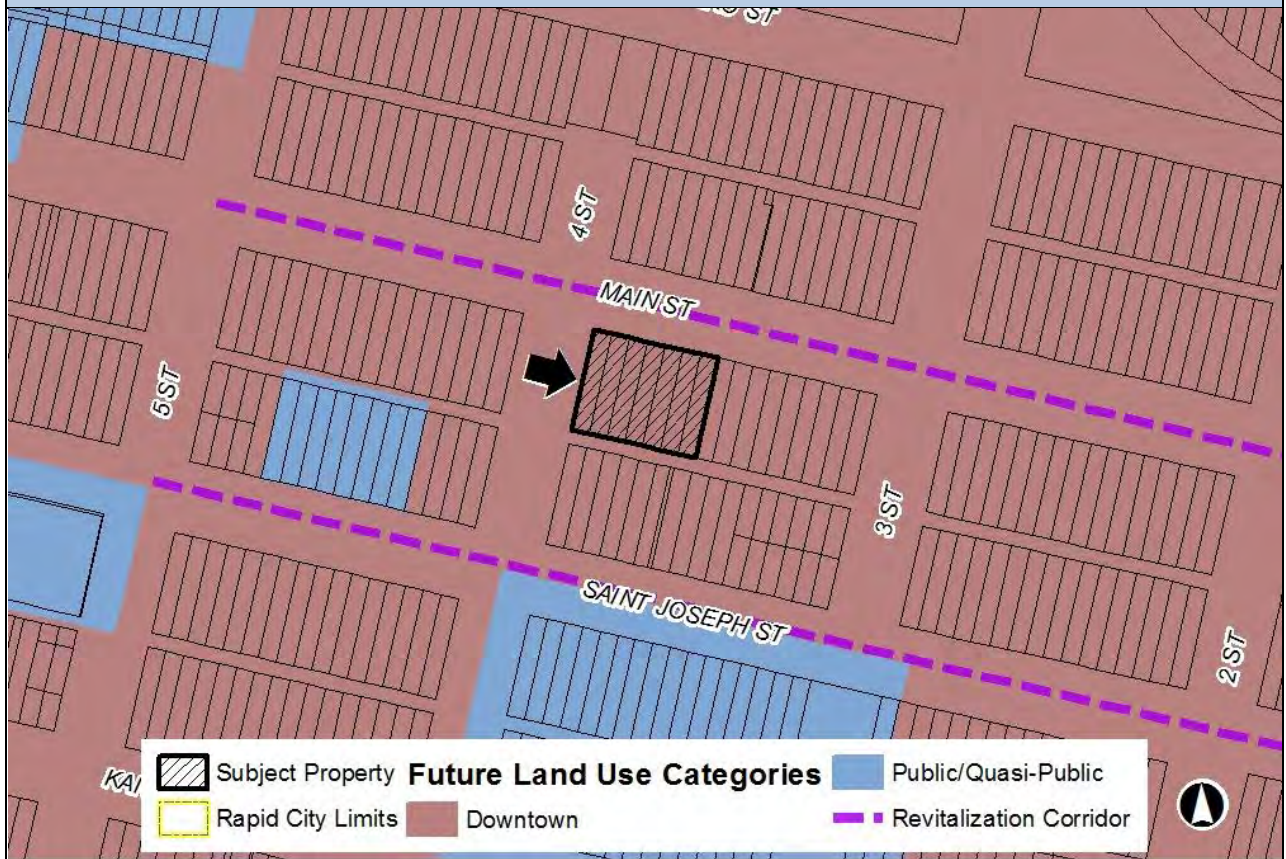
Zoning Map



Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
15PD004	4/09/15	Major Amendment to the Planned Development	PC approved w/ stipulations
03PD025	6/05/03	Initial and Final Planned Development	PC approved w/ stipulations
Relevant Zoning District Regulations			
General Commercial District		Required	Proposed/Existing
Lot Area		No minimum required	0.56 acres, approximately 24,394 sq ft
Lot Frontage		No minimum required	Approximately 540 feet
Maximum Building Heights		4 stories, 45 ft	1 story, < 45 ft
Maximum Density		75%	Approximately 55.4%
Minimum Building Setback:			
• Front		25 ft	0 ft (legally non-conforming)
• Rear		0 ft	0 ft
• Side		0 ft.	0 ft
• Street Side		25 ft	0 ft (legally non-conforming)
Minimum Landscape Requirements:			
• # of landscape points		10,879 points	5,000 points proposed
• # of landscape islands		N/A	N/A
Minimum Parking Requirements:			
• # of parking spaces		28 spaces (per previous Major Amendment)	20 spaces proposed
• # of ADA spaces		2 ADA, 1 van accessible	1 van accessible ADA proposed
Signage		Per RCMC	Per RCMC
Fencing		Per RCMC	Fence and gate proposed to control access to residential parking

