



Rapid City Planning Commission

Planned Development Project Report

April 21, 2016

Item 6	
Applicant Request(s)	
Case # 16PD015, a Final Planned Development Overlay to allow a convenience store with gas sales	
Companion Case File #16VR002	Vacation of Right-of-Way for a portion of an alley right-of-way
Companion Case File #16RZ008	A request to rezone property from Medium Density Residential District to General Commercial District

Development Review Team Recommendation(s)
The Development Review Team recommends that the Final Planned Development Overlay to allow a hotel be approved in conjunction with the associated Rezone.

Project Summary Brief
The applicant has submitted a Final Planned Development Overlay to allow construction of a 5,046 square foot convenience store with gas sales with a total of 14 individual pump stations, to be known as Mavericks, to be located on approximately 1.69 acres of property located southwest of the intersection of East North Street and La Crosse Street. The applicant has also submitted an associated request to rezone property (File #16RZ008) and a Vacation of Right-of-Way (File #16VR002) for a portion of the alleyway bisecting the proposed development. The applicant is requesting one Exception to allow the proposed parking for the convenience store to back into the right-of-way/access easement. No other Exceptions are being proposed as a part of this Final Planned Development.

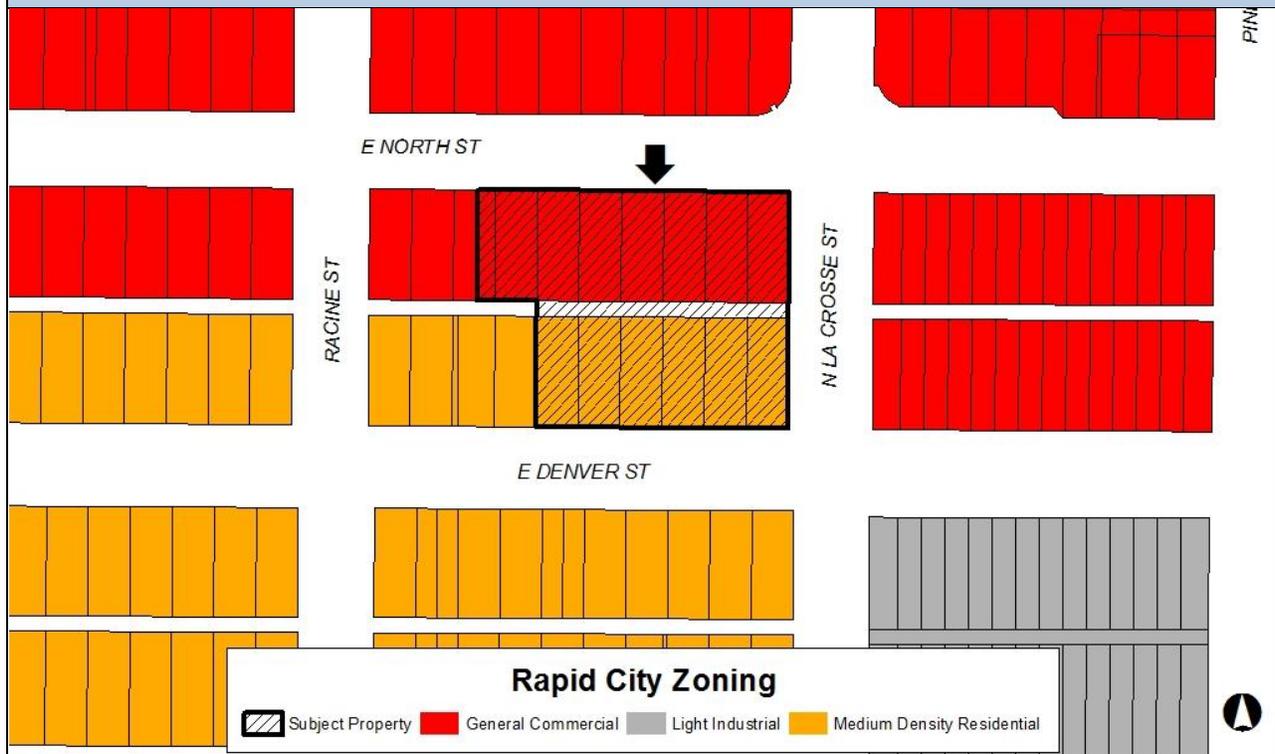
Development Review Team Contacts	
Applicant: Maverik, Inc.	Planner: Robert Laroco
Property Owner: SBP, LLC; DLM Real Estate Holdings, LLC	Engineer: Ted Johnson
Architect: JZW Architects	Fire District: Tim Behlings
Engineer: Reeve & Associates, Inc.	School District: Janet Kaiser
Surveyor: Reeve & Associates, Inc.	Water/Sewer: Ted Johnson
Other:	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	Southwest of the intersection of East North Street and La Crosse Street
Neighborhood	North Rapid Neighborhood
Subdivision	Schnasse Addition
Land Area	1.69 acres, approximately 73,485 sq ft
Existing Buildings	Existing hotel
Topography	Sloping downhill from north to south across the site
Access	La Crosse Street, East North Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power/ Montana Dakota Utilities
Floodplain	None identified
Other	N/A

