



Rapid City Planning Commission

Conditional Use Permit Project Report

October 21, 2021

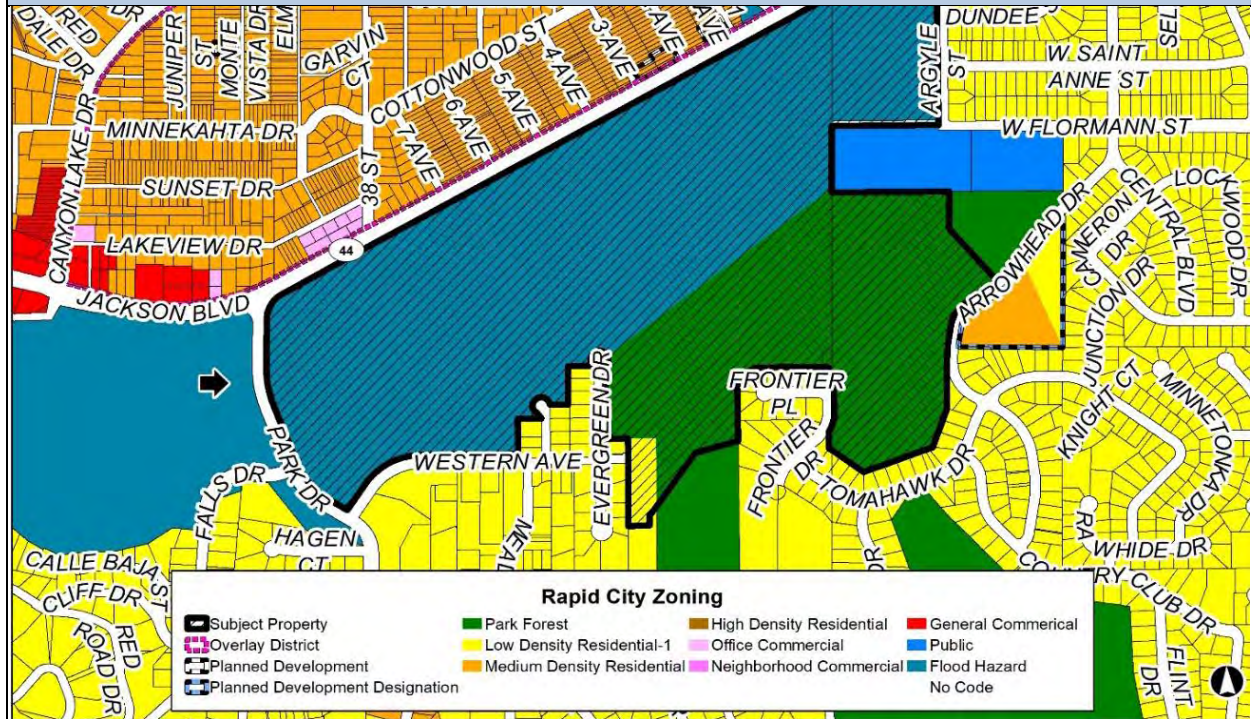
Item #6	
Applicant Request(s)	
Case #21UR019 – Major Amendment to a Conditional Use Permit to expand on-sale liquor in conjunction with a golf course.	
Companion Case(s) # N/A	
Development Review Team Recommendation(s)	
Staff recommends approval of the Major Amendment to a Conditional Use Permit to allow on-sale liquor in conjunction with a golf course with stipulations as noted below.	
Project Summary Brief	
<p>(Update: October 12, 2021. All revised and/or added text is shown in bold.) At the October 7, 2021 Planning Commission meeting, Planning Commission voted to continue this item to the October 21, 2021 Planning Commission meeting to allow time for staff to research when the use of the beverage cart was initiated. In particular, if the use of the beverage cart was in place prior to 1993 and it has continually been in use, then this application is not needed. Upon review, it has been determined that a beverage cart has been in operation since 2002, when the clubhouse was opened. As such, this Conditional Use Permit application must be reviewed and approved to bring the existing beverage cart service into compliance. Please note that no other portion of this report has been revised.</p> <p>The applicant has requested a Major Amendment to a Conditional Use Permit to expand on-sale liquor in conjunction with a golf course. More specifically, the applicant is proposing to use a beverage cart for the sale of beer, wine, soda, and water at the Meadowbrook Golf Course. The applicant has indicated that the cart will operate daily during regular golf course hours, roughly from sunrise to sunset, and may be extended for special events. The cart will be operated by City staff. There is existing on-sale liquor in the clubhouse that is considered legal non-conforming, as it was in place before 1993. The on-sale beer and wine inside the clubhouse is operated by Platinum Restaurant Group, Inc. as Marco's Pizza. The subject property is 165.65 acres in size and is located along Jackson Boulevard, east of the intersection with Park Drive. It is zoned as Flood Hazard District, Park Forest District, and Low Density Residential District I.</p> <p>While the northern and western parts of the property are zoned as Flood Hazard District, a Floodplain Development Permit is not needed since the beverage cart is not considered a structure.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Kristy Lintz, Golf Operations Manager	Planner: Karl Bauer
Property Owner: City of Rapid City	Engineer: Emily Fisher
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	2331 Arrowhead Drive
Neighborhood	Sheridan Lake Road Neighborhood Area
Subdivision	Rapid City Greenway Tract
Land Area	165.65 acres
Existing Buildings	Clubhouse, maintenance buildings
Topography	Relatively flat, located along Rapid Creek
Access	Jackson Boulevard
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Energy / MDU