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.050.F.5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for a Planned Development:	
	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size shape, or topography;	There are no conditions existing on this lot due to size, shape, or topography.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;	The property has previously been developed through the Planned Development process. Today, the applicant is proposing to alter the previously approved Planned Development on the property in order to introduce a mix of residential and commercial uses into the same structure. As a part of this request, the applicant has requested Exception to the underlying land area regulations for the General Commercial District. As such, the applicant has submitted this Major Amendment to the Planned Development. The application of these regulations to this piece of property does not create a practical difficulty or undue hardship.
3. Exceptions to the underlying	The applicant is proposing a mix of residential,

zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;






office/retail/service, and restaurant uses on the property that require a minimum of 62 parking spaces be provided on the site. Submitted plans show that the applicant is proposing 11 general access parking spaces for use by customers of the office and commercial tenants of the building. In addition, plans show that 9 additional parking spaces are being provided with controlled access for residents of the building. As such, the applicant has requested an Exception to reduce the parking from 62 parking spaces to 20 parking spaces. The applicant is proposing to provide the minimum required 9 parking spaces for the 6 residential units being proposed as a part of this development, and ensuring controlled access of those sites in order to ensure sufficient parking for the proposed residential use. The applicant has identified a number of on-street parking spaces located in proximity to the facility to accommodate any additional parking needs. City staff has noted that the property is designated for a Downtown use on the City's adopted Future Land Use Plan. It is anticipated that future development of the area will be as a part of the Rapid City Downtown. The Central Business is adjacent to the west and does not have an off-street parking requirement. Based on the expected future development of the neighborhood, the applicant's anticipated intensity of use for this specific property, and the existing available on-street parking located in proximity to the property, it appears that the requested reduction in parking will not have a negative impact on the area. All parking must comply with the requirements of the Rapid City Parking Ordinance.



Currently, the property does not have any landscaping located on-site and is legally non-conforming. The applicant is not proposing any expansions or additions to the existing structure and, as such, the property may remain legally non-conforming with regard to landscaping. However, the applicant is proposing the addition of approximately 2,575 square feet of greenspace to be located adjacent to the residential parking and to be utilized by residents of the development. A minimum of 10,879 points of landscaping would typically be required on the property. The proposed greenspace is comprised of approximately 5,000 points of landscaping. As such, the applicant is requesting an Exception to reduce the required landscaping on the property from 10,879 points to 5,000 points of landscaping. The addition of any landscaping on the site will help to improve the existing condition of the property. In addition, the proposed greenspace will primarily benefit the residential tenants of the property. Given the location of the property adjacent to the Central Business District, where no landscaping is required, the provision of any landscaping on the site when not necessarily required should be encouraged. It does not appear that the requested Exception to reduce the landscaping will impair the public good or impair the intent

	of these regulations.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;	The property is located within an existing Planned Development. Based on the applicant's intended plans to introduce residential uses onto the property, to reduce parking, and to provide limited landscaping, a Major Amendment to the Planned Development is required. A literal interpretation of this chapter does not deprive the applicant of rights that others in the same district are allowed.
5. Any adverse impacts will be reasonably mitigated;	<p>The requested reduction in landscaping is to accommodate the applicant's proposed landscaping plan. The site today does not currently have any landscaping and, as such, the inclusion of any landscaping on the property will help to mitigate the existing adverse impact of the site.</p> <p>The applicant is providing dedicated, secure parking for use by the residential tenants of the site. Based on the location of the property adjacent to the downtown, as well as the abundance of on-street parking available adjacent to or in proximity to the property, it appears that the requested reduction in parking is reasonable. Potential adverse impacts of the requested reduction in parking are being reasonably mitigated.</p> <p>The applicant should note that the property is individually listed on the National Register of Historic Places. Prior to issuance of any building or sign permits for the property, Historic Review must be completed.</p>
6. The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified.	The requested Exceptions will allow an adaptive reuse of the existing historic structure with a mix of commercial and residential uses and in close proximity to the downtown core. The requested Exceptions are in support of an alternative and innovative design which reasonably achieves the objectives of the Zoning Ordinance and the Rapid City Comprehensive Plan.
On-Sale Liquor Establishment: 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 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:	Trinity Lutheran Church of Rapid City is located at 402 Kansas City Street, approximately 450 feet south of the subject property. However, the Planning Commission has previously determined that the General Commercial District is the appropriate location for an on-sale liquor establishment, especially when the use is proposed as an accessory to another primary use. The applicant is proposing to operate the on-sale liquor establishment in conjunction with a restaurant on the property. It does not appear that the proposed on-sale liquor establishment will adversely affect the existing church.
2. The requested use is sufficiently buffered with regard to	The unique character of this development is such that residential uses will be located within the same structure as

