



Rapid City Planning Commission

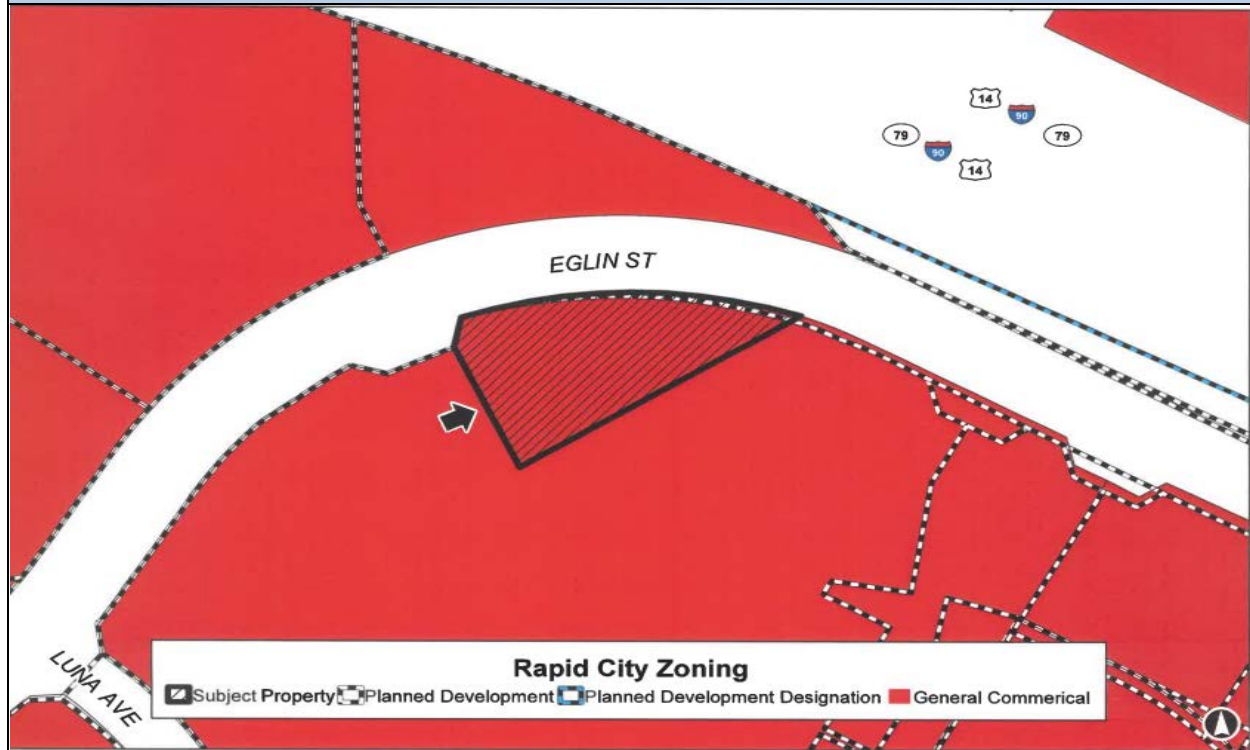
Final Planned Development Overlay Project Report

