



# Rapid City Planning Commission

## Conditional Use Permit Project Report

April 21, 2016

<b>Item #14</b>
<b>Applicant Request(s)</b>
Case # 16UR006 – Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a bridal boutique
Companion Case(s) # N/A

<b>Development Review Team Recommendation(s)</b>
<b>The Development Review Team recommends approval with stipulation(s) as noted below.</b>

<b>Project Summary Brief</b>
<p>The applicant has submitted a Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a bridal boutique. In particular, the applicant is proposing to offer complimentary alcoholic beverages to brides and their entourages during scheduled appointments on Mondays and Tuesdays. The bridal boutique will sell gowns and accessories for weddings. The hours of operation will be Monday through Saturday from 10:00 a.m. to 6:00 p.m. and occasional Sundays.</p>

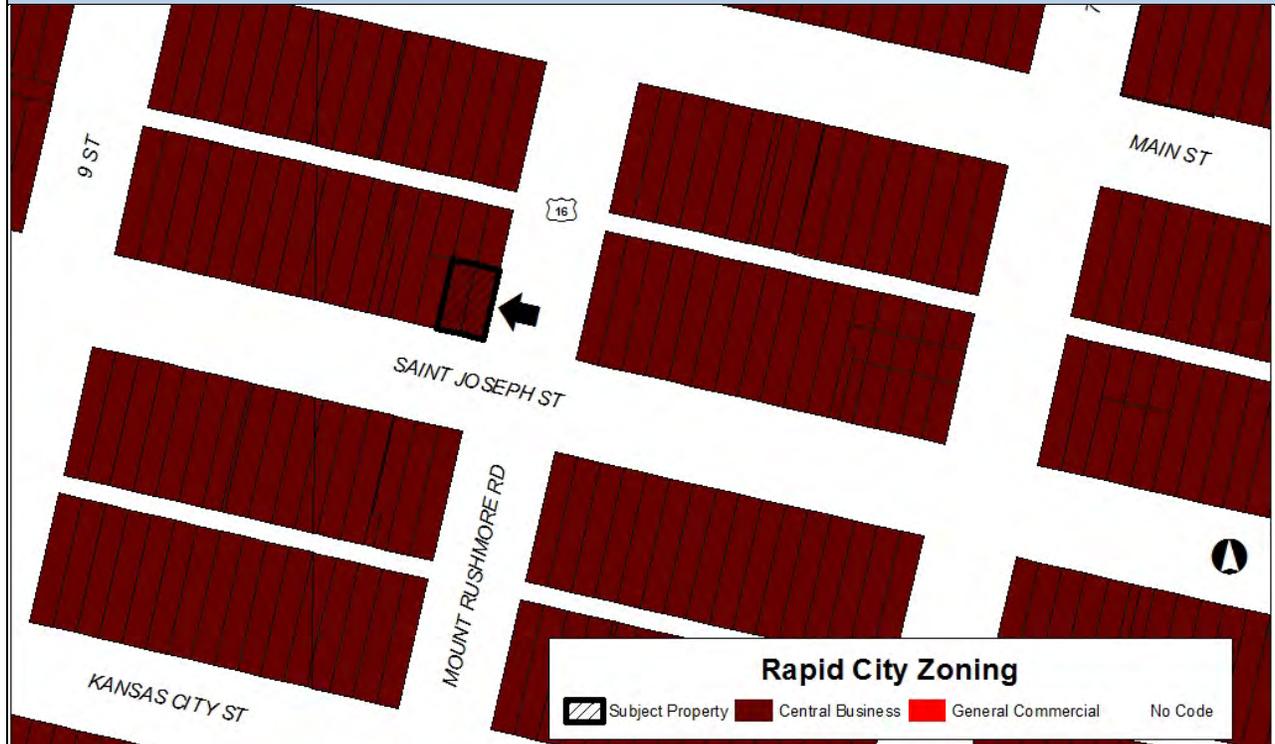
Applicant Information	Development Review Team Contacts
Applicant: Love Struck Bridal / Jillian Steen	Planner: Fletcher Lacock
Property Owner: Workop SD LLC	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	804 Saint Joseph Street
Neighborhood	Downtown / Skyline Drive
Subdivision	Original Town of Rapid City
Land Area	0.08 acres
Existing Buildings	1,875 square feet
Topography	Relatively flat
Access	No vehicular access / Sidewalks along Saint Joseph Street and Mount Rushmore Road
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	N/A
Other	Downtown Commercial Historic District / Contributing building

**Subject Property and Adjacent Property Designations**

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	CB	DT – Revitalization Corridor	Mixed-use commercial and apartments
Adjacent North	CB	DT – Revitalization Corridor	Surface parking
Adjacent South	CB	DT – Revitalization Corridor	Commercial structure
Adjacent East	CB	DT – Revitalization Corridor	Commercial structure
Adjacent West	CB	DT – Revitalization Corridor	Apartments

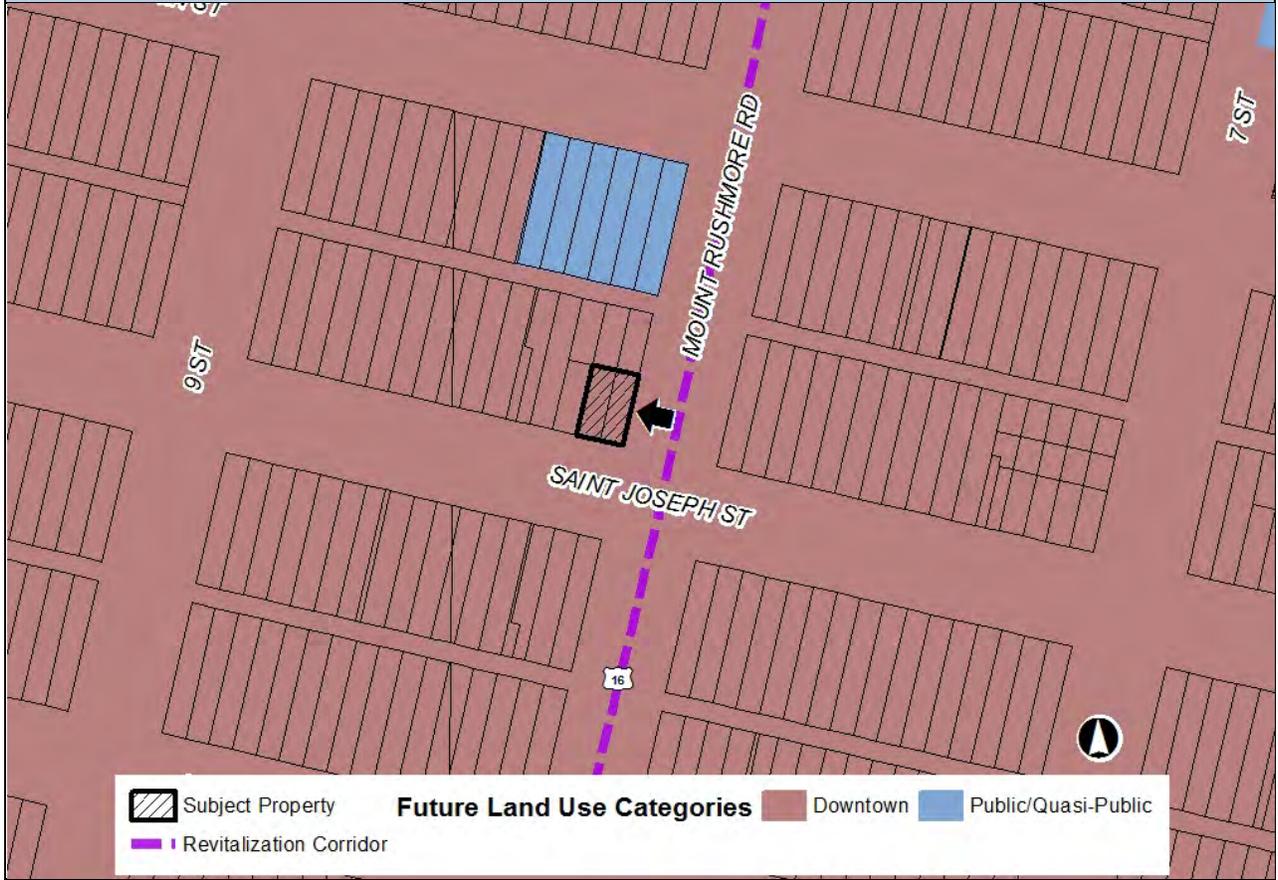
**Zoning Map**



**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	0.27 acres	
Lot Frontage	N/A	Approximately 190 feet	
Maximum Building Heights	N/A	Three story	
Maximum Density	100%	Approximately 67%	
Minimum Building Setback:			
• Front	N/A	"0" feet	
• Rear	N/A	Approximately 15 feet	
• Side	N/A	"0" feet	
• Street Side	N/A	"0" feet	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	119 square feet	Two wall signs measuring 2 feet by 16 feet for a total of 64 square feet	
Fencing	8 feet	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
<p><b>Pursuant to Section 17.50.185 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to allow an on-sale liquor establishment:</b></p>	
Criteria	Findings
1. The request will not "adversely affect" the use of any place used for religious worship, school, park, playground, or similar use within (500) foot radius.	First Presbyterian Church is located approximately 500 feet to the southeast. The property is located in the established downtown core and it does not appear that the on-sale liquor use will adversely affect the area if operated in conjunction with a bridal boutique.
2. The requested use is "sufficiently buffered" with respect to residential areas so as not to "adversely affect" such areas.	The proposed bridal boutique is located on the first floor of a three-story mixed-use structure. There are 18 apartments located in the rest of the building. In addition, the two properties to the west are also apartment buildings. As noted above, it does not appear that the proposed on-sale liquor use will adversely affect the area if operated in conjunction with a bridal boutique.
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 property is located in the established downtown core on the northwest corner of the intersection of Saint Joseph Street and Mount Rushmore Road, both of which are identified as Principal Arterial Streets on the City's Major Street Plan. The established downtown core is where these types of uses should be located.
4. The proposed use has been reviewed under Chapter 17.54.030(E) Criteria for Review.	See below
<p><b>Staff has reviewed the proposed use with respect to Chapter 17.54.030(E) and has noted the following issues:</b></p>	

1. The location, character and natural features of the property:	The property is located at 804 Saint Joseph Street and is developed with a three-story mixed use structure.
2. The location, character and design of adjacent buildings:	Properties to the west are developed with apartments. The property to the north is a City parking lot. Properties to the south and east are developed with one and two story commercial buildings.
3. Proposed fencing, screening and landscaping:	No landscaping, screening or fencing is proposed.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any structural changes to the site.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Pedestrian access to the proposed bridal boutique is from sidewalks located along Saint Joseph Street and Mount Rushmore Road. There is no vehicular access to the property.
6. Existing traffic and traffic to be generated by the proposed use:	The suite is intended for commercial use. The applicant has indicated that the hours of operation are from 10:00 a.m. to 6:00 p.m. Monday through Saturday. On-street parking is limited to three hours during these hours. The applicant has also stated that the on-sale liquor use is proposed for Mondays and Tuesdays for scheduled appointments.
7. Proposed signs and lighting:	The applicant has submitted a sign package identifying two wall signs each measuring 2 feet by 16 feet for a total of 64 square feet. The property is located in the Downtown Commercial Historic District. On March 23, 2016, the Historic Sign Review Board approved the proposed sign package.
8. The availability of public utilities and services:	The property is currently served by public utilities including Rapid City sewer and water.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Central Business District and an on-sale liquor establishment is a conditional use.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The existing structure on the property is in compliance with the density, yard and height requirements of the Central Business District.
11. The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	The property is located in the established downtown core. The location of the proposed bridal boutique is intended for commercial use. It does not appear that the proposed on-sale liquor use will have an adverse impact on the neighborhood if operated in conjunction with a bridal boutique.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulation of approval will ensure that the on-sale liquor use will only be operated in conjunction with a bridal boutique.

**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	
 <b>A Balanced Pattern of Growth</b>	
BPG-3.1A	<b>Balanced Uses:</b> The applicant is proposing to open a bridal boutique in an existing commercial suite. The proposed on-sale liquor use is accessory to the boutique.
 <b>A Vibrant, Livable Community</b>	
LC-4.1B	<b>Diverse Mix of Uses:</b> The property is the location of an existing mixed-use building in the downtown core. The building has 18 apartment units and two commercial suites.
 <b>A Safe, Healthy, Inclusive, and Skilled Community</b>	
	N/A
 <b>Efficient Transportation and Infrastructure Systems</b>	
TI-2.1A	<b>Major Street Plan Integration:</b> The property is located on the northwest corner of the intersection of Mount Rushmore Road and Saint Joseph Street which are identified as Principal Arterial Streets on the City's Major Street Plan.
 <b>Economic Stability and Growth</b>	
EC-1.3A	<b>Local Business Support:</b> The applicant is proposing to open a bridal boutique. The on-sale liquor use is accessory to the boutique.
 <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 Conditional Use Permit 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 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	
<b>Future Land Use Plan Designation(s):</b>	<b>Downtown – Revitalization Corridor</b>
<b>Design Standards:</b>	
GDP-MU1	There is an existing mixed-use structure located on the property. The commercial suites are located on the first floor facing south with residential units on the north side of the first floor and the upper floors.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
<b>Neighborhood:</b>	<b>Downtown / Skyline Drive</b>
<b>Neighborhood Goal/Policy:</b>	
DSD-NA1.1C	<b>Mixed Use Development:</b> The property is the location of an existing mixed use structure. The proposed on-sale liquor use will not have a negative impact on the residential uses provided that it is operated in conjunction with a bridal boutique and operated in compliance with the applicant's operational plan.

### Findings

Staff has reviewed the Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a bridal boutique pursuant to Chapter 17.16, Chapter 17.54.030(E), and Chapter 17.50.185 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The property is located in the established downtown core. The applicant is proposing to open a bridal boutique and offer alcohol at appointments on Mondays and Tuesdays. The proposed on-sale liquor use will not have a negative impact on the residential uses in the area if it is operated in conjunction with the bridal boutique and the operational plan.

### Planning Commission Recommendation and Stipulations of Approval

Staff recommends that the Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a bridal boutique be approved with the following stipulation:

1. 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 Conditional Use Permit. The addition of electronic or LED signage shall require a Major Amendment to the Conditional Use Permit. A sign permit shall be obtained for the proposed signs; and,
2. The Conditional Use Permit shall allow for an on-sale liquor establishment in conjunction with a bridal boutique. Any expansion to the on-sale use shall require a Major Amendment to the Conditional Use Permit. Any change in use that is a permitted use in the Central Business District shall require the review and approval of a Building Permit. Any change in use that is a Conditional Use in the Central Business District shall require the review and approval of a Major Amendment to the Conditional Use Permit.