



Rapid City Planning Commission

Major Amendment to a Planned Unit Development

Project Report

August 4, 2016

Item #7
Applicant Request(s)
Case # 16PD036 – Major Amendment to a Planned Unit Development to allow a sports club as a neighborhood commercial use
Companion Case(s) N/A

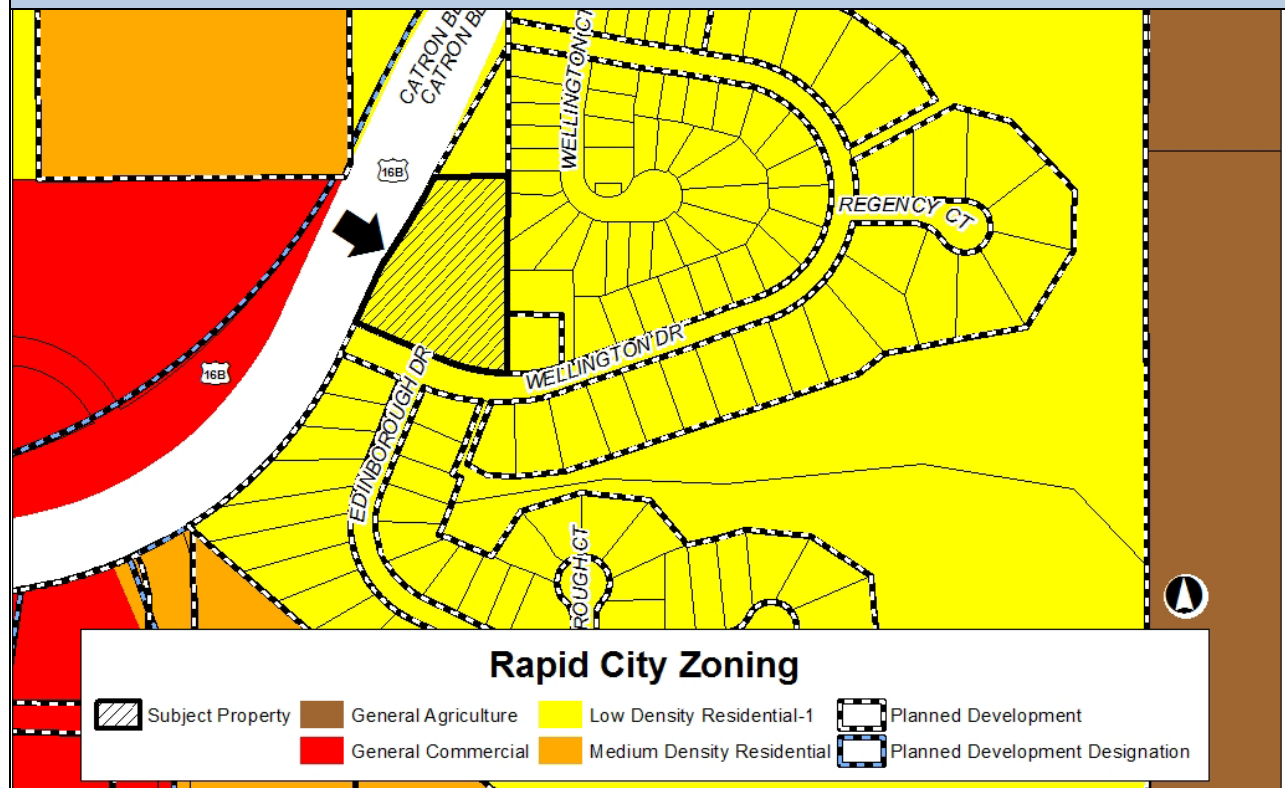
Development Review Team Recommendation(s)
The Development Review Team recommends that the Major Amendment be approved with the stipulations noted below.