June 23, 2022

Item #5	
Applicant Request(s)	
Case #22PD028 – Major Amendment to a Planned Development Overlay to allow on-sale liquor in conjunction with an existing nail salon.	
Companion Case(s) N/A	
Development Review Team Recommendation(s)	
The Development Review Team recommends that the Major Amendment to the Planned Development Overlay to allow on-sale liquor in conjunction with an existing nail salon be approved with the stipulations as noted below.	
Project Summary Brief	
<p>The applicant has submitted a Major Amendment to a Planned Development Overlay application to allow on-sale liquor in conjunction with an existing nail salon. Specifically, the applicant is proposing to serve complimentary beer and wine to customers during scheduled appointments within the 1,108 square-foot nail salon known as My Lash Lounge and Nails. The beer and wine would only be allowed within the spa area where customers receive manicures and pedicures during business hours from 9:30 AM to 7:00 PM Monday through Friday, 9:30 AM to 6:00 PM Saturday, and 10:00 AM to 4:00 PM Sunday. The space occupied by My Lash Lounge and Nails is located within a 3-unit commercial structure which is also occupied by Great Clips and Jimmy John's. The subject property is zoned General Commercial District within a Planned Development Overlay (File# 19PD002). The existing nail salon is an allowed use within this district, however, on-sale liquor is considered a conditional use.</p> <p>The subject property is located northeast of the intersection of Luna Avenue and Eglin Street at 951 Eglin Street, Unit 101.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Hodges Enterprises of South Dakota #2A	Planner: Marlo Kapsa
Property Owner: Hodges Enterprises of South Dakota #2A	Engineer: Emily Fisher
Architect: N/A	Fire District: Tim Behlings
Engineer: KTM Design	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Emily Fisher
Other: N/A	DOT: Stacy Bartlett
Subject Property Information	
Address/Location	951 Eglin Street
Neighborhood	North Rapid Neighborhood Area
Subdivision	Rushmore Crossing Subdivision
Land Area	0.96 acres, 41,818 square feet
Existing Buildings	4,760 square-foot 3-unit commercial building
Topography	Rises 14 feet from northeast to southwest
Access	Eglin Street
Water / Sewer	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	GC - PDD	UN	Commercial building
Adjacent North	GC - PD	UN	No structural development
Adjacent South	GC - PD	UN	Sam's Club
Adjacent East	GC - PD	UN	Parking Area
Adjacent West	GC -PD	UN	Denver Mattress Company