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC	MUC, Revitalization corridor	Hotel
Adjacent North	GC	MUC, Revitalization corridor	Hotel, gas station
Adjacent South	GC/PDD	UN	Single family residential
Adjacent East	GC/PDD	MUC, Revitalization corridor	Hotel
Adjacent West	GC/PDD	MUC, UN, Revitalization corridor	Mixed retail and commercial

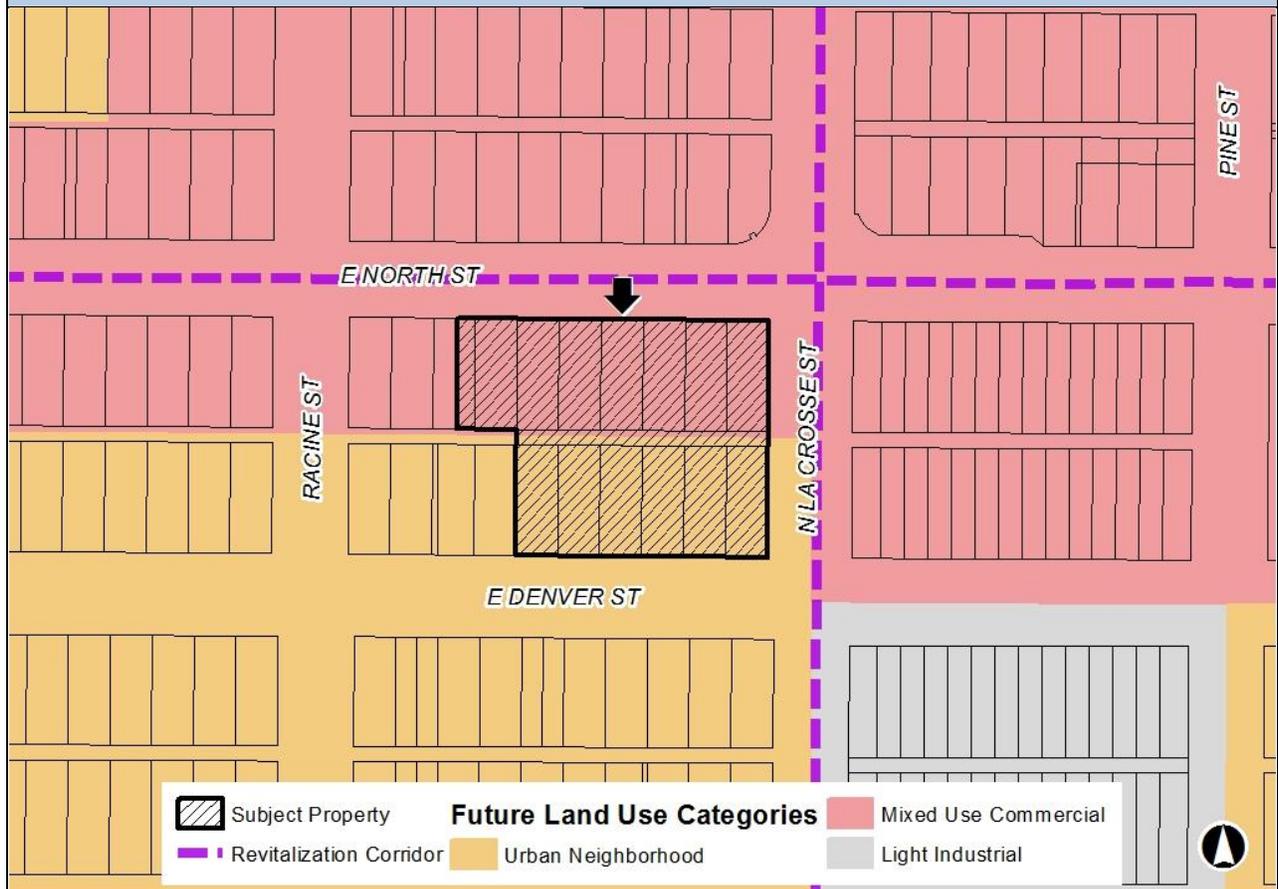
Zoning Map



Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



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/Existing	
Lot Area	No minimum required	1.69 acres, approximately 73,485 sq ft	
Lot Frontage	No minimum required	Approximately 850 ft.	
Maximum Building Heights	4 stories, 45 ft.	1 story, < 45 ft.	
Maximum Density	75%	14.4%	
Minimum Building Setback:			
• Front	25 ft	Approximately 164 ft (to East North Street)	
• Rear	25 ft	25 ft.	
• Side	0 ft	N/A	
• Street Side	N/A	Minimum 25 ft (to East Denver Street)	
Minimum Landscape Requirements:			
• # of landscape points	62,685 points required	63,110 points proposed	
• # of landscape islands	Not required	N/A	
Minimum Parking Requirements:			
• # of parking spaces	43	46 proposed (14 pump stations)	
• # of ADA spaces	2 ADA, 1 van accessible	3 ADA, 2 van accessible	
Signage	Per RCMC	<ul style="list-style-type: none"> • One 4'3" x 12'6", 53.125 sq ft wall sign • One approx. 2' x 5'9", 11.5 sq ft wall sign • One max 40' tall pole sign, cumulative signage 215.25 sq ft. 	
Fencing	Per RCMC	6' screening fence proposed around dumpster, 6' screening fence proposed adjacent to residential lots to the west.	

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;	The property is comprised of approximately 73,485 square feet of land located on three tax parcels and a portion of alley right-of-way. There are no existing conditions on this property due to its 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 applicant is proposing to develop property adjacent to existing single family residential uses located south and west of the existing property. In addition, the applicant is proposing to develop across an existing alleyway. Due to the unique circumstances existing on the property, the applicant has submitted this Final Planned Development to ensure that future development of the property is considered by the Planning Commission. There are no regulations applicable to this proposed development which create a practical difficulty or undue hardship.
3. Exceptions to the underlying	The applicant has request one Exception to allow proposed

<p>zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;</p>	<p>parking to back into an easement. The associated request to Vacate a portion of the alley right-of-way will require that a public access and utility easement must be secured to ensure that the sewer main located in the existing alleyway, as well as the existing alley circulation, are maintained. However, since the alleyway will still be used for circulation purposes, parking may not back into the required easement. As such, the applicant has requested the Exception to allow vehicles to back into an easement. Based on the proposed location of the easement through the parking and circulation of the convenience store, as well as access being retained to the alley from Racine Street to the east, it does not appear that allowing parking to back into the easement will significantly impede the use of the alleyway or the proposed easement. It does not appear that the requested Exception will impair the public good or the intent of the Zoning Ordinance.</p>