Project Summary Brief
<p>(Update August 1, 2016. All revised and/or added text is shown in bold.) The Project Report has been updated to stipulate that a six foot high opaque fence be constructed along the east property line as proposed in the applicant's operational plan. The applicant has submitted a Major Amendment to a Planned Unit Development to allow a sports club as a neighborhood commercial use on the property. The applicant is proposing to use the existing 3,960 square foot structure as a gym for crossfit workouts. The average class size is 10 participants with a cap at 15. The classes take approximately one hour. The applicant has indicated that the available classes may expand in the future. The proposed hours of operation are Monday through Friday from 5:00 a.m. to 8:00 p.m. and Saturday through Sunday from 9:00 a.m. to 11:00 a.m.</p> <p>The structure was originally allowed as an office for an equestrian center which served as an amenity to the adjacent residential development. When the equestrian center was removed from the property, the Planned Unit Development was amended to allow the structure to be used for professional offices with no outdoor storage and no parking of construction vehicles.</p> <p>On April 4, 2013, a Major Amendment to the Planned Unit Development (File #13PD006) was approved to allow a small animal hospital. The small animal hospital use was never initiated. On October 22, 2015, a Major Amendment to the Planned Unit Development (File #15PD035) was approved to allow Cleary Building branch offices as a professional office. On February 1, 2016, the City Council upheld Planning Commission's decision to deny a Major Amendment to a Planned Unit Development (File #15PD047) to allow Black Hills Garage Doors as a professional office.</p>
Applicant Information
Applicant: Rushmore Crossfit LLC
Property Owner: Thomas and Carol Cleary
Architect: N/A
Engineer: N/A
Surveyor: N/A
Other: N/A
Development Review Team Contacts
Planner: Fletcher Lacock
Engineer: Dan Kools
Fire District: Tim Behlings
School District: N/A
Water/Sewer: Dan Kools
DOT: Stacy Bartlett

Subject Property Information	
Address/Location	1555 Catron Boulevard
Neighborhood	U.S. Highway 16
Subdivision	Cleary Subdivision
Land Area	2.17 acres
Existing Buildings	3,960 square feet
Topography	Gentle incline from the southwest to the northeast and east sides of the property
Access	Wellington Drive
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power / MDU

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	LDR - PUD	LDN – Entrance Corridor	Cleary Building
Adjacent North	LDR - PUD	LDN – Entrance Corridor	Void of structural development
Adjacent South	LDR - PUD	LDN – Entrance Corridor	Single-family dwellings
Adjacent East	LDR - PUD	LDN	Single-family dwellings and townhomes
Adjacent West	GC - PDD	MUC – Entrance Corridor	Void of structural development

