



Rapid City Planning Commission

Final Planned Development Overlay Project Report

April 7, 2016

Item #18
Applicant Request(s)
Case # 16PD013 – Final Planned Development Overlay to construct a fast food restaurant
Companion Case(s) N/A

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

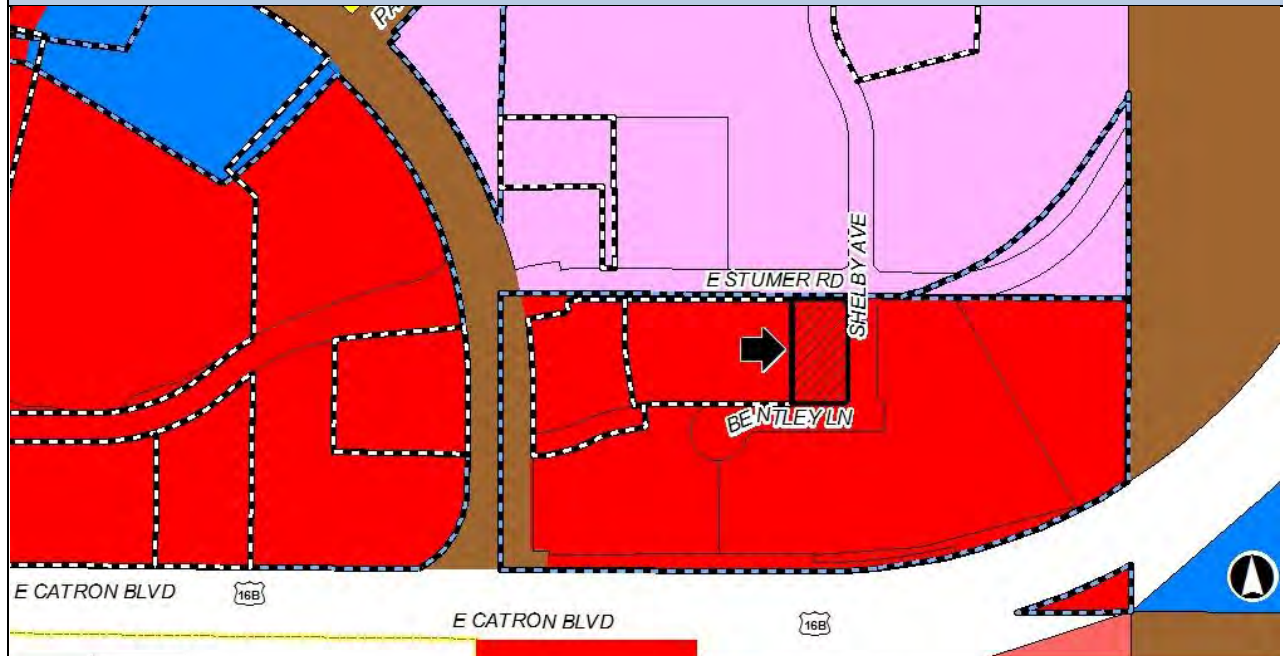
Project Summary Brief	
<p>The applicant has submitted a Final Planned Development Overlay to construct a “Taco Bell” restaurant approximately 2,688 square feet in size. The site plan identifies a drive-thru lane on the east side of the proposed restaurant and a covered outdoor seating area located on the north side of the proposed structure. The applicant is requesting an Exceptions to allow a 24 foot wide parking aisle in lieu of the minimum required parking aisle width of 26 feet and to reduce the minimum required parking from 30 parking spaces to 28 parking spaces.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Marvin Development of South Dakota, LLC	Planner: Fletcher Lacock
Property Owner: Ferdinand Dirt, LLC	Engineer: Nicole Lecy
Architect: Dean Madson, Planforce	Fire District: Tim Behlings
Engineer: Civil Site Group	School District: N/A
Surveyor: N/A	Water/Sewer: Nicole Lecy
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Southwest corner of the intersection of East Stumer Road and Shelby Avenue
Neighborhood	South Robbinsdale
Subdivision	North 80 Subdivision
Land Area	25,700 square feet
Existing Buildings	Void of structural development
Topography	Relatively flat
Access	East Stumer Road and Bentley Lane
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A

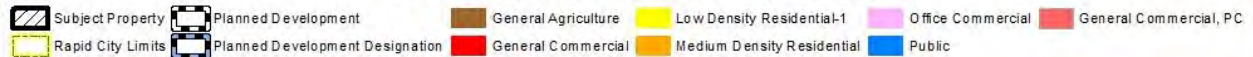
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC-PDD	EC	Void of structural development
Adjacent North	OC	EC	Void of structural development
Adjacent South	GC-PDD	EC	Void of structural development
Adjacent East	GC-PDD	EC	Void of structural development
Adjacent West	GC-PD	EC	Pizza Ranch

