



# Rapid City Planning Commission

## Planned Development Project Report

January 5, 2017

<b>Item 12</b>
<b>Applicant Request(s)</b>
Case # 16PD062, a Major Amendment to the Planned Development to allow a mixed-use development
Companion Case(s) #: N/A

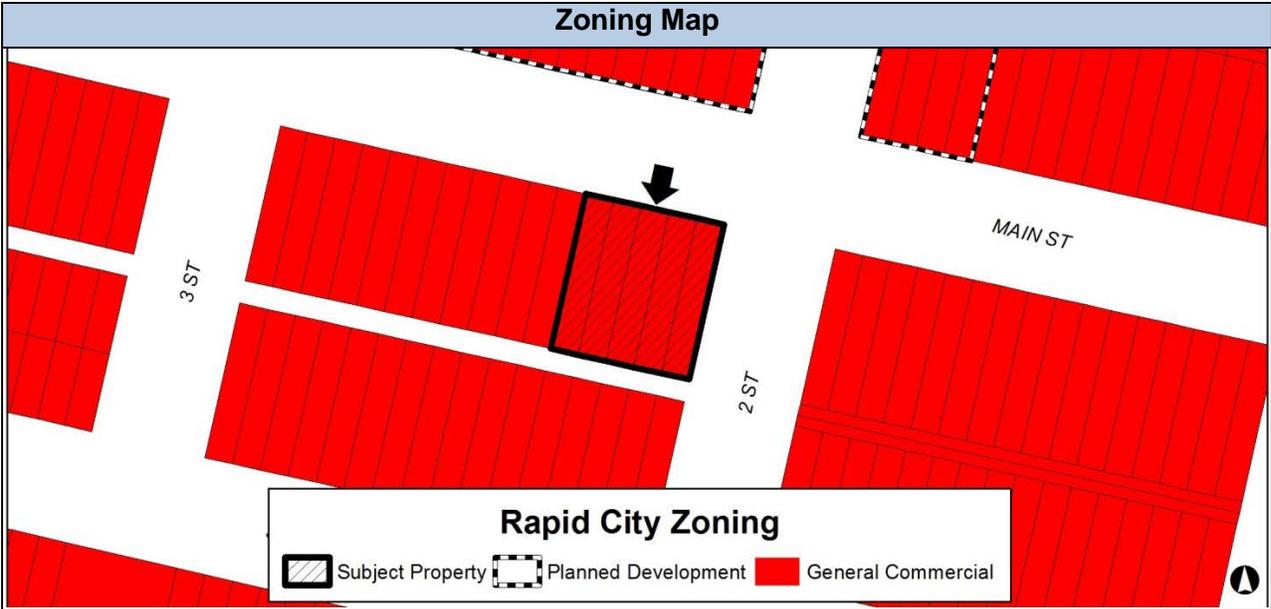
<b>Development Review Team Recommendation(s)</b>
The Development Review Team recommends that the Major Amendment to the Planned Development to allow a mixed use development be approved with the stipulations noted below.

<b>Project Summary Brief</b>
The applicant has submitted this Major Amendment to the Planned Development to allow a mixed-use development comprised of commercial and residential space to be located on approximately 0.4 acres of property zoned General Commercial District. The existing property, known as the Creamery Building, is an individually listed structure on the National Register of Historic Place and is currently developed with a mix of retail and office space. The applicant is proposing to convert four of the existing suites into dwelling units immediately, and as many as nine of the existing suites into dwelling units over the course of the next two years. The existing Planned Development approved for the property includes an overall reduction in parking from 164 spaces to 0 spaces. Based on the conversion of office space to residential units, the applicant is now requesting a reduction in parking from 74 spaces to 0 spaces. No external additions or alterations are being proposed as a part of this development and, as such, the existing setbacks and landscaping on the property remain legally non-conforming and are not being addressed as a part of this request.