<p>4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;</p>	<p>A convenience store with gas sales is a permitted use in the General Commercial District. Property to the south is currently zoned Medium Density Residential District. The associated rezone request will permit the proposed development to extend to the southern side of the alleyway. However, the property located south of the alleyway is adjacent to property developed with single family residences. In order to incorporate design features into the proposed development which will ensure compatibility between the residential and commercial uses, the applicant submitted this Final Planned Development Overlay. A literal interpretation of this chapter does not deprive the applicant of rights, provided that this Final Planned Development is approved in conjunction with the associated rezone.</p>
<p>5. Any adverse impacts will be reasonably mitigated;</p>	<p>The existing hotel is located less than 5 feet from the southern property line along East Denver Street. The proposed development plans show that the convenience store will be located a minimum of 25 feet from East Denver Street, and a landscaping screening is proposed along the southern and western property lines.</p> <p>During review of this request, staff noted that plans show one parking space located 8.5 feet from the property line adjacent to a residentially zoned lot. In addition, a screening fence is located along portions of the western property line, but is not located on the subject property and does not run the length of the property. Rapid City Municipal Code Chapter 17.50.270 states that commercial parking abutting a residential district must be setback a minimum of 12 feet. Chapter 17.18 states that when a General Commercial District is adjacent to a residential district, a 6-foot-tall screening fence must be provided on the property. Staff informed the applicant of these requirements and the applicant agreed to provide the screening fence and revise parking as needed. Prior to issuance of a building permit, revised plans must be submitted showing that the parking is being revised or removed from the setback and that the proposed screening fence is being provided. Upon provision of the revised plans, potential adverse impacts of the development are</p>

	being mitigated to the greatest extent possible.
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 Exception to allow vehicles to back into an easement will ensure that adequate parking is being provided on the site while still ensuring that circulation through the adjacent alleyway can be maintained. This proposed Planned Development, in conjunction with the associated Rezone and Vacation of Right-of-Way, will allow the redevelopment of property at a key intersection of the City and in an area prioritizing revitalization reinvestment. The requested Exception is an alternative practice which reasonably achieves the standards set forth by the Zoning Ordinance.

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-1.2C	<u>Priority Revitalization Corridors</u> : The East North Street and La Crosse Street corridors are each listed as priorities for reinvestment and redevelopment.
	A Vibrant, Livable Community
LC-5.2C	<u>Property Assemblage</u> : The Vacation of Right-of-Way application submitted in association with this Final Planned Development will facilitate future consolidation of the proposed lots, as well as make redevelopment of several properties possible with a single development plan.
	A Safe, Healthy, Inclusive, and Skilled Community
SHIS-1.2A	<u>Crime Prevention Through Design</u> : The Rapid City Police Department has noted that the existing hotel on the property produces an above average number of calls for service for the area. The Police Department has noted that redevelopment of the property with a new commercial use may reduce opportunities for crime and increase public safety.
	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 Final Planned Development requires notification of surrounding property owners 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 Planned Development

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Mixed Use Commercial, Urban Neighborhood, Revitalization Corridor
Design Standards:	
GDP-MU1	<u>Relationship of Uses:</u> The proposed Final Planned Development promotes the concentration of activity-generating uses at a key intersection in the City. Property located further from the key intersection transition from commercial uses to lighter commercial and residential uses.
Chapter 10, p. 93	<u>Urban Neighborhood:</u> Commercial development can be considered an appropriate secondary use in the Urban Neighborhood land designation if the proposed uses serve the neighborhood. A convenience store is a common neighborhood-serving use in other residential districts in the City. A mix of commercial and residential uses should be encouraged in areas transitioning from Urban Neighborhood to Mixed Use Commercial.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	North Rapid Neighborhood
Neighborhood Goal/Policy:	
NR-NA1.1A	<u>Reinvestment Areas:</u> East North Street and La Crosse Street are identified areas for reinvestment and redevelopment within the North Rapid Neighborhood.

The Development Review Team Recommends that the request for a Final Planned Development be approved for the following reasons:	
•	The applicant is proposing a 5,046 square foot convenience store with 14 gas pump stations to be located at a key intersection of two principal arterial streets which are designated as revitalization corridors in the City’s Comprehensive Plan. The property is currently developed with a hotel.
•	The requested Exception to allow parking to back into an easement will ensure that adequate parking is provided on the site while still maintaining the existing circulation through the site and on the block.
•	The associated Rezone request will allow the property to be redeveloped as a commercial property, while this Planned Development ensures that any development of the property is mitigating potential impacts on the surrounding neighborhood.
•	The property is located at a key intersection and in a key corridor prioritizing redevelopment and reinvestment. The redevelopment of this site will support these Comprehensive Plan objective.

Staff recommends that the requested Final Planned Development be approved in conjunction with the associated rezone and with the following stipulations:	
1.	The requested Exception to allow parking to back into an easement is hereby granted;
2.	Prior to issuance of a building permit, the alleyway shall be vacated and a public access and utility easement shall be dedicated in its place;
3.	Prior to issuance of a building permit, a Developmental Lot Agreement shall be secured to allow building across multiple lots, or a Lot Line Consolidation Plat shall be approved consolidating the lots;
4.	Prior to issuance of a building permit, all portions of property currently zoned Medium Density Residential District shall be rezoned to General Commercial District;
5.	Prior to issuance of a building permit, all redlined comments shall be addressed and all redlined plans shall be returned to Community Planning and Development Services;
6.	Prior to issuance of a building permit, revised plans shall be submitted showing that a minimum 12-foot setback is being provided from the parking to the residential property west of the subject property. In addition, plans shall be revised to reflect that a 6-foot privacy fence is being provided along the residential property to the west;

7	All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) message centers are being approved as a part of this Final Planned Development. The inclusion or addition of any LED message centers shall require a Major Amendment to the Planned Development. A sign permit shall be obtained on each sign, and;
8.	This Final Planned Development shall allow for development of a convenience store with gas sales on the property. All requirements of the General Commercial District shall be continually maintained unless specifically stipulated as a part of this Final Planned Development or a subsequent Major Amendment to the Planned Development. All uses permitted in the General Commercial District shall be permitted contingent upon provision of sufficient parking and an approved building permit. All conditional uses in the General Commercial District shall require a Major Amendment to the Planned Development.