Zoning Map



Rapid City/Pennington County Zoning



Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan










Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	25,700 square feet	
Lot Width	N/A	Approximately 120 feet	
Maximum Building Heights	4 stories or 45 feet	One story	
Maximum Density	75%	10.5%	
Minimum Building Setback:			
• Front	25 feet	34 feet from East Stumer Road	
• Rear	"0" feet	68 feet	
• Side	"0" feet	60 feet	
• Street Side	25 feet	68 feet from Bentley Lane	
Minimum Landscape Requirements:			
• # of landscape points	23,012	Submit landscape calculation with a Building Permit	
• # of landscape islands	1	2	
Minimum Parking Requirements:			
• # of parking spaces	30	Requesting an Exception to reduce the parking to 28	
• # of ADA spaces	2	2	
Signage	Two square feet for every linear square foot of frontage	263 square feet of wall and ground signage	
Fencing	8 feet	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
<p>Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for an Final Planned Development Overlay:</p>	
Criteria	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The property is zoned General Commercial District with a Planned Development Designation. A Final Planned Development Overlay must be approved prior to issuance of a Building Permit. The property is approximately 25,700 square feet in size. A fast food restaurant is a permitted use in the district. The property is relatively flat but has three street frontages on the north, south and east property lines.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The applicant is requesting an Exception to reduce the minimum required parking aisle width from 26 feet to 24 feet. Planning Commission has previously supported Exception requests to 24 feet as it allows for two-way traffic and does not appear to have had a negative impact on circulation. The applicant has also submitted an Exception request to reduce the minimum required parking from 30 parking spaces to 28 parking spaces. The reduction in two spaces is a 6.7% request which is less than the 20% which can be granted with a Minimal Amendment. The applicant is meeting all setback requirements and is also providing the seven stacking spaces required for a drive-thru window. Based on the minimal impact to circulation on the property, staff recommends that the Exceptions requests be granted.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the	As noted above, the Exception request for a 24 foot wide parking aisle width has been supported in the past as it does not appear to conflict with parking circulation. In

public good or impair the purposes and intent of these regulations:	addition, the Exception request to reduce the minimum parking requirement is less than a 20% reduction. Staff recommends that the Exceptions requests be granted.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	The property is zoned General Commercial District with a Planned Development. A fast food restaurant is a permitted use in the district.
5. Any adverse impacts will be reasonably mitigated:	<p>The applicant is proposing to provide the seven stacking lanes for a drive-thru window. The proposed 24 foot wide parking aisle width will accommodate two-way traffic. In addition, the parking Exception request is less than a 20% reduction and would accommodate the outdoor patio which may only be used for parts of the calendar year.</p> <p>The applicant should be aware that a landscaping plan and calculations demonstrating compliance with Chapter 17.50.300 of the Rapid City Municipal Code must be submitted with a Building Permit. In addition, redlined plans must be addressed and revisions made to the plans upon submittal of a Building Permit.</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:	As noted above, a 24 foot wide parking aisle width has been supported in the past as it accommodates two-way traffic circulation. In addition, the parking reduction is minimal and would accommodate the outdoor patio area which may only be used for warmer months. The applicant is providing the minimum number of stacking spaces for a drive-thru window. As such, staff recommends that the Exceptions be granted.

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-1.1A	Compact Growth: The proposed fast food restaurant is located within the city limits with access to existing public infrastructure including Rapid City water and sewer and paved streets.
	A Vibrant, Livable Community
LC-5.1A	Varied Activity Centers: The property is located within an identified Community Activity Center associated with the Wal-Mart Supercenter area. The Final Planned Development Overlay supports the commercial growth and services provided for this area of the city.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: East Stumer Road is identified as a Collector Street on the City's Major Street Plan requiring a minimum 25 foot setback. The site plan identifies a 34 foot setback from the property line that abuts East

	Stumer Road.
	Economic Stability and Growth
EC-3.1C	Other Employment Areas: The property is located in the Wal-Mart Supercenter Community Activity Center and supports the growth and development of the area.
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Final Planned Development Overlay 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 to a Planned Development is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Employment Center / Community Activity Center
Design Standards:	
N/A	Employment Centers identify supporting commercial/retail as a secondary use.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	South Robbinsdale
Neighborhood Goal/Policy:	
N/A	The proposed Final Planned Development Overlay to construct a fast food restaurant supports the growth of a Community Activity Center and provides the services needed to support a growth in residential and employment growth in the area.

Findings	
Staff has reviewed the Final Planned Development to construct a fast food restaurant pursuant to Chapter 17.50.050(F)5 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The proposed fast food restaurant provides a service needed to encourage the growth of residential and employment growth adjacent to an established and growing Community Activity Center. The requested Exceptions to reduce parking and to reduce the minimum required access aisle width are minimal and have been supported by staff and the Planning Commission in the past since they have a minimal impact on circulation on the property.	

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Final Planned Development to construct a fast food restaurant be approved with the following stipulations:	
1.	An Exception is hereby granted to reduce the minimum required parking from 30 parking spaces to 28 parking spaces;
2.	An Exception is hereby granted to reduce the minimum required parking aisle width from 26 feet to 24 feet;
3.	Upon submittal of a Building Permit, a revised site plan shall be submitted for review and approval addressing redlined comments. The redlined plans shall be returned to Community Planning;
4.	Upon submittal of a Building Permit, a revised landscape plan and calculations shall be submitted for review and approval showing that the landscaping is in compliance with

	Chapter 17.50.300 of the Rapid City Municipal Code;
5.	All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Final Planned Development Overlay. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,
6.	The Major Amendment to a Planned Development shall allow for a fast food restaurant. Permitted uses within the General Commercial District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development.