



Rapid City Planning Commission

Planned Development Overlay Project Report

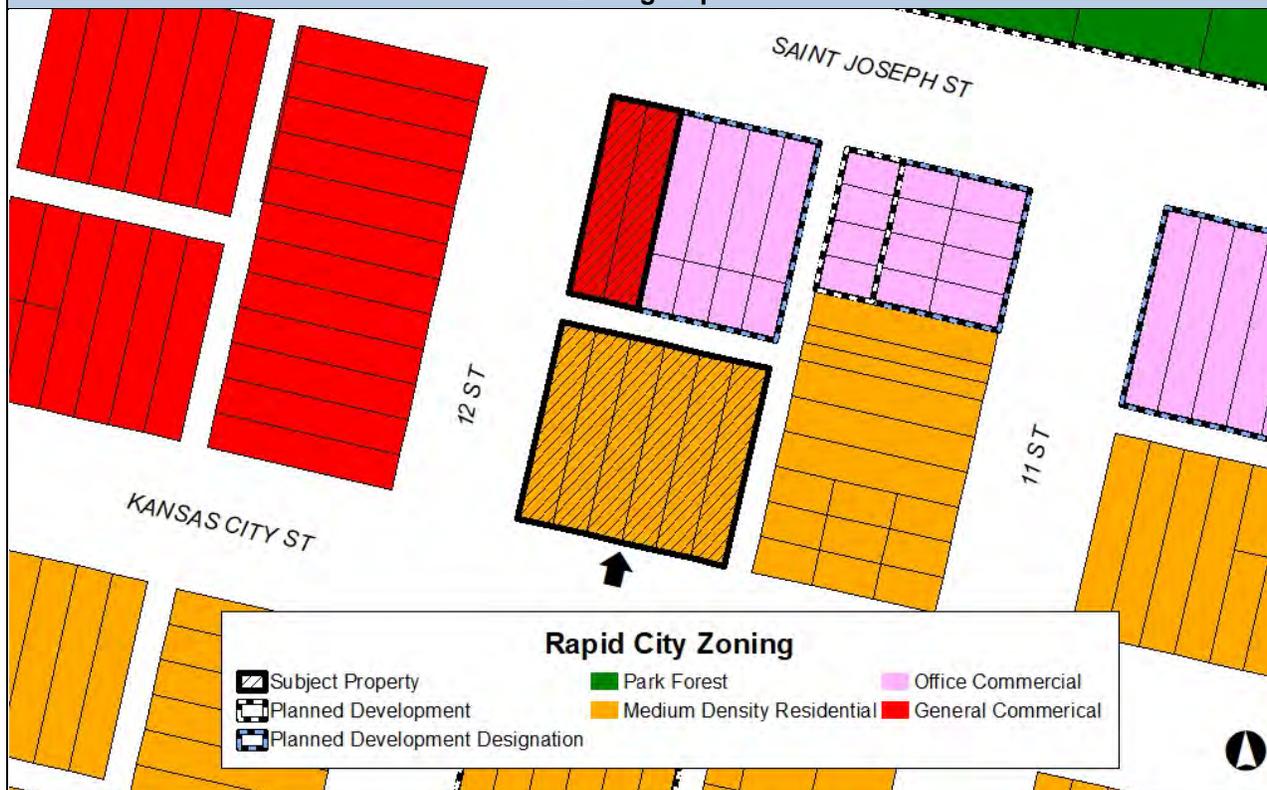
January 9, 2020

Item #11	
Applicant Request(s)	
Case #19PD048 – Final Planned Development Overlay to allow a theater and a church in the General Commercial District	
Companion Case(s) #19RZ044 – Rezoning request from Medium Density Residential District to General Commercial District	
Development Review Team Recommendation(s)	
Staff recommends approval of the Final Planned Development Overlay with the stipulations noted at the end of the project report.	
Project Summary Brief	
The applicant has submitted this Major Amendment to a Planned Development Overlay to allow a theater and a church in the General Commercial District. The applicant has also submitted a Rezoning (File #19RZ044) request from Medium Density Residential to General Commercial District for property located at 1124 Kansas City Street. The operations plan identifies that the theater will use the building for multiple purposes including rehearsals, classes, and performances on Mondays, Thursdays, and Saturdays. The space will be shared with a church use on Sundays. There will also be a caretakers unit on the second floor. The applicant is requesting an Exception to reduce the parking from 55 spaces to 32 spaces and to continue to allow parking to back into alley right-of-way.	
Applicant Information	Development Review Team Contacts
Applicant: Seraphim Theatrical Entertainment, LLC	Planner: Fletcher Lacock
Property Owner: 1124 Kansas City Street, LLC	Engineer: Todd Peckosh
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Todd Peckosh
Other: Kennedy Design Group, Inc	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	1124 Kansas City Street
Neighborhood	Downtown / Skyline Drive Neighborhood Area
Subdivision	Boulevard Addition
Land Area	28,000 square feet
Existing Buildings	YMCA Church Building and parking
Topography	Rises approximately 6 feet in elevation from north to south
Access	12 th Street, Saint Joseph Street, and Kansas City Street
Water Provider	Rapid City
Sewer Provider	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	MDR-PD / GC-PD	UN and P/QP	YMCA church building and parking
Adjacent North	PF - PD / OC-PDD	EC and PG	Park
Adjacent South	MDR-PD	UN	Childcare center
Adjacent East	MDR / OC-PD	UN	Dwellings
Adjacent West	GC	MUC	Commercial building

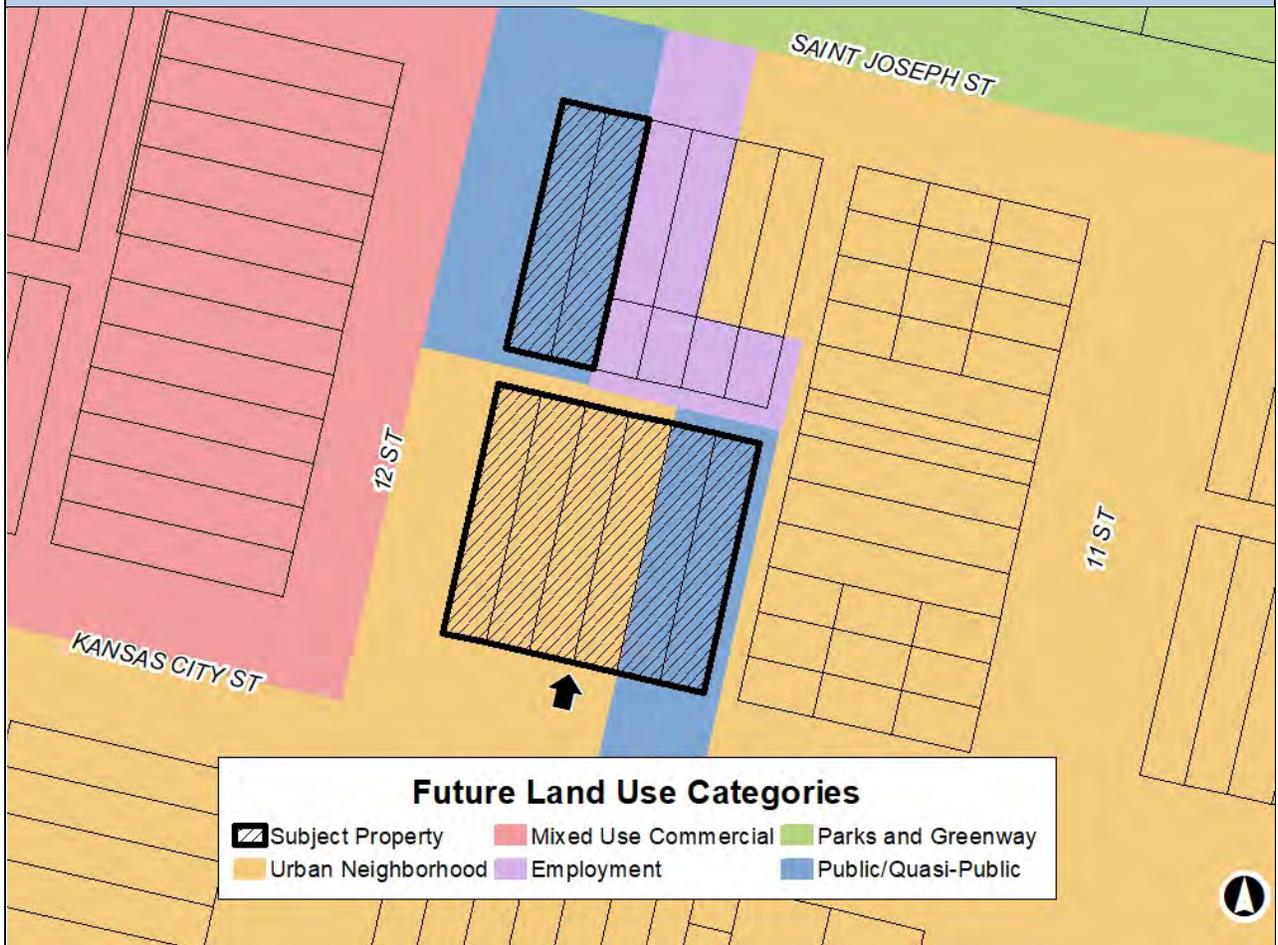
Zoning Map



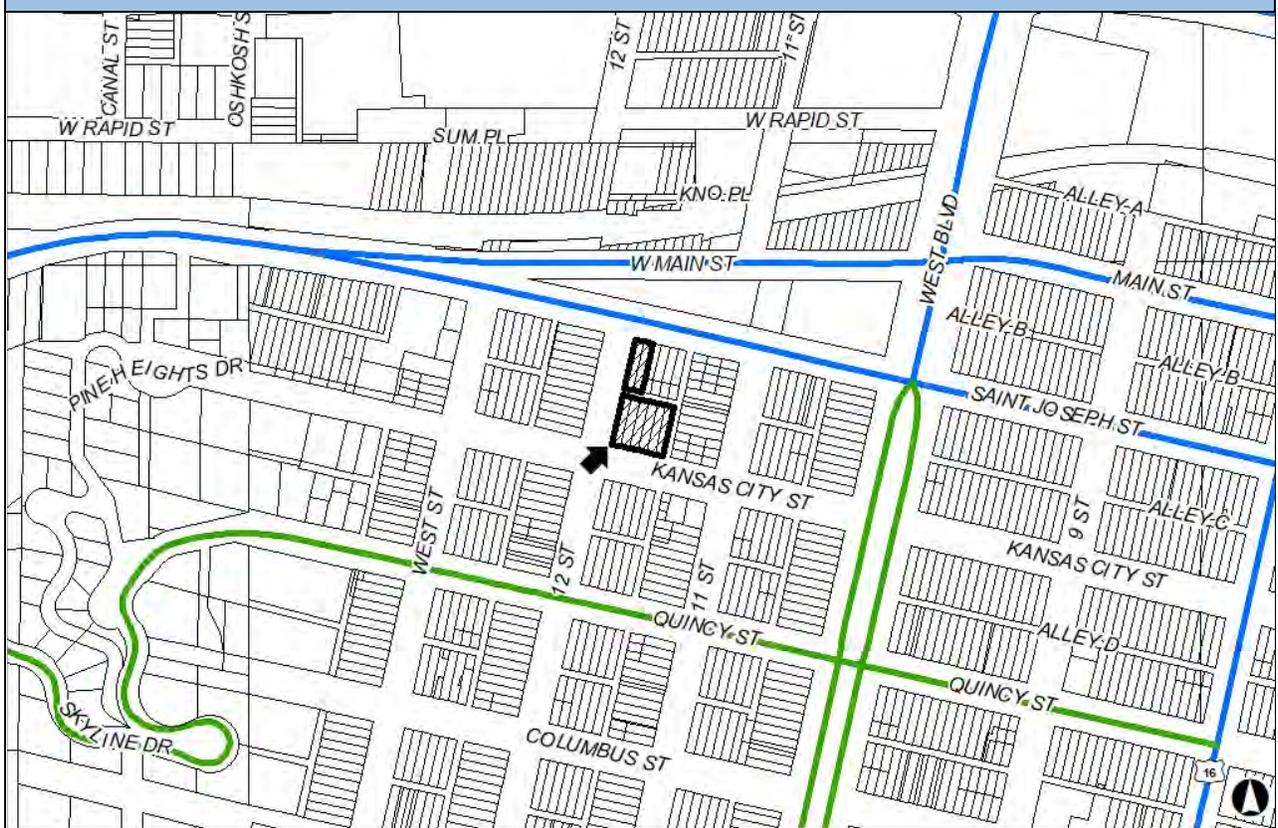
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
09PD008	05/07/2009	Initial and Final Planned Development to allow a childcare center	PC approved with stipulations
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	28,000 square feet	
Lot Frontage / Lot Width	N/A	290 feet	
Maximum Building Heights	4 stories or 45 feet	2 stories	
Maximum Density	75%	29.8%	
Minimum Building Setback:			
• Front	25 feet	Existing zero feet from 12 th Street	
• Rear	15 feet	18 feet	
• Side	25 feet	15 feet	
• Street Side	25 feet	Existing 3 feet from Kansas City Street	
Minimum Landscape Requirements:			
• # of landscape points	19,655	23,874	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	55	Requesting an Exception to reduce to 32	
• # of ADA spaces	3	2	
Signage	As per RCMC 17.50.080	Proposed wall sign and ground sign	
Fencing	As per RCMC 17.50.340	N/A	

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 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 0.64 acres in size and zoned Medium Density Residential District and General Commercial District. The applicant has also submitted a Rezoning request from Medium Density Residential District to General Commercial District for a portion of the property as a theater is not a permitted use in the Medium Density Residential District. The balance of the property is currently zoned General Commercial District. The property is located at 1124 Kansas City Street and is developed with a two-story building which was previously a childcare center.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The property is zoned Medium Density Residential District and the applicant has submitted a Rezoning request to General Commercial District. There is an existing Initial and Final Planned Development Overlay approved for the property to allow for a YMCA childcare center. The applicant is proposing to reuse the existing structure for a 200-seat theater and church. The proposed theater is an innovative reuse of an existing property.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the	The applicant is requesting an Exception to reduce the minimum required parking from 55 spaces to 32 spaces. In addition, the applicant is requesting to acknowledge the

<p>public good or impair the purposes and intent of these regulations:</p>	<p>previously granted Exception to allow parking to back into alley right-of-way. There are 32 off-street parking spaces as well as 34 on-street parking spaces adjacent to the property. The total exceeds the minimum required. The Initial and Final Planned Development Overlay reduced the parking from 110 spaces to 32 spaces. The proposed use will be less intensive than a childcare center. Staff recommends that the Exception to reduce the parking be granted. The Initial and Final Planned Development also granted an Exception to allow 23 parking spaces to back into alley right-of-way. There are no known issues with allowing backing into the right-of-way at this location. The applicant is revising the parking to reduce the number of spaces that back into the right-of-way to nine spaces. Staff recommends that the Exception to allow parking to back into the right-of-way be acknowledged.</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>As noted above, the property is zoned Medium Density Residential District with a Planned Development Overlay. The applicant has submitted a Rezoning request to General Commercial District to allow a theater and a church. A theater and a church are both identified as permitted uses in the General Commercial District.</p>
<p>5. Any adverse impacts will be reasonably mitigated:</p>	<p>Public Works staff has indicated that future reconstruction of 12th Street will maintain the existing on-street parking. The on-street parking provides additional spaces for large performances and church services which will be at separate times.</p> <p>The Rapid City Fire Department has indicated that the structure must be fire sprinkler protected. As such, prior to occupation of the structure, the applicant must coordinate with the Rapid City Fire Department to establish an acceptable fire sprinkler design and time frame for installation.</p> <p>The Major Amendment to a Planned Development Overlay is specific to the proposed theater and church use and the applicant's submitted operations plan. Any change in use will require a Major Amendment to the Planned Development Overlay.</p>
<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>	<p>The applicant is requesting an Exception to reduce the parking from 55 spaces to 32 spaces. There are an additional 34 on-street parking spaces. In addition, the Initial and Final Planned Development Overlay reduced the parking from 110 spaces to 32 spaces. The applicant is also asking to acknowledge the previously granted Exception to allow nine parking spaces to back into alley right-of-way. The revised parking plan reduces the number of spaces that back into the right-of-way from 23 spaces to nine spaces. The proposed use is an innovative and adaptive reuse of a former childcare center.</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: The proposed Major Amendment request supports a balanced mix of development. The proposed theater and church are an innovative use for the property.
 A Vibrant, Livable Community	
LC-3.2B	Adaptive Reuse: The structure was originally a church. The layout is also conducive for a theater. The proposed Major Amendment request supports the adaptive reuse of the structure.
LC-5.2B	Reduce Barriers: The requested parking Exceptions supports the adaptive reuse of an existing building and encourages a broad mix of uses.
 A Safe, Healthy, Inclusive, and Skilled Community	
	N/A
 Efficient Transportation and Infrastructure Systems	
T1-2.1D	Coordinated Land Use and Transportation Planning: Public Works staff has indicated that future reconstruction of 12 th Street will maintain the existing on-street parking.
 Economic Stability and Growth	
EC-3.1C	Other Employment Areas: The adopted Comprehensive Plan supports the development of commercial uses to serve neighborhoods.
 Outstanding Recreational and Cultural Opportunities	
RC-2.1B	Multi-Purpose Facilities: The adopted Comprehensive Plan supports shared-use facilities such as the proposed theater and church.
 Responsive, Accessible, and Effective Governance	
GOV-2.1A	The proposed Major Amendment request 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 Major Amendment is before the Planning Commission for review and approval. The public has an opportunity to provide input at these meetings.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Urban Neighborhood and Public / Quasi-Public
Design Standards:	
N/A	The future land use designation of the property is Urban Neighborhood and Public / Quasi-Public. The property is currently zoned Medium Density Residential District and General Commercial District. The applicant has also submitted a Rezoning request to change the zoning designation of the property from Medium Density Residential District to General Commercial District. Upon review of this request, staff supports extending the Mixed-Use Commercial designation to include the subject property.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown / Skyline Drive Neighborhood Area
Neighborhood Goal/Policy:	
DSD-NA1.1C	Mixed-Use Development: The proposed Major Amendment request supports the Comprehensive Plan goal of providing mixed-use development in the Downtown / Skyline Drive Neighborhood Area.

Findings	
<p>Staff has reviewed the Final Planned Development Overlay to allow a theater and a church 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 theater and church is an adaptive reuse of an existing structure and supports the Comprehensive Plan goal of promoting shared-use facilities and mixed-use development. The requested Exceptions are less than what has been previously granted and is supported by the Comprehensive Plan which promotes reducing barriers to encourage a broad mix of uses.</p>	

Planning Commission Recommendation and Stipulations of Approval	
<p>Staff recommends that the Major Amendment to a Planned Development Overlay be approved with the following stipulations:</p>	
1.	An Exception is hereby granted to reduce the minimum required parking from 55 spaces to 32 spaces;
2.	Acknowledge the previously granted Exception to allow nine parking spaces to back into alley right-of-way;
3.	Prior to issuance of a Building Permit, a covenant agreement shall be entered into with the Rapid City Fire Department to establish an acceptable fire sprinkler design and time frame for installation;
4.	All signage shall meet the requirements of the Rapid City Sign Code. A sign permit is required for any new signs; and,
5.	The Major Amendment to a Planned Development Overlay shall allow a 200-seat theater and church and a caretakers unit. Any change in use shall require the review and approval of a Major Amendment to the Planned Development.



Rapid City Department of Community Development

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

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Companion Case(s) #	19RZ044 – Rezoning from Medium Density Residential District to General Commercial District
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction or initiation of use and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
3.	All requirements of the currently adopted Building Code shall be met;
4.	ADA accessibility shall be provided throughout the structure and site as necessary;
5.	All provisions of the underlying zoning districts shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Development Overlay or a subsequent Major Amendment to the Planned Development;
6.	All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind; and,
7.	All applicable provisions of the adopted International Fire Code shall continually be met.