Floodplain	N/A
Other	N/A

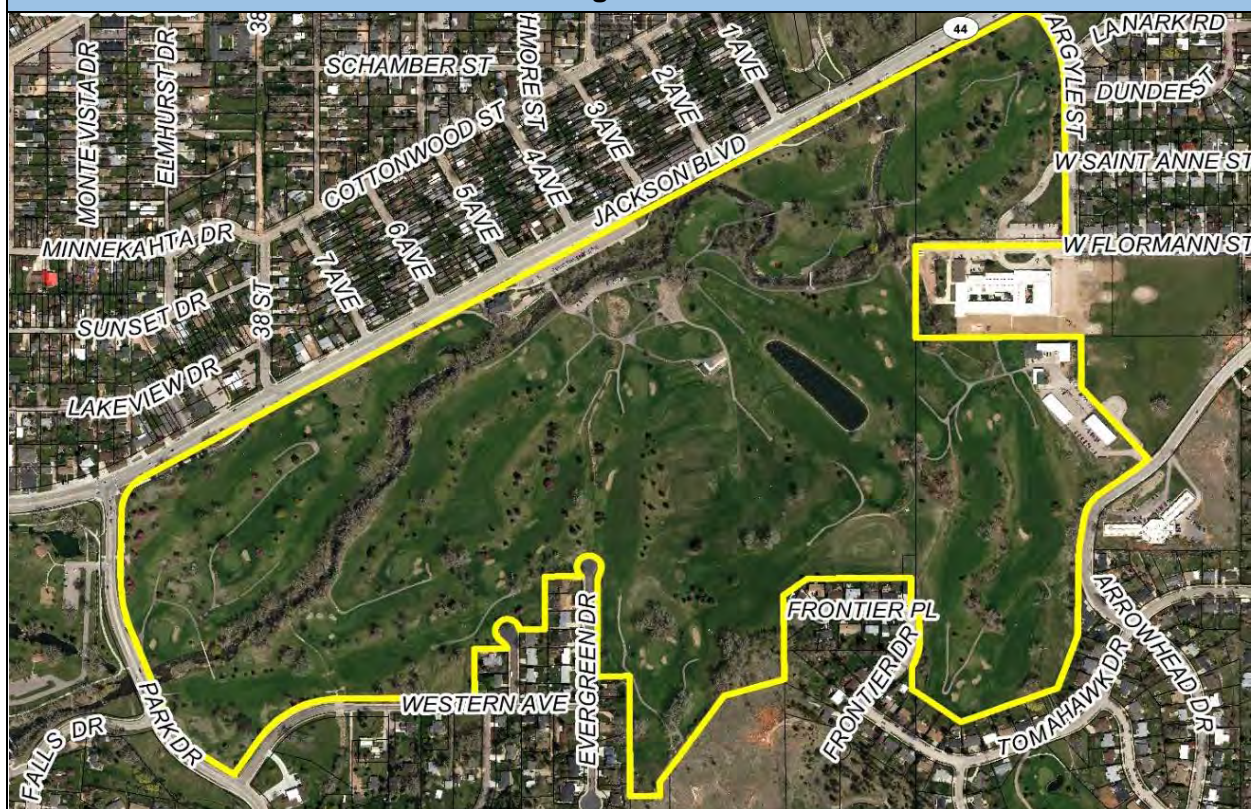
Subject Property and Adjacent Property Designations

	Existing Zoning	Comp. Plan	Existing Land Use(s)
Subject Property	FH/PF/LDR I	PG	Golf course
Adjacent North	MDR/FH/OC/HDR (Canyon Lake)	UN/PG	Single- and multi-family residences, clinics, offices
Adjacent South	LDR I	LDN	Single-family residences
Adjacent East	LDR I/P/MDR	LDN/PG/P/FC/UN	Single-family residences, school
Adjacent West	FH	PG	Park

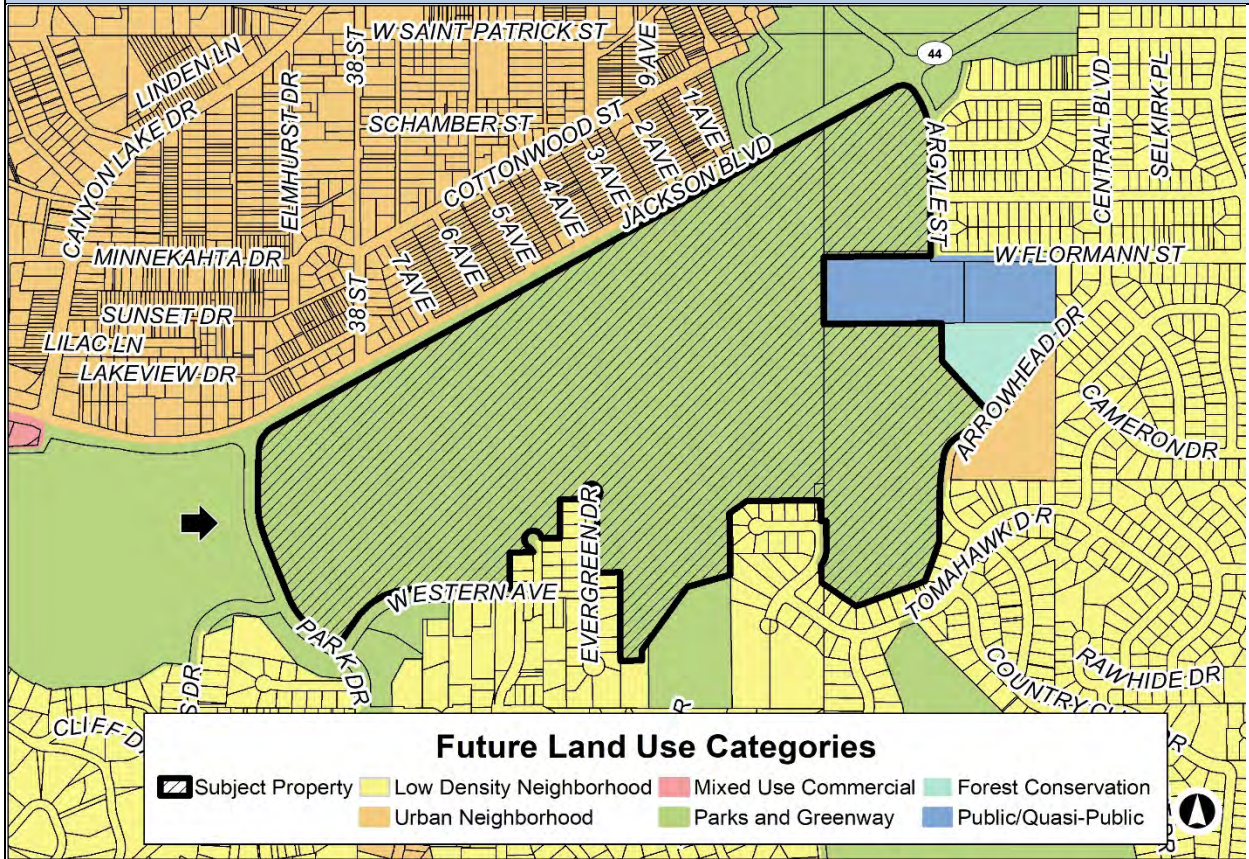
Zoning Map



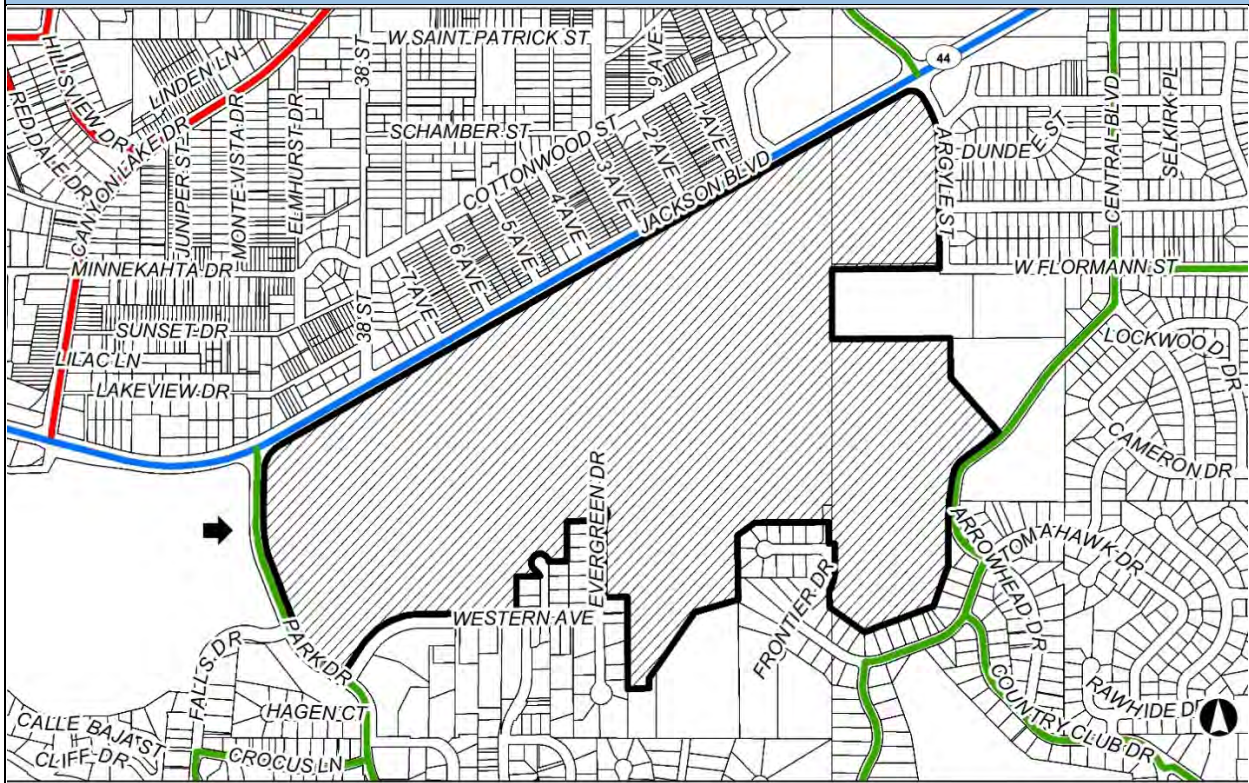
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	Date	Request	Action
UR167	11-3-1975	Use on Review to allow an irrigation pumphouse for Meadowbrook Links	CC approved w/ stipulations
UR520	9-6-1983	Use on Review to allow a scoreboard in the floodway	CC approved w/ stipulations
UR778	10-5-1987	Use on Review to allow a structure in the floodway	CC denied
UR1387	2-20-1995	Use on Review to allow a sign in the Flood Hazard District	CC approved w/ stipulations
UR1456	11-6-1995	Use on Review to allow above-ground fuel tanks in the Park Forest District	CC approved w/ stipulations
01UR017	5-7-2001	Major Amendment to a Use On Review for Meadowbrook Golf Course, including Clubhouse replacement, maintenance building expansion and permanent restroom facilities	CC approved w/ stipulations
01UR043	8-20-2001	Major Amendment to a Use On Review for Meadowbrook Golf Course to allow a temporary Pro Shop/Office	CC approved w/ stipulations
03SR044	1-22-2004	11-6-19 SDCL Review to allow construction of an additional golf cart barn and parking	PC approved w/ stipulations
17UR024	12-7-2017	Major Amendment to a Conditional Use Permit to allow a structure in the Flood Hazard District	PC approved w/ stipulations

