



# Rapid City Planning Commission

## Final Planned Development Overlay Project Report

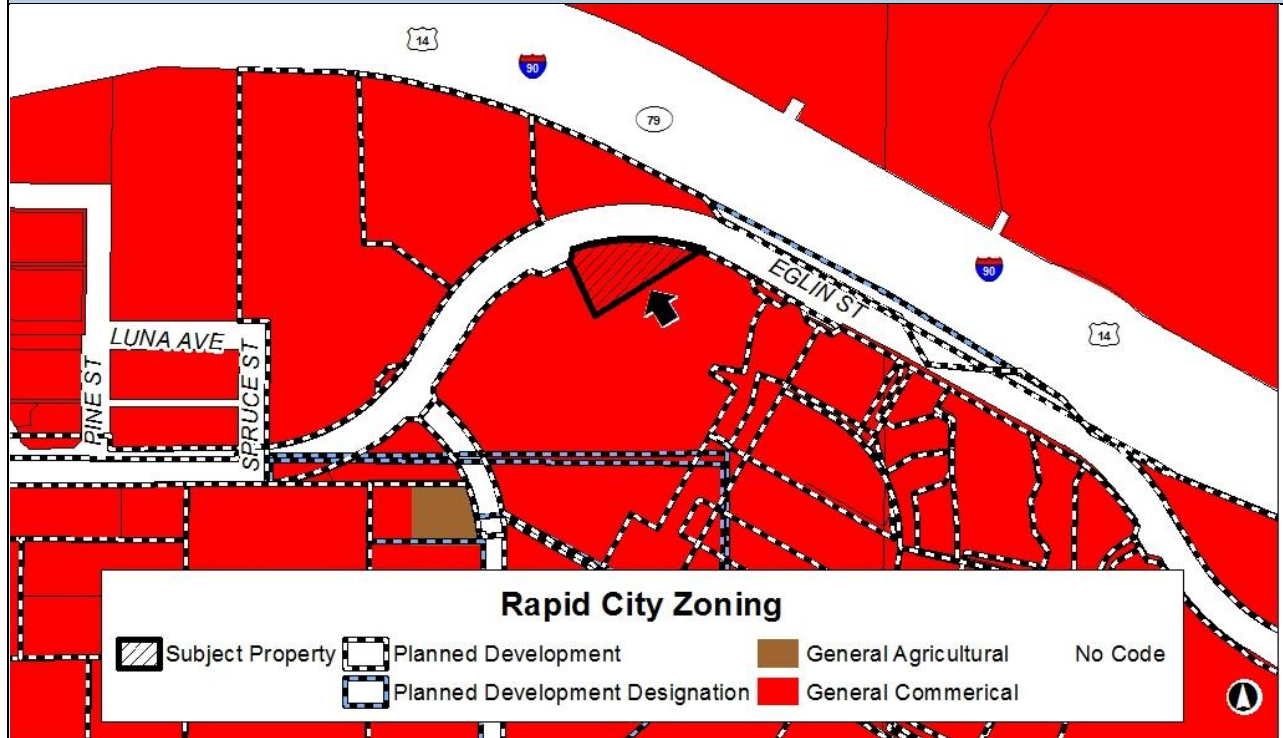
### February 7, 2019

Item #3	
<b>Applicant Request(s)</b>	
Case #19PD002 –Final Planned Development Overlay to allow a restaurant	
Companion Case(s) N/A	
<b>Development Review Team Recommendation(s)</b>	
The Development Review Team recommends that the Final Planned Development Overlay to allow a restaurant be approved with the stipulations as noted below.	
<b>Project Summary Brief</b>	
<p><b>(Update February 4, 2019. All revised and/or added text is shown in bold.) This item was updated to accurately reflect the square footage of the proposed structure. No other portion of this report has been changed.</b> The applicant has submitted a Final Planned Development Overlay application to allow a restaurant on the property located at 951 Eglin Street. Specifically, the applicant is proposing to construct a 3,960 square foot commercial structure on the property to be leased as a Jimmy John’s Sandwich Shop. The sandwich shop will occupy 1,440 square feet of the proposed structure, while the balance of the development will be leased for future restaurant space.</p> <p>The subject property is zoned General Commercial District and is within a Planned Development Designation (File# 04PD044). While a restaurant is a permitted use within the General Commercial District, a Final Planned Development Overlay must be submitted for review and approval prior to issuance of a Building Permit for all properties within a Planned Development Designation.</p>	
<b>Applicant Information</b>	<b>Development Review Team Contacts</b>
Applicant: Hodges Enterprises of South Dakota #2A	Planner: John Green
Property Owner: Hodges Enterprises of South Dakota #2A	Engineer: Roger Olsen
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Roger Olsen
Other: N/A	DOT: Stacy Bartlett
<b>Subject Property Information</b>	
Address/Location	951 Eglin Street
Neighborhood	North Rapid Neighborhood Area
Subdivision	Rushmore Crossing Subdivision
Land Area	0.96 acres, 41,818 Square feet
Existing Buildings	None
Topography	Rises 14 feet from northeast to southwest
Access	Eglin Street
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	UN	No structural development
Adjacent North	GC - PD	UN	No structural development
Adjacent South	GC - PD	UN	Sam's Club
Adjacent East	GC - PD	UN	Parking Area
Adjacent West	GC -PD	UN	Denver Mattress Company

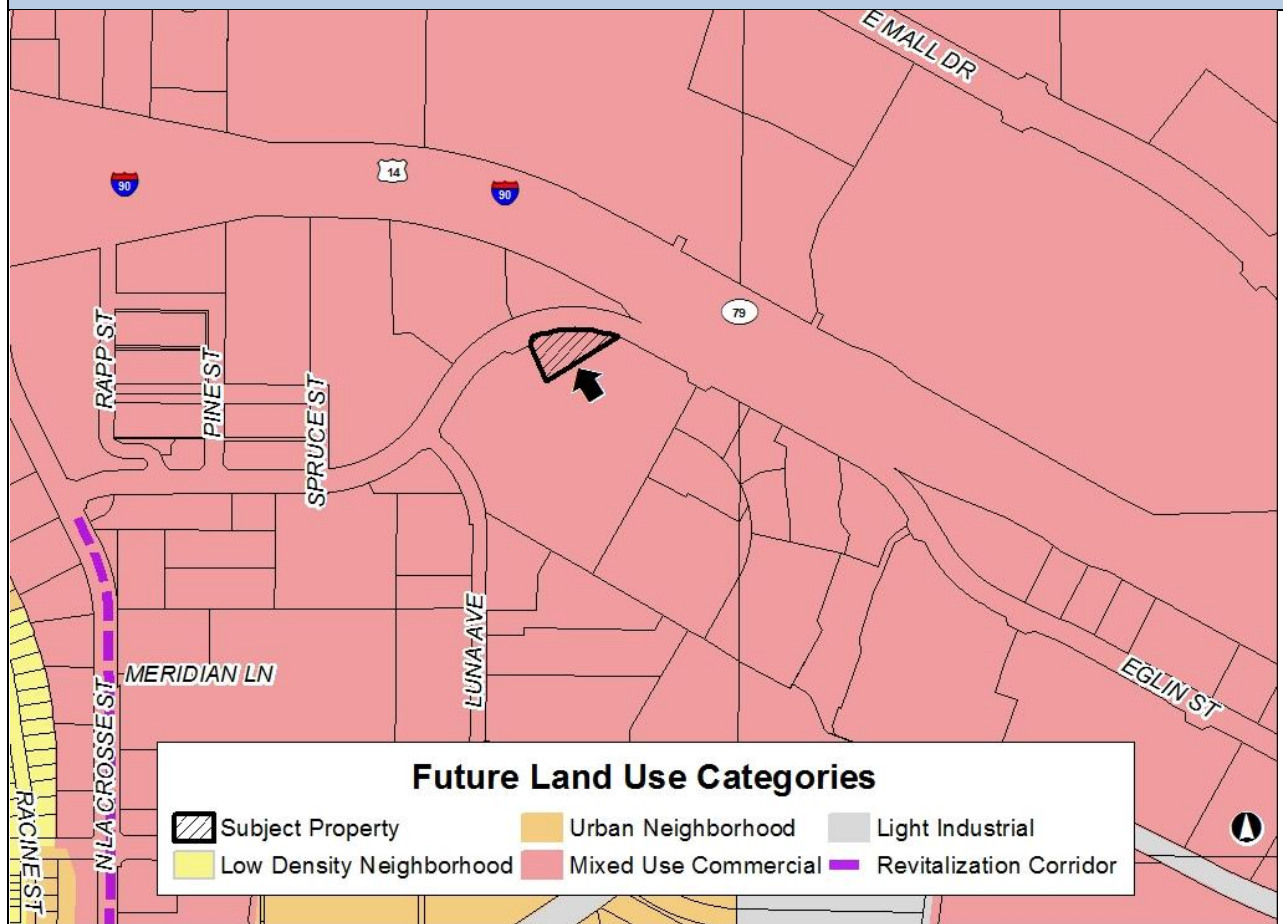
**Zoning Map**



**Existing Land Uses**



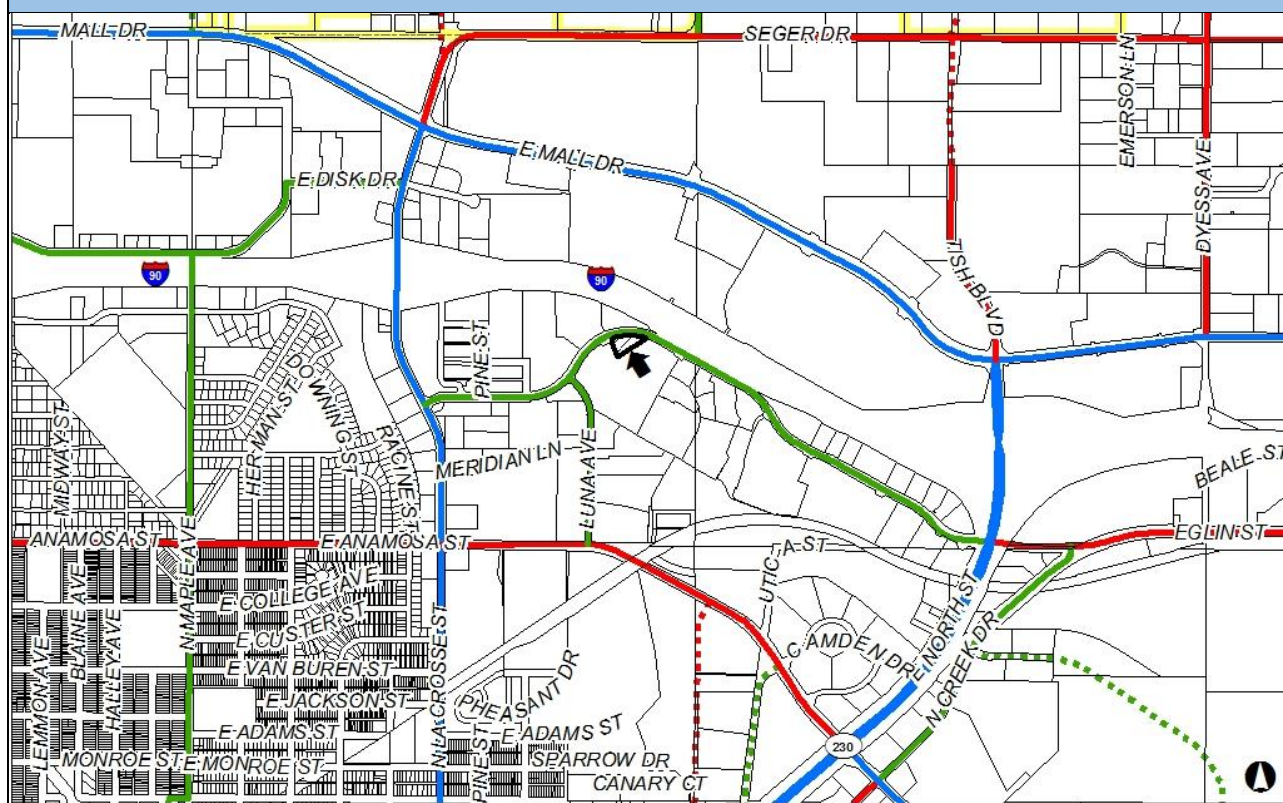
## Comprehensive Plan Future Land Use



### Future Land Use Categories

- Subject Property
- Urban Neighborhood
- Light Industrial
- Low Density Neighborhood
- Mixed Use Commercial
- Revitalization Corridor

## Parks or Transportation Plan







### Major Street Plan




- Subject Property
- Collector
- Principal arterial
- Proposed minor arterial
- Rapid City Limits
- Minor arterial
- Proposed collector

Relevant Case History			
Case/File#	Date	Request	Action
04PD044	8/4/04	Planned Development Designation	Staff approved 8/19/04
04RZ039	8/19/04	Rezoning request from General Agricultural District to General Commercial District	City Council approved 10/18/04
04RZ044	8/19/04	Rezoning request from Medium Density Residential District to General Commercial District	City Council approved 10/18/04
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	0.96 acres, 41,818 square feet	
Lot Width	N/A	370 feet	
Maximum Building Heights	4 stories or 45 feet	1 story – 23.5 feet	
Maximum Density	75%	9.5 %	
Minimum Building Setback:			
• Front	25 feet	35 feet	
• Rear	0 feet	70 feet	
• Side	0 feet	29 feet	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	37,955 points	38,239 points	
• # of landscape islands	1 per 50 spaces	0	
Minimum Parking Requirements:			
• # of parking spaces	44 + 7 stacking spaces	45 + 7 stacking spaces	
• # of ADA spaces	2 (1 Van Accessible)	4 (2 Van Accessible)	
Signage	As per RCMC 17.50.100	Proposing one monument style ground sign	
Fencing	As per RCMC 17.50.340	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 a 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 subject property is approximately 0.96 acres in size and is situated on the southern side of Eglin Street. The property is zoned General Commercial District with a Planned Development Designation (04PD044). The lot is currently void of any structural development. The applicant is proposing to construct a <b>3,960</b> square foot building to be partially occupied by a Jimmy John's Sandwich Shop. The balance of the structure is intended to be leased to a future restaurant or retail use. A restaurant is a permitted use with in the General Commercial District and the applicant is not requesting any exceptions as a part of this Final Planned Development Overlay. Pursuant to Rapid City Municipal Code Section 17.50.250, review and approval of a Final Planned Development Overlay application is required for all properties within a Planned Development Designation prior to issuance of a building permit. As part of the development, the applicant is proposing to construct a monument style ground sign adjacent to the northern lot line of the property. Upon submittal of a Building Permit,

	site plans must be revised to show the monument sign setback a minimum of 10 feet from the northern lot line of the property pursuant to Rapid City Municipal Code Section 17.50.100(B)3.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The applicant is proposing to construct a 3,960 square foot building to be utilized as a restaurant on the subject property. The proposed restaurant will occupy approximately 1,440 square feet of space on the eastern end of the building, while the balance of the structure will be leased for a future restaurant or retail use. A restaurant is a permitted use within the General Commercial District.
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:	No Exceptions are being requested as part of this Final Planned Development Overlay application.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	A restaurant is a permitted use within the General Commercial District.
5. Any adverse impacts will be reasonably mitigated:	The stipulations of approval of this application will serve to reasonably mitigate any adverse impacts.
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:	No Exceptions are being requested as part of this Final Planned Development Overlay application.

<b>Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial</b>	
<b>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:</b>	
<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
 <b>A Balanced Pattern of Growth</b>	
BPG-1.1A	<b>Compact Growth:</b> The proposed Jimmy John’s restaurant promotes infill and development of an interior, vacant City lot near a Regional Activity Center. The development complements existing commercial uses in the neighborhood and utilizes existing infrastructure for construction.
 <b>A Vibrant, Livable Community</b>	
LC-5.1B	<b>Diverse Mix of Uses:</b> The proposed development includes space for two restaurants that will be located in close proximity to an existing shopping center, adding dining options to the existing retail development.
 <b>A Safe, Healthy, Inclusive, and Skilled Community</b>	
	N/A
 <b>Efficient Transportation and Infrastructure Systems</b>	
T1-2.1A	<b>Major Street Plan Integration:</b> On the City’s Major Street Plan, Eglin Street is

	identified as a Collector street. Access to the proposed development will be via a 26-foot wide driveway connected to the adjacent parking area southeast of the subject property.
	<b>Economic Stability and Growth</b>
EC-1.2A	<b>Housing Stock:</b> N/A
	<b>Outstanding Recreational and Cultural Opportunities</b>
	N/A
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<b>Public Input Opportunities:</b> The proposed Final Planned Development Overlay requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Final Planned Development is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	<b>Mixed Use Commercial</b>
<b>Design Standards:</b>	
GDP-MU1	<b>Relationship of Uses:</b> The proposed development will complement the Sam's Club shopping center southeast of the subject property, adding activity-generating uses into an existing commercial development.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	<b>North Rapid Neighborhood Area</b>
<b>Neighborhood Goal/Policy:</b>	
NR-NA1.1A	<b>Regional Activity Center:</b> The proposed restaurant complements the existing development at the Rushmore Crossing Regional Activity Center and utilizes existing infrastructure to develop a vacant, interior City lot.

<b>Findings</b>	
Staff has reviewed the Final Planned Development Overlay to allow a 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 application appears to meet all staff requirements of approval.	

<b>Planning Commission Recommendation and Stipulations of Approval</b>	
Staff recommends that the Final Planned Development Overlay to allow a restaurant be approved with the following stipulations:	
1.	Prior to issuance of a Building Permit, construction plans shall be revised to address all redlined comments;
2.	Prior to issuance of a Building Permit, site plans shall be revised to show the proposed monument sign setback a minimum of 10 feet from the northern lot line of the property;
3.	Upon submittal of a Building Permit, the Drainage Report shall be revised to address all redlined comments; and,
4.	All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Final Planned Development Overlay. Changes to the proposed sign package, which the Department of Community Development Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Development Overlay. All signage not in

	conformance with the Sign Code shall require a Major Amendment to the Final Planned Development. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Final Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A Sign Permit shall be obtained for each individual sign; and,
5.	The Final Planned Development Overlay shall allow a restaurant in the General Commercial District. All requirements of the General Commercial District shall be maintained unless specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment to the Planned Development. All uses permitted in the General Commercial District which do not increase parking requirements shall be permitted contingent upon an approved Building Permit. All conditional uses in the General Commercial District or uses which increase the required amount of parking on the site shall require a Major Amendment to the Planned Development.