residential areas so as not to adversely affect the areas:	the proposed on-sale liquor establishment. It should be noted that this mix of uses is commonplace in the Central Business District, adjacent to the west of the subject property. Given the proximity of the property to the Central Business District, as well as the future anticipated development of the downtown core, it appears that the proposed mix of uses, including the proposed on-sale liquor establishment, it appropriate for the area.
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:	The VFW is located approximately 250 feet northwest of the subject property. As previously noted, the Central Business District and the General Commercial District are considered the appropriate the location for an on-sale liquor establishment, especially when operating in conjunction with other primary uses. The proposed uses will not create an undue concentration of uses so as to cause blight, deterioration, or diminish/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:	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
BPG-1.2B	<u>Priority Activity Centers for Reinvestment</u> : The proposed development will encourage the continued investment into the Downtown Regional Activity Center and will allow redevelopment of an existing historic structure while retaining the historic character of the building and the area.
	A Vibrant, Livable Community
LC-1.1A	<u>Innovative Design</u> : The proposed development introduces a mix of uses into an existing historic structure, encouraging creativity and flexibility in the redevelopment of this existing neighborhood.
LC-4.1B	<u>Diverse Mix of Uses</u> : The proposed development introduces a mix of uses into the Downtown, which will expand vibrancy and activity east of 5 th Street.
	A Safe, Healthy, Inclusive, and Skilled Community
N/A	N/A
	Efficient Transportation and Infrastructure Systems
N/A	N/A
	Economic Stability and Growth
EC-2.1A	<u>Downtown Area Retail and Entertainment</u> : The proposed development expands retain and entertainment options in close proximity to the downtown by providing

	additional space for development.
	Outstanding Recreational and Cultural Opportunities
N/A	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	<u>Public Input Opportunities</u> : The Major Amendment to the Planned Development requires notification of surrounding property owners located within 250 feet of the property boundary 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 Major Amendment.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Downtown, Revitalization Corridor
Design Standards:	
GDP-MU2	<u>Integrated Housing</u> : The proposed development incorporates some new options for housing in a Regional Activity Center and along a principal arterial street on the City's Major Street Plan, an identified Revitalization Corridor, and a major commercial corridor of the City, with immediate access to transit, shops, services, and employment opportunities.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown/Skyline Drive Neighborhood
Neighborhood Goal/Policy:	
DSD-NA1.1B	<u>Regional Activity Center</u> : The proposed development supports the continuing revitalization of the downtown.
DSD-NA1.1C	<u>Mixed Use Development</u> : The proposed development is an adaptive reuse of an existing historic structure located within a primary corridor of the city and adjacent to the Central Business District.
DSD-NA1.1D	<u>Reinvestment Corridor</u> : The proposed development emphasizes the objective of targeted reinvestment along Reinvestment Corridors, including Main Street.

The Development Review Team Recommends that the request for a Major Amendment to the Planned Development be approved for the following reasons:	
•	The proposed development is an adaptive reuse of an existing historic structure with a mix of uses which provides future flexibility and creativity on property anticipated to be a part of the Downtown in the future.
•	The requested Exception for parking will still ensure that sufficient parking for proposed residential uses is being provided, while utilizing available on-street parking for commercial uses.
•	The requested Exception for parking will ensure that green space is being provided for residential tenants of the structure, while improving the legal non-conforming status of the property today.
•	The requested on-sale liquor establishment is proposed to operate in conjunction with a restaurant, ensuring that the establishment will not function as a bar. The General Commercial District is viewed as the appropriate location for an on-sale liquor establishment.
•	It does not appear that the proposed on-sale liquor establishment will adversely impact the existing church or the proposed residential uses located in proximity to the site. In addition, only one additional on-sale liquor establishment is located within 500 feet of

	the property. It appears that the location is appropriate for the unique mix of uses proposed.
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Staff recommends that the requested Major Amendment to the Planned Development be approved with the following stipulations:

1.	The requested Exception to reduce the required amount of parking provided on the property from 62 spaces to 20 spaces, including 9 dedicated residential parking spaces, is hereby granted.
2.	The requested Exception to reduce the required amount of landscaping on the property from 10,879 points to 5,000 points is hereby granted.
3.	Prior to issuance of a building permit, and 11.1 Historic Review shall be completed for the property.
4.	Prior to issuance of a sign permit, Historic Review of all signage shall be complete. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment. The addition of LED signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign.