



Rapid City Planning Commission Planned Development Project Report

August 6, 2020

Item #4
Applicant Request(s)
Case #20PD026 – Major Amendment to a Planned Development Overlay to allow a micro-brewery and an on-sale liquor establishment
Companion Case(s) N/A

Development Review Team Recommendation(s)
Staff recommends approval with stipulations as noted below.

Project Summary Brief

The applicant has submitted a Major Amendment to a Planned Development Overlay to allow a micro-brewery and an on-sale liquor establishment. In particular, the applicant is proposing to operate a micro-brewery to be called “Woodland Republic Brewing and Blending” to include a tasting room and outdoor seasonal patio. The suite is 2,800 square feet in size with a 40-seat capacity and an outdoor seasonal patio measuring 510 square feet in size. The proposed hours of operation are Friday from 3:00 p.m. to 11:00 p.m.; Saturday from noon to 11:00 p.m.; and, Sunday from noon to 8:00 p.m. The days and hours will expand in the future as the brewery grows. The applicant indicates that there will be one full-time employee and four part-time employees. No kitchen is proposed; however, food may be brought in and a parking space is reserved for food trucks in the patio area.

Applicant Information	Development Review Team Contacts
Applicant: Woodland Republic, LLC	Planner: Fletcher Lacock
Property Owner: The Seed 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

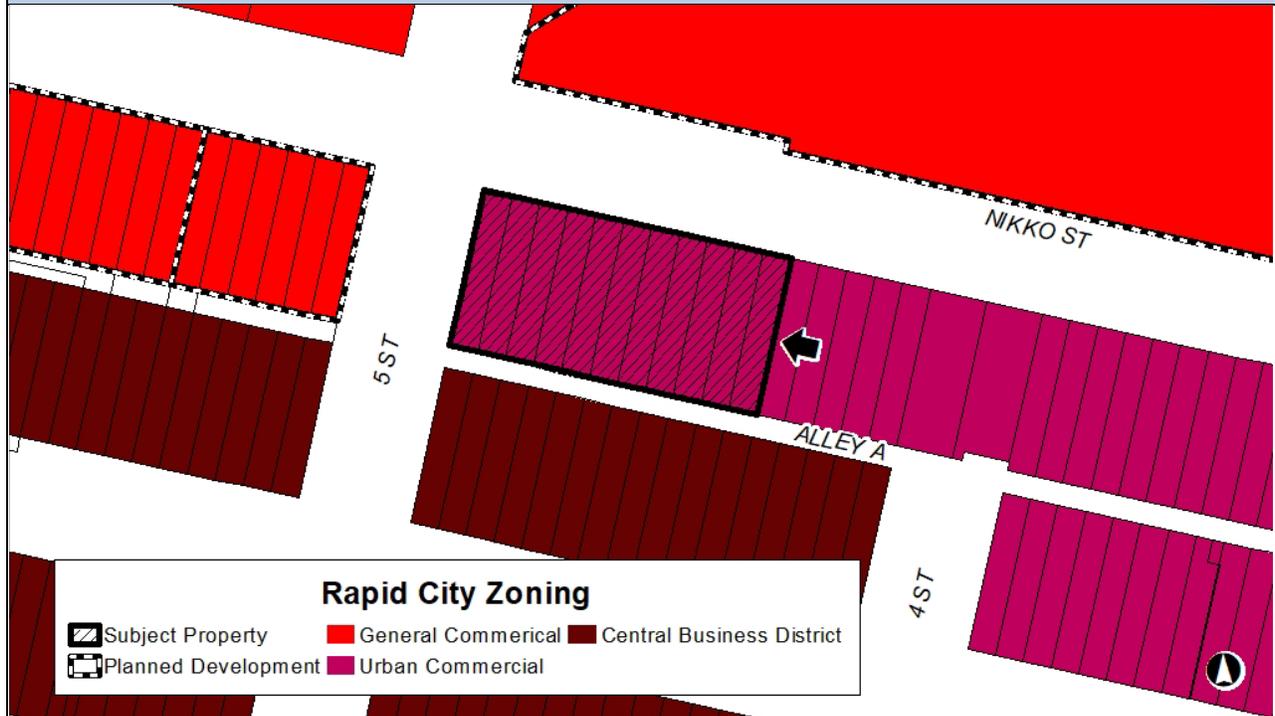
Subject Property Information	
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Address/Location	412 5 th Street
Neighborhood	Downtown / Skyline Drive Neighborhood Area
Subdivision	Original Town of Rapid City
Land Area	38,500 square feet
Existing Buildings	22,000 square feet
Topography	Relatively flat
Access	5 th Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	Federally designated 500-year floodplain on the east side of the property

Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	GC - PD	DT	Commercial structures
Adjacent North	GC -PD	DT	Tuscany Square
Adjacent South	CB	DT – Revitalization Corridor	Furniture store
Adjacent East	GC	DT	Commercial structure / tire storage
Adjacent West	GC - PD	P/QP	Public parking structure

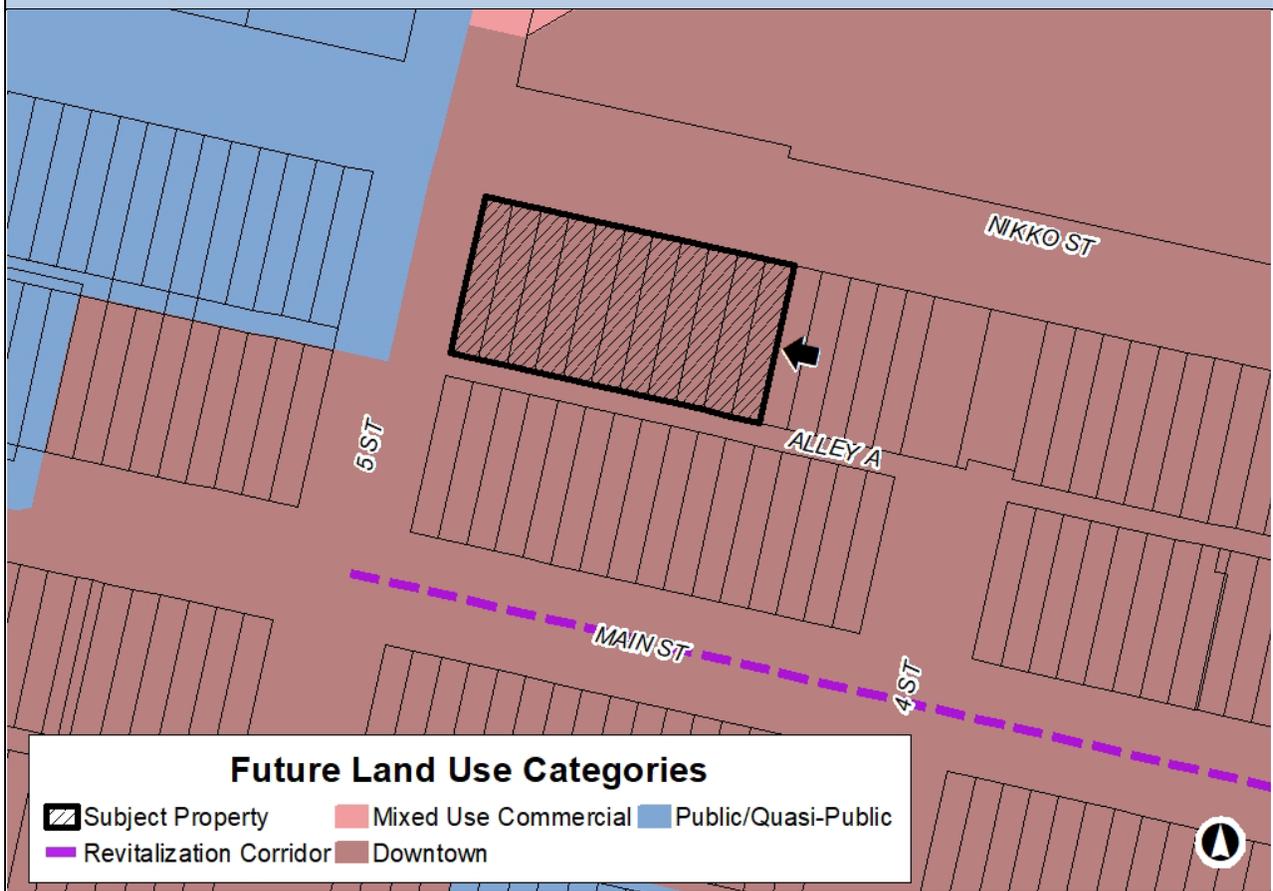
Zoning Map



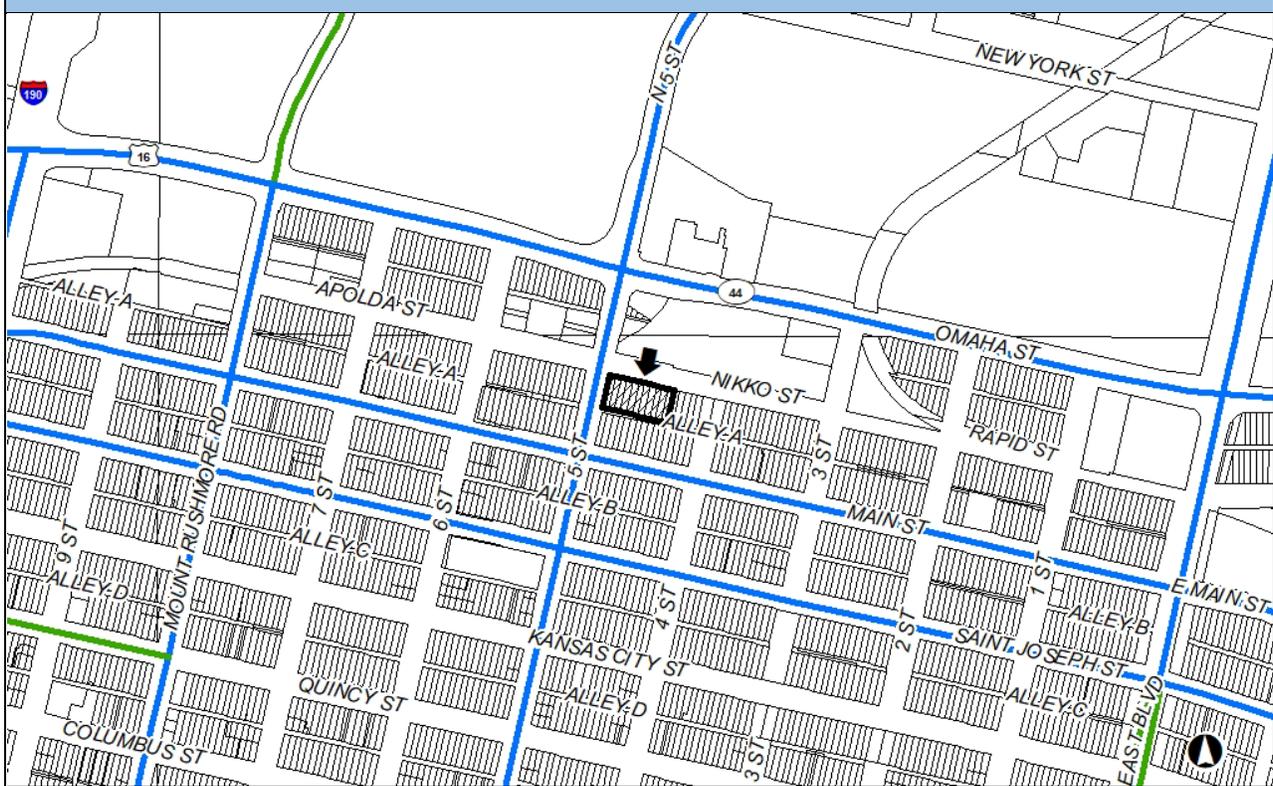
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
14PD008	40/24/2014	Initial Planned Development Overlay	Approved with stipulations
14PD014	07/10/2014	Final Planned Development Overlay	Approved with stipulations
15PD025	08/27/2015	Major Amendment to a Planned Development to expand the commercial uses	Approved with stipulations
16PD039	09/08/2016	Major Amendment to a Planned Development Overlay to allow an on-sale liquor establishment in conjunction with a theater	Approved with stipulations
Relevant Zoning District Regulations			
Urban Commercial District		Required	Proposed
Lot Area		NA	16,988 square feet
Lot Width		NA	140 feet
Maximum Building Heights		8 stories or 100 feet	Existing structures / No new development proposed
Maximum Density		90%	57%
Minimum Building Setback:			
• Front		0-10 feet	Exception previously granted to allow a "0" foot setback
• Rear		"0" feet	"0" feet
• Side		"0" feet	"0" feet
• Street Side		0-10 feet	Exception previously granted to allow a "0" foot setback
Minimum Landscape Requirements:			
• # of landscape points		16,500	Exception previously granted to waive the landscaping requirement
• # of landscape islands		2	Exception previously granted to waive the landscape island requirement
Minimum Parking Requirements:			
• # of parking spaces		58	Exception previously granted to reduce parking to 30 / No additional parking required in Urban Commercial District
• # of ADA spaces		3	3
Signage		1.5 square feet per lineal foot of frontage	No new signage proposed
Fencing		NA	None proposed

Planning Commission Criteria and Findings for Approval or Denial	
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:	
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.	Main Street Square is located on the west side of 5 th Street approximately 315 feet from the subject property. Located on the property to the north is "Headlines Academy". The property is located in the established downtown corridor. In addition, the applicant is proposing the on-sale liquor use in conjunction with a micro-brewery. It does not appear that the proposed on-sale liquor use will have an adverse affect if operated in conjunction with a micro-brewery.

2. The requested use is “sufficiently buffered” with respect to residential areas so as not to “adversely affect” such areas.	There are no residential areas located within 500 feet of the subject property. The proposed on-sale liquor use should have a minimal impact on residential areas.
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 southeast corner of the intersection of 5 th Street and Nikko Street. 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
Staff has reviewed the proposed use with respect to Chapter 17.54.030(E) and has noted the following issues:	
1. The location, character and natural features of the property:	The property is located at 412 5 th Street and is developed with a mixed-use structure better known as “Abys Feed and Seed”.
2. The location, character and design of adjacent buildings:	Property to the west is the City parking garage. The property to the north is a commercial strip mall. Properties to the south and east are developed with one-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 and vehicle access to the property is from 5 th Street.
6. Existing traffic and traffic to be generated by the proposed use:	5 th Street is classified as a Principal Arterial Street on the City’s Major Street Plan, suitable for accommodating the higher traffic volumes associated with commercial development in the downtown corridor.
7. Proposed signs and lighting:	The applicant should note that signage will require Historic approval.
8. The availability of public utilities and services:	The site is serviced by Rapid City water and sewer. Prior to issuance of a Building Permit, the owner must contact City Water Reclamation Division for pretreatment and sewer discharge industrial monitoring requirements. In addition, utility or plumbing plans shall be provided to Public Works if additional infrastructure is required for compliance.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Urban Commercial District and a micro-brewery and an on-sale liquor establishment are a conditional use within the District.
10. The overall density, yard, height and other requirements of the zone in which it is located:	Exceptions have previously been granted to waive the landscaping requirement, reduce setbacks for the existing structures, reduce parking, and to waive the landscape island requirement. The property is now zoned Urban Commercial District. The property is now in compliance with the Urban Commercial District for an existing developed property. No additional parking is required.

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. It does not appear that the proposed micro-brewery and on-sale liquor use will have an adverse impact on the neighborhood.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The Urban Commercial District is viewed as the appropriate zoning classification for micro-breweries and on-sale liquor uses. The stipulations of approval of this Major Amendment to a Planned Development Overlay will serve as the tool to ensure that the proposed on-sale liquor use does not have an adverse impact on adjacent uses.

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-1.2B	Priority Activity Centers for Reinvestment: The proposed use promotes reinvestment in the downtown core.
	A Vibrant, Livable Community
LC-5.1A	Varied Activity Centers: The property is located on the eastern edge of the existing central business district and is also identified as Downtown / Mixed-Use in the City's adopted Comprehensive Plan. The downtown is identified as a Regional Activity Center. The proposed use promotes reinvestment in the downtown core.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: The property is accessed from 5 th Street which is identified as a Principal Arterial Street on the City's Major Street Plan.
	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 Development 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 to a Planned 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):	Downtown Mixed-Use
Design Standards:	
GDP-MU9	Adaptive Reuse: The Comprehensive Plan supports adaptive re-use of buildings. The proposed micro-brewery and on-sale liquor establishment is appropriate for the types of pedestrian-oriented, activity generating uses desired for the downtown area and within a Regional Activity Center.
Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown / Skyline Drive Neighborhood Area
Neighborhood Goal/Policy:	
DSD-NA1.1B	Regional Activity Center: The Major Amendment to the Planned Development supports the reinvestment in the Downtown Commercial Historic District adjacent to the central business district.
Findings	
Staff has reviewed the Major Amendment to the Planned Development Overlay to allow a micro-brewery and an on-sale liquor establishment 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 Rapid City Comprehensive Plan shows the property as appropriate for Downtown development, and the property is located within an identified Regional Activity Center. The proposed micro-brewery and on-sale liquor establishment is appropriate for the types of pedestrian-oriented, activity generating uses desired for the downtown area and within a Regional Activity Center. It does not appear that the proposed use will create an undue concentration of similar uses, so as to cause blight, deterioration, or substantially diminish or impair property values.	
Planning Commission Recommendation and Stipulations of Approval	
Staff recommends approval of the Major Amendment to a Planned Development with the following stipulations:	
1.	Acknowledge the previously granted Exception to reduce the minimum required front yard setback from 25 feet to zero feet for the existing structures located on the property. Any future redevelopment of the property shall be constructed in compliance with the Zoning Ordinance;
2.	Acknowledge the previously granted Exception to waive the landscaping requirement;
3.	Acknowledge the previously granted Exception to reduce the minimum required parking spaces from 58 parking spaces to 30 parking spaces;
4.	Prior to submittal of a building permit application, the owner shall contact City Water Reclamation Division for pretreatment and sewer discharge industrial monitoring requirements. In addition, utility or plumbing plans shall be provided to Public Works if additional infrastructure is required for compliance;
5.	Prior to issuance of a sign permit, the sign(s) shall obtain review and approval through the Historic Sign Review Board. 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 Major Amendment to a Planned Development Overlay. The inclusion of any LED message centers shall require a Major Amendment to the Planned Development Overlay. A sign permit shall be obtained for each sign; and,
6.	The Major Amendment to a Planned Development shall allow a micro-brewery and an on-sale liquor establishment. Any physical expansion of the micro-brewery and on-sale liquor use shall require a Major Amendment to the Planned Development. Any change in use that is a permitted use shall require a Building Permit. Any change in use that is a Conditional Use shall require a Major Amendment.

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.*

Applicant Request(s)	
Case # 20PD026	Major Amendment to a Planned Development to allow a microbrewery and an on-sale liquor establishment
Companion Case(s) #	N/A
ADVISORIES: Please read carefully!	
1.	Prior to issuance of a building permit for any future changes to the interior or exterior façade, an 11.1 Historic Review shall be approved;
2.	All signage shall comply with the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign. Prior to issuance of a sign permit, all signage shall obtain the review and approval of the Historic Sign Review Committee;
3.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
4.	All requirements of the currently adopted Building Code shall be met;
5.	ADA accessibility shall be provided throughout the structure and site as necessary;
6.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Development or a subsequent Major Amendment;
7.	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,
8.	All applicable provisions of the adopted International Fire Code shall continually be met.