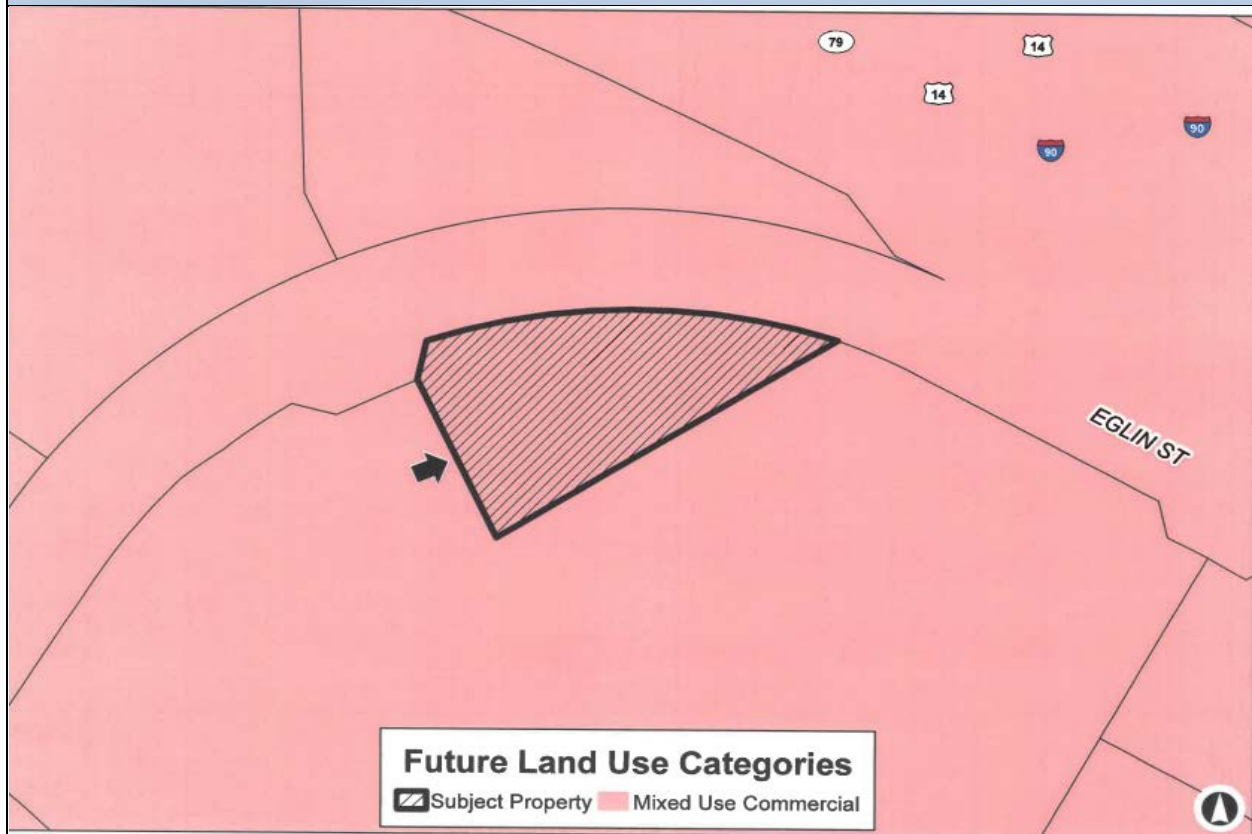
Zoning Map



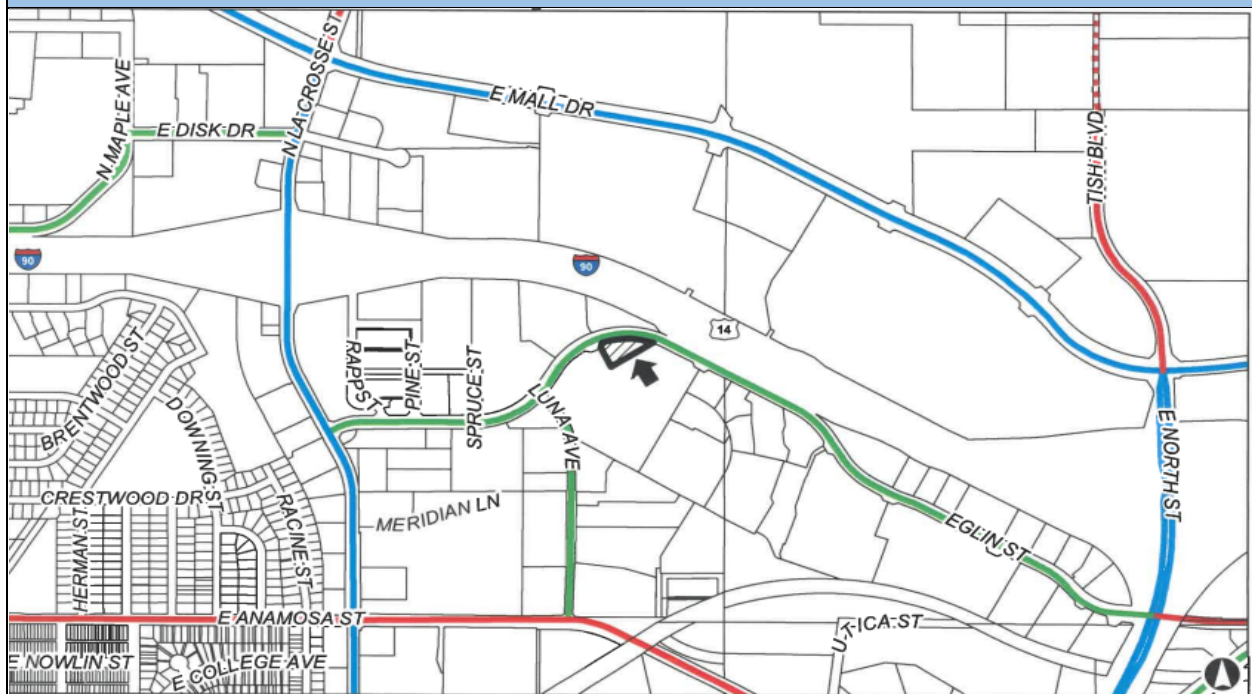
Existing Land Uses



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan

Subject Property
 Rapid City Limits
 Collector
 Minor arterial
 Principal arterial
 Proposed minor arterial

Relevant Case History


Case/File#	Date	Request	Action
19PD002	2/7/19	Final Planned Development	Planning Commission approved 2/7/19
07PD048	7/26/07	Major Amendment to a Planned Commercial Development	Planning Commission approved 7/26/07

07PD019	4/26/07	Initial Planned Development	Planning Commission approved 4/26/07
04PD044	8/4/04	Planned Development Designation	Staff approved 8/19/04
04RZ039	8/19/04	Rezoning request from General Agricultural District to General Commercial District	City Council approved 10/18/04
04RZ044	8/19/04	Rezoning request from Medium Density Residential District to General Commercial District	City Council approved 10/18/04
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed	
Lot Area	N/A	0.96 acres, 41,818 square feet	
Lot Width	N/A	370 feet	
Maximum Building Heights	4 stories or 45 feet	1 story – 23.5 feet	
Maximum Density	75%	9.5 %	
Minimum Building Setback:			
• Front	25 feet	35 feet	
• Rear	0 feet	70 feet	
• Side	0 feet	29 feet	
• Street Side	25 feet	N/A	
Minimum Landscape Requirements:			
• # of landscape points	37,955 points	38,239 points	
• # of landscape islands	1 per 50 spaces	0	
Minimum Parking Requirements:			
• # of parking spaces	44 + 7 stacking spaces	45 + 7 stacking spaces	
• # of ADA spaces	2 (1 Van Accessible)	4 (2 Van Accessible)	
Signage	As per RCMC 17.50.100	None proposed	
Fencing	As per RCMC 17.50.340	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.	There are no places of religious worship, schools, parks, playgrounds, or other similar uses within 500 feet of the subject property. It appears the proposed on-sale use will not adversely affect area places of religious worship, schools, parks, playgrounds, or other similar uses if operated in conjunction with a salon.
2. The requested use is “sufficiently buffered” with respect to residential areas so as not to “adversely affect” such areas.	The subject property is located in Rushmore Crossing, zoned General Commercial, and is not adjacent to any residential districts. The property is adjacent to restaurants and retail shops, and personal service uses. The subject property does not require any screening.
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.”	There are seven other businesses located within Rushmore Crossing where on-sale liquor has been allowed in conjunction with another use including MacKenzie River Pizza, Blaze Pizza, Longhorn Steakhouse, Old Chicago, Storming Crab, A Perfect 10 Nail and Beauty Bar, and Fuji Japanese Steakhouse and Sushi Bar. The proposed use is consistent with that of a

	Regional Activity Center comprised of retail, restaurants, and entertainment. It does not appear that the proposed use will cause any undue concentration of similar uses to cause blight or impair property values.
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 951 Eglin Street and is zoned General Commercial District with a Planned Development Overlay. The site is currently developed with a 3-unit commercial building that is occupied by My Lash Lounge and Nails, Jimmy John's, and Great Cuts.
2. The location, character and design of adjacent buildings:	The adjacent properties are zoned General Commercial District and include an array of commercial uses. The proposed use is consistent with that of the surrounding land uses.
3. Proposed fencing, screening and landscaping:	The subject property is zoned General Commercial with a Planned Development Overlay. The unit in question does not require fencing or screening and minimum landscaping requirements have already been met. A minimum of 37,955 landscaping points are required and 38,239 points are provided.
4. Proposed vegetation, topography and natural drainage:	The submitted landscaping plan identifies a mix of existing small trees along with grass and a variety of shrub species. The lot rises 14 feet from the northeast to the southwest
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 accessed by Eglin Street and on-site parking is located to the east and southeast of the building with shared parking throughout the Rushmore Crossing Center.
6. Existing traffic and traffic to be generated by the proposed use:	The proposed use is consistent with the uses listed within the original Rushmore Crossing Traffic Impact Study. The addition of on-sale liquor within the existing nail salon is not anticipated to generate any additional traffic.
7. Proposed signs and lighting:	No additional signage or lighting are being proposed as part of this application.
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 General Commercial District is intended to provide the personal, business, and general retail activity of the city. A nail salon with on-sale liquor meets the purpose and intent of this district. The nail salon complements the other retail and service businesses of the Rushmore Crossing Center and therefore meets the objectives of the Comprehensive Plan.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The applicant is not proposing any expansion of the existing structure. Density, yard, height, and other requirements of the zone in which the business is located are already being met.
11. The effects of noise, odor, smoke, dust, air, and water	The proposed on-sale liquor use should not create additional noise, odor, smoke, dust, air and water

pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	pollution since it is being operated entirely within a proposed salon.
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 ensure that the on-sale liquor use is only operated in conjunction with the existing nail salon and that any expansion of the use will require a Major Amendment to the Planned Development.

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
N/A	N/A
	A Vibrant, Livable Community
LC-5.1B	Diverse Mix of Uses: The nail salon is located within a 3-unit commercial building and is occupied by a Jimmy John's and Great Cuts and is located in close proximity to additional existing retail development.
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
T1-2.1A	Major Street Plan Integration: The property is accessed from Eglin Street, which is classified as a Collector Street on the City's Major Street Plan. The property is located along the Coolidge North Rapid Ride route. The proposed use is consistent with the uses as listed in the original Rushmore Crossing Traffic Impact Study.
	Economic Stability and Growth
EC-1.2A	Housing Stock: 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 Overlay 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):	Mixed Use Commercial
Design Standards:	
GDP-MU1	Relationship of Uses: The existing nail salon complements the surrounding development at the Rushmore Crossing Regional Activity Center.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	North Rapid Neighborhood Area
Neighborhood Goal/Policy:	
NR-NA1.1A	Regional Activity Center: The existing nail salon complements the existing development at the Rushmore Crossing Regional Activity Center. The addition of on-sale liquor will allow the existing business to remain competitive with similar businesses throughout the city as complementary beer and wine continues to gain uptake.

Findings
Staff has reviewed the Major Amendment to a Planned Development Overlay to allow on-sale liquor in conjunction with an existing nail salon 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 application appears to meet all staff requirements of approval.

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Major Amendment to a Planned Development Overlay to allow a on-sale liquor in conjunction with an existing nail salon be approved with the following stipulations:	
1.	No consumption of alcohol shall be allowed outside of the suite in which My Lash Lounge and Nails is located; and
2.	The Major Amendment to a Planned Development Overlay shall allow beer and wine to be served to customers of the existing nail salon during scheduled business hours as per the applicant's operational plan. All requirements of the General Commercial District shall be maintained unless specifically authorized as a stipulation of this Major Amendment to a Planned Development Overlay or a subsequent Major Amendment to the Planned Development. All uses permitted in the General Commercial District which do not increase parking requirements shall be permitted contingent upon an approved Building Permit. All conditional uses in the General Commercial District or uses which increase the required amount of parking on the site shall require a Major Amendment to the Planned Development.



Rapid City Community Planning & Development Services

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)	
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Companion Case(s)	N/A
ADVISORIES: Please read carefully!	
1.	ADA accessibility shall continue to be provided throughout the structure and site as necessary;
2.	All provisions of the underlying zoning districts shall continue to be met unless otherwise specifically authorized as a stipulation of this Major Amendment to a Planned Development or a subsequent Amendment;
3.	All applicable provisions of the adopted International Fire Code shall continually be met.