Relevant Zoning District Regulations

General Commercial District	Required	Proposed
Lot Area	3 acres	165.65 acres
Lot Frontage	N/A	Approx. 8,750 feet
Maximum Building Heights	2½ stories or 35 feet	No new structures proposed
Maximum Density	25%	N/A
Minimum Building Setback:		
Front	25/35 feet	N/A
Rear	50/20 feet	N/A
Side	30/40 feet	N/A
Street Side	N/A	N/A
Minimum Landscape Requirements:		
# of landscape points	N/A	N/A
# of landscape islands	N/A	N/A
Minimum Parking Requirements:		
# of parking spaces	168	168 (automobile) 45 (golf carts)
# of ADA spaces	6	6
Signage	As per RCMC Chapter 17.50.100	All signage must comply with RCMC Chapter 17.50.100
Fencing	As per RCMC Chapter 17.50.340	All fencing must comply with RCMC Chapter 17.50.340

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.	The primary use of the subject property is a municipal golf course. The request to expand the on-sale liquor use is accessory to the golf course. The property is adjacent to an elementary school, daycare, and city park. There is a church located one block away, and there are baseball fields and playgrounds nearby, as well. However, due to the on-sale use being accessory in nature no adverse impacts are



	anticipated.
2. The requested use is “sufficiently buffered” with respect to residential areas so as not to “adversely affect” such areas.	The property is mostly surrounded by residential uses and fences are in place along most of the property boundaries. As mentioned previously, the on-sale liquor use is an expansion of an existing on-sale use onto an existing golf course.
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.”	Staff is not aware of any other on-sale liquor use in the immediate vicinity of the subject property. The Common Cents convenience store is located approximately 1,000 feet west of the property and has off-sale liquor of beer and wine.
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 2331 Arrowhead Drive and is a 165.65 acres in size. It is mostly flat, with abundant trees and landscaping. It is currently developed as a golf course. Rapid Creek flows through the property.
2. The location, character and design of adjacent buildings:	Adjacent properties are zoned Flood Hazard District, Park Forest District, Office Commercial District, Public District, Low Density Residential District I, Medium Density Residential District, and High Density Residential District. The Canyon Lake Overlay Zoning District abuts the property to the north. Surrounding land uses include a school, parks, a daycare, clinics, offices, single-family residences, and multi-family residences. No new structures are being proposed as a part of this development.
3. Proposed fencing, screening and landscaping:	No screening, fencing, or landscaping is being proposed as a part of this development. The expansive area and abundant trees of the golf course provide a buffer for neighboring properties.
4. Proposed vegetation, topography and natural drainage:	No additional vegetation or alterations to the topography or natural drainage are being proposed as a part of this development. The property is currently developed as a golf course and as such, has abundant trees and other vegetation.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	The site is developed with 168 previously approved parking spaces, including 6 ADA spaces and 45 golf cart spaces. The proposed expansion of on-sale liquor use does not require the construction of additional parking. In reviewing this application, however, staff has become aware that Marco’s Pizza has been parking their pizza delivery vehicles in an area that is not designated for parking or restaurant delivery. This practice has caused concern among neighboring property owners due to the effect of headlights and noise. City staff has since alerted Marco’s Pizza management that they must relocate the drivers to the designated parking areas, or bring forward a parking plan with a layout which complies with the City’s parking regulations. Parks and Recreation staff is also working with the South Dakota Department of Transportation to allow for temporary signage along Jackson Boulevard, a State highway. Such signage would dedicate parking for Marco’s Pizza delivery use, as needed.