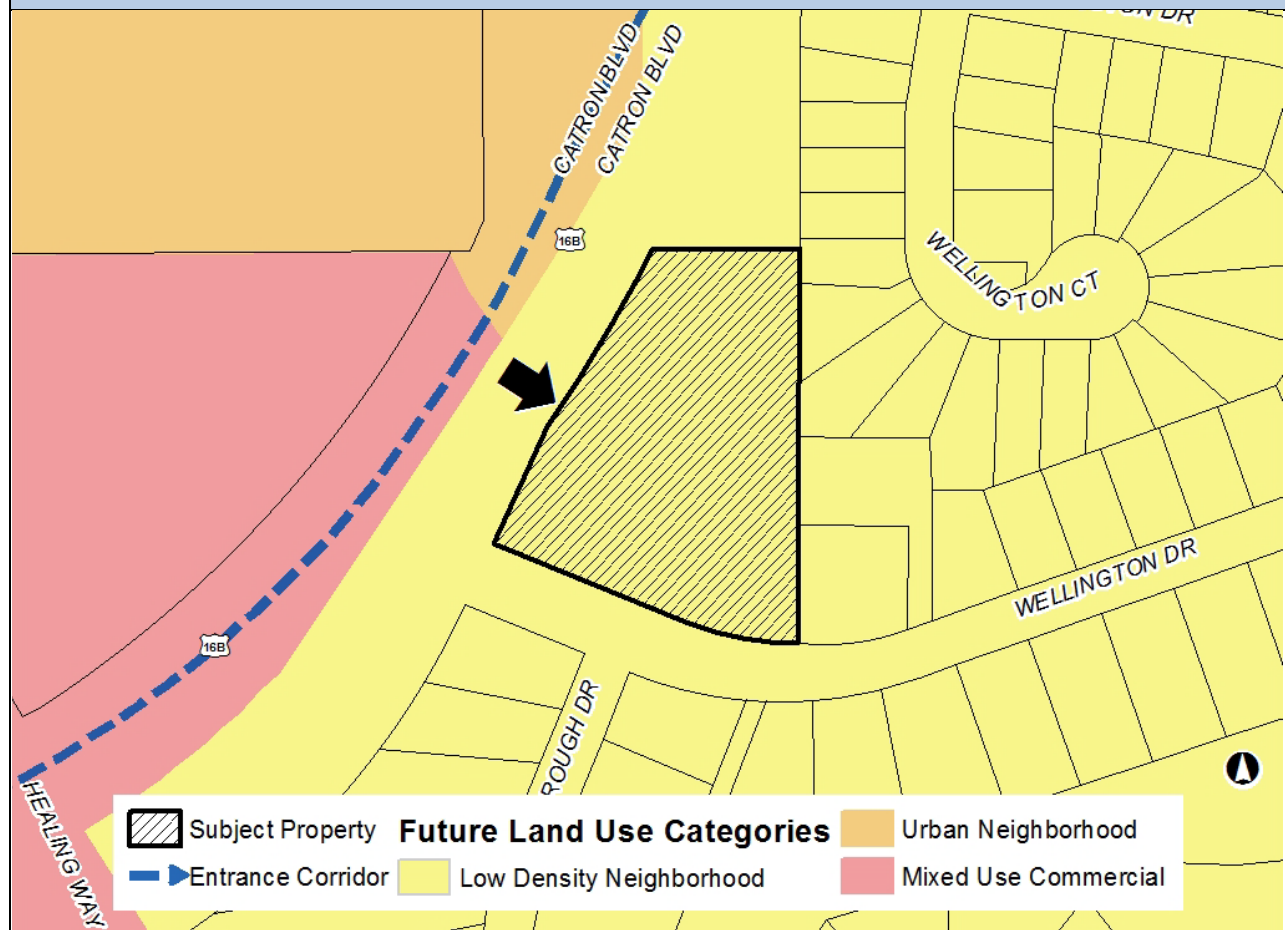
Zoning Map



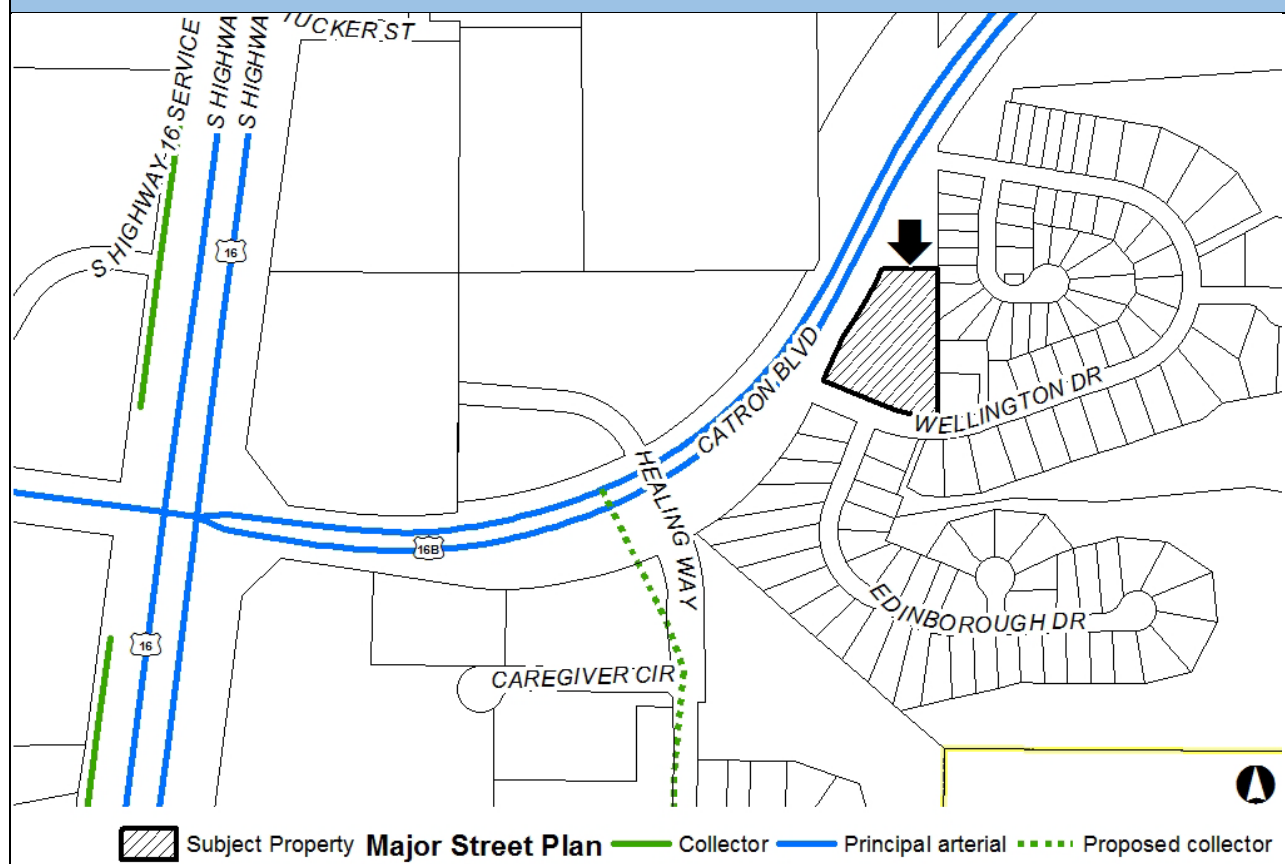
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
02PD059	08/21/2003	Final Planned Unit Development to allow an equestrian center, a caretaker's residence, and an office building	Approved with stipulations
13PD006	4/04/2013	Major Amendment to a Planned Unit Development to allow a small animal hospital	Approved with stipulations
15PD035	10/22/2015	Major Amendment to a Planned Unit Development to allow professional offices	Approved with stipulations
15PD047	2/01/2016	Major Amendment to a Planned Unit Development to allow Black Hills Garage Doors as a professional office	City Council upheld Planning Commission's denial
Relevant Zoning District Regulations			
Low Density Residential District		Required	Proposed
Lot Area		6,500 square feet	94,525 square feet
Lot Width		50 feet	Approximately 330 feet
Maximum Building Heights		2.5 stories or 35 feet	Existing structures / No new development proposed
Maximum Density		25%	4%
Minimum Building Setback:			
• Front		20 feet	Approximately 86 feet
• Rear		25 feet	Approximately 137 feet
• Side		8 feet or 12 feet	Approximately 147 feet
• Street Side		25 feet	Approximately 76 feet from Catron Boulevard
Minimum Landscape Requirements:			
• # of landscape points		90,565	92,386
• # of landscape islands		N/A	No structural expansion proposed
Minimum Parking Requirements:			
• # of parking spaces		28	29
• # of ADA spaces		2	2
Signage		1 square foot	Existing pole sign / Proposed wall sign for "Rushmore Crossfit" approximately 60 square feet in size
Fencing		N/A	None proposed

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 for an Final Planned Development Overlay:	
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 comprised of approximately 94,525 square feet of land zoned Low Density Residential District with a Planned Unit Development. Previous Major Amendments approved the Cleary branch office as a professional office use and required that Black Hills Garage Doors cease operations and vacate the property. The applicant is requesting this Major Amendment to allow a sports club as a neighborhood commercial use.
2. The application of these	The property is located in a Planned Unit Development

regulations to this particular piece of property would create a practical difficulty or undue hardship:	which under the Municipal Code at the time of approval, allowed up to 20% of the land area to be commercial uses in a residential Planned Unit Development to serve the residential development. The subject property is approximately 17% of the land area in the Planned Unit Development. The applicant is requesting to allow a crossfit gym on the property.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations:	The applicant is not requesting any Exceptions from the requirements of the underlying Zoning District.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	<p>The property is zoned Low Density Residential District with a Planned Unit Development. On August 21, 2003, a Planned Unit Development (File #02PD059) was approved to allow professional and business offices. The stipulations of approval required that no office use be allowed that will result in construction vehicles and/or equipment being parked on the property. In addition, no outdoor storage of building materials shall be allowed. The typical commercial uses that have been approved within a Planned Unit Development where the underlying zoning is residential are neighborhood serving uses and professional offices with regular business hours that do not utilize outdoor storage or construction equipment or material. On October 22, 2015, a Major Amendment was approved to allow the Cleary Building branch offices as a professional office use to occupy the building. Subsequently, the City Council upheld the Planning Commission's decision to deny a Major Amendment to the Planned Unit Development to allow Black Hills Garage Doors as a professional office.</p> <p>The applicant is proposing to open a crossfit gym in the existing 3,960 square foot structure located on the property. This type of commercial use is neighborhood serving. The applicant is requesting that the hours of operation be amended from Monday through Friday from 8:00 a.m. to 5:00 p.m. to Monday through Friday from 5:00 a.m. to 8:00 p.m. and Saturday through Sunday from 8:00 a.m. to 12:00 p.m. to Saturday through Sunday from 9:00 a.m. to 11:00 a.m. The proposed use differs from a construction office in that the type of vehicle traffic should not include construction vehicles or delivery of goods. In addition, based on the applicant's operation plan, the 5:30 a.m. class has a smaller attendance and should have a minimal impact on adjacent properties. For these reasons, if the Planning Commission determines that the change in hours of operation is appropriate, staff recommends that the hours of operation for a gym be Monday through Friday from 5:00 a.m. to 8:00 p.m. and Saturday through Sunday from 9:00 a.m. to 11:00 a.m. provided that the gym operates in compliance with the submitted operational plan.</p>
5. Any adverse impacts will be reasonably mitigated:	Previous Major Amendments to the Planned Unit Development have limited the hours of operation from 8:00 a.m. to 5:00 p.m. for professional offices due to concerns

	<p>over traffic noise. The applicant has indicated that class schedules will vary depending on usage and that the hours of operation for the gym are requested to be Monday through Friday from 5:00 a.m. to 8:00 p.m. and Saturday through Sunday from 9:00 a.m. to 11:00 a.m. As noted above, based on the operation plan and the type of gym that the applicant is proposing, the impact on the neighborhood should be lessened. The hours reflect the available times for people to work out before and after a typical work day. If the Planning Commission determines that the hours of operation are appropriate, staff recommends that the hours of operation be amended provided that the gym operates in compliance with the submitted operational plan.</p> <p>There are also issues on the property that were previously stipulated which should remain with the current use. These include reclaiming and vegetating the graveled area around the dumpster on the south side of the property. The applicant has indicated that evergreen trees will be planted along the southern lot line replacing two trees that have died. The applicant has also indicated that the existing dumpster will either be screened or will be moved to the interior of the building. There has been an issue with debris being left on the property and as such the applicant should be aware that the property must be kept free of weeds and debris at all times.</p> <p>The applicant should be aware that it appears that the design of the proposed showers does not comply with handicap accessibility requirements. As such, prior to issuance of a Building Permit, the ADA accessibility issues must be resolved.</p> <p>The applicant has stated in their operation plan that in order to provide privacy to the residential neighborhood which abuts the property to the east, a six foot high opaque fence will be constructed along the east property line. The applicant has indicated that the fence will be constructed by May 31, 2017. As such, staff recommends that the proposed six foot high opaque fence be constructed by May 31, 2017. The proposed fence will provide a visual buffer in addition to the evergreen trees existing and proposed along the east property line.</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:	<p>As noted above, the applicant is requesting to amend the hours of operation to accommodate a gym. If the Planning Commission determines that the change in hours of operation is appropriate, staff recommends that the hours of operation be amended provided that the gym operates in compliance with the submitted operational plan.</p>

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-3.1A	Balanced Uses: A professional office use has existed on the property for a number of years. The City has received numerous complaints about noise and the general operation of the office use over the years. The applicant is proposing to open a crossfit gym which is a neighborhood serving commercial use.
 A Vibrant, Livable Community	
LC-1.3B	Entrance Corridor Coordination: The property takes access from Wellington Drive off of Catron Boulevard which is identified as an Entrance Corridor. The property abuts a residential neighborhood and the previous operation of professional offices has disturbed the neighbors. The change in use from offices to a crossfit gym more closely resembles a neighborhood serving use. There is an existing pole sign located on the property that the applicant is proposing to continue to operate. Entrance Corridors encourage the use of ground signs and coordinated signage. However, the pole sign already exists and is in compliance with the Sign Code. The applicant has indicated that the new signage will not be illuminated.
 A Safe, Healthy, Inclusive, and Skilled Community	
SHIS-3.1C	Recreation Options: The Comprehensive Plan supports a wide variety of public and private recreational offerings. A crossfit gym is appropriate.
 Efficient Transportation and Infrastructure Systems	
TI-2.1A	Major Street Plan Integration: Catron Boulevard is identified as a Principal Arterial Street on the City's Major Street Plan. The property abuts Catron Boulevard but is accessed by Wellington Drive which also serves as the primary access for the residential neighborhood to the south and east.
 Economic Stability and Growth	
	N/A
 Outstanding Recreational and Cultural Opportunities	
	N/A
 Responsive, Accessible, and Effective Governance	
GOV-2.1A	Public Input Opportunities: The proposed Major Amendment to a Planned Unit Development 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 Unit 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):	Low Density Neighborhood / Entrance Corridor
Design Standards:	
N/A	The subject property is located in a Planned Unit Development which originally allowed professional business offices with regular business hours. In addition, no outdoor storage of construction vehicles or construction materials are allowed. The applicant is proposing to convert the office space into a gym which will be open to the public.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	U.S. Highway 16
Neighborhood Goal/Policy:	
N/A	The subject property is located adjacent to Catron Boulevard which is identified as Principal Arterial Street on the City's Major Street Plan and as an Entrance Corridor in the City's Comprehensive Plan. The property abuts an established residential neighborhood but is located in a Planned Unit Development that allows limited neighborhood commercial use of the property.

Findings
Staff has reviewed the Major Amendment to the Planned Development Overlay to allow a sports club as a neighborhood commercial use 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. It appears that the change in use from professional offices to a gym is in keeping with the original intent of the Planned Unit Development to provide a neighborhood serving use. The Comprehensive Plan supports a range of recreational activities.

Staff recommends that the Major Amendment to a Planned Unit Development to allow a sports club as a neighborhood commercial use be approved with the following stipulations:	
1.	If the Planning Commission determines that the change in hours of operation is appropriate for a gym, staff recommends that the hours of operation for a gym be Monday through Friday from 5:00 a.m. to 8:00 p.m. and Saturday through Sunday from 9:00 a.m. to 11:00 a.m. provided that the gym shall operate in compliance with the submitted operational plan;
2.	A six foot high opaque privacy fence shall be constructed along the east property line as proposed in the operations plan. The fence shall be constructed by May 31, 2017;
3.	Prior to issuance of a Building Permit for interior renovations, all ADA accessibility issues shall be resolved;
4.	The graveled areas around the paved parking area shall be landscaped;
5.	The property shall be kept free of weeds and debris at all times;
6.	The dumpster shall be enclosed with a screening fence or shall be moved indoors;
7.	All signage shall comply with the submitted sign package;
8.	The two proposed evergreen trees shall be planted on the south property line as proposed; and,
9.	The Major Amendment to a Planned Unit Development shall allow for a sports club as a neighborhood commercial use. Any expansion to the sports club use shall require a Major Amendment to the Planned Unit Development. If the sports club use is not initiated, the approved professional office use may continue to operate on the property. Any change in use shall require the review and approval of a Major Amendment to the Planned Unit Development.