6. Existing traffic and traffic to be generated by the proposed use:	The proposed use should not have any significant transportation impacts on adjacent streets. Jackson Boulevard, which serves as access to the property, is classified as a Principal Arterial Street on the City's Major Street Plan, and is suitable for accommodating traffic from the golf course.
7. Proposed signs and lighting:	No new signage or lighting is being proposed as part of this request.
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 Rapid City Comprehensive Plan shows the property as appropriate for Parks and Greenway development. The property is currently developed as a golf course, which is in conformance with this designation.
10. The overall density, yard, height and other requirements of the zone in which it is located:	There are no new structures proposed as a part of this development. All existing development on the property complies with density, yard, and height requirements.
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 proposed on-sale liquor use should not create additional noise, odor, smoke, dust, air and water pollution currently associated with the golf course.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The stipulations of approval will serve to mitigate probable adverse impacts of the proposed use on existing 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-1.1B	Targeted Infrastructure Investments – Property is located in an area with existing infrastructure, and is an established part of the community.
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration – The subject property is accessed by Jackson Boulevard, which is identified as a Principal Arterial Street on the City's Major Street Plan.
	Economic Stability and Growth

EC-3.1C	Other Employment Areas – The proposed Major Amendment to a Conditional Use Permit supports the investment in a growing neighborhood area providing entertainment and employment opportunities.
	Outstanding Recreational and Cultural Opportunities
RC-1.1A	Existing Park Maintenance and Enhancement – The proposed Major Amendment to a Conditional Use Permit will allow for reinvestment in a city-owned recreational facility and will provide an additional service.
	Responsive, Accessible, and Effective Governance
GOV-2.1A	Public Input Opportunities: The proposed Conditional Use Permit requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the planned development boundary. The requested Conditional Use Permit application 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):	Parks and Greenway
Design Standards:	
N/A	The property is developed as a golf course.
Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Sheridan Lake Road Neighborhood Area
Neighborhood Goal/Policy:	
SLR-NA1.1D	Regional Recreation: The proposed on-sale liquor use operated in conjunction with a golf course will provide a unique recreation opportunity.
Findings	
Staff has reviewed the Conditional Use Permit to expand on-sale liquor use in conjunction with the a golf course pursuant to Chapter 17.08, Chapter 17.10, Chapter 17.28, 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 applicant is requesting allowance of the expansion of on-sale liquor in conjunction with a golf course. The on-sale liquor should not have a negative impact on the area.	
Staff recommends that the Conditional Use Permit to allow on-sale liquor use in conjunction with a casino be approved with the following stipulation(s):	
1.	This Major Amendment to a Conditional Use Permit shall allow the expansion of on-sale liquor use of beer and wine in conjunction with a golf course, as per the applicant’s operational plan. Any expansion or change in the proposed on-sale liquor use shall require a Major Amendment to the Conditional Use Permit. Any change in use that is a permitted use in the Flood Hazard District, Park Forest District, or Low Density Residential District I, respectively, shall require the review and approval of a Building Permit. Any change in use or expansion of use that is a Conditional Use shall require the review and approval of a Major Amendment to the Conditional Use Permit.



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 # 21UR019	Major Amendment to a Conditional Use Permit to expand on-sale liquor in conjunction with a golf course – Rapid City Greenway Tract
Companion Case(s)	N/A
ADVISORIES: Please read carefully!	
1.	Should any structures be constructed, a Building Permit shall be obtained prior to any structural construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	A Sign Permit shall be obtained prior to the installation of any signage;
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 continually be provided throughout the structures and site as necessary;
6.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Conditional Use Permit 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.