<b>Development Review Team Contacts</b>	
Applicant: Gene Fennell	Planner: Robert Laroco
Property Owner: Tensleep, LLC	Engineer: Ted Johnson
Architect: Gene Fennell, Fennell Designs, Inc.	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Ted Johnson
Historic Preservation: Sarah Hanzel	DOT: Stacy Bartlett

<b>Subject Property Information</b>	
Address/Location	201 Main Street, Southwest of the intersection of 2 <sup>nd</sup> Street and Main Street
Neighborhood	Downtown/Skyline Drive Neighborhood
Subdivision	Original Township of Rapid City
Land Area	0.40 acres, approximately 17,424 square feet
Existing Buildings	Existing commercial/retail structure
Topography	Level
Access	2 <sup>nd</sup> Street, Main Street, alley right-of-way
Water Provider	Rapid City water
Sewer Provider	Rapid City sewer
Electric/Gas Provider	Black Hills Power/Montana Dakota Utilities
Floodplain	None Identified
Other	

Subject Property and Adjacent Property Designations				
	Existing Zoning	Comprehensive Plan		Existing Land Use(s)
Subject Property	GC/PD	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent North	GC/PD	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent South	GC	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent East	GC	Downtown, Corridor	Revitalization	Existing retail/commercial/service
Adjacent West	GC	Downtown, Corridor	Revitalization	Existing retail/commercial/service



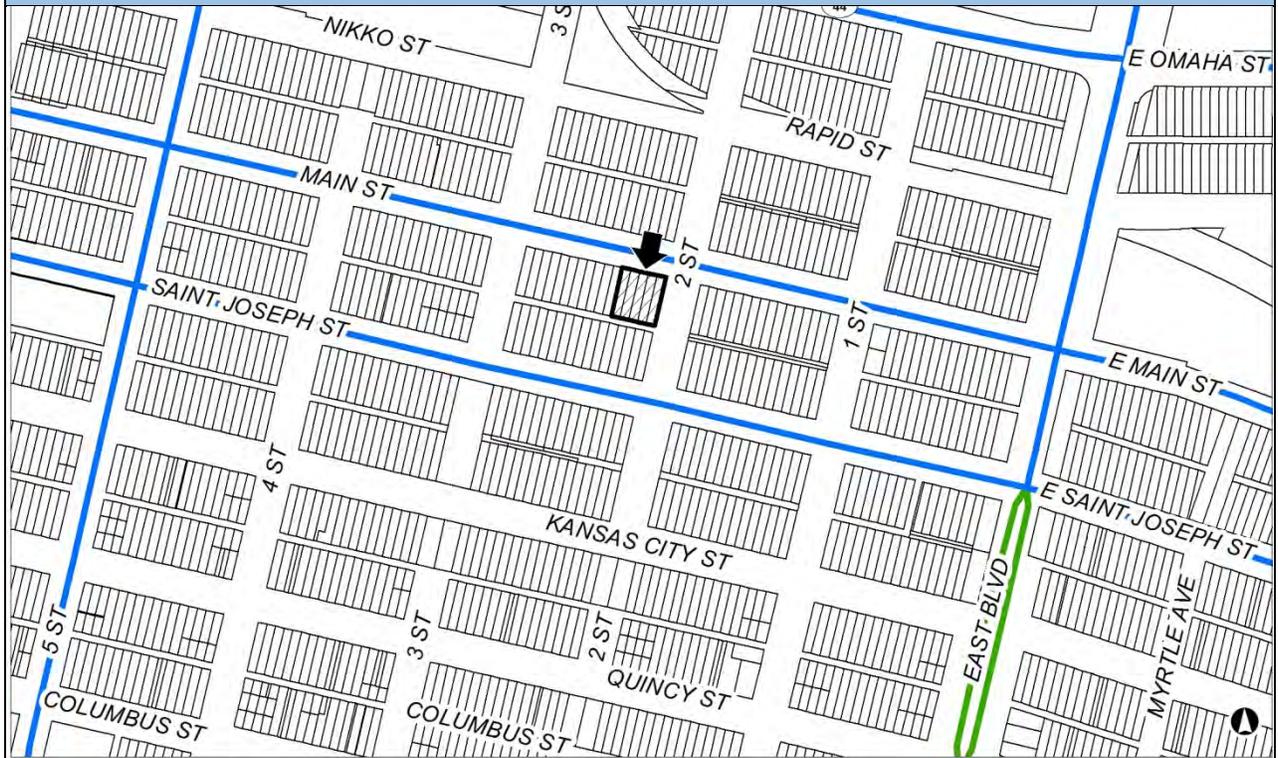
### Comprehensive Plan Future Land Use



### Future Land Use Categories

-  Subject Project
-  Downtown
-  Public/Quasi-Public
-  Revitalization Corridor

### Parks or Transportation Plan



### Major Street Plan

-  Subject Property
-  Collector
-  Principal arterial

Relevant Case History			
Case/File#	Date	Request	Action
14PD015	7/24/2014	Major Amendment to the Planned Development	PC approved w/ stipulations
Relevant Zoning District Regulations			
General Commercial District	Required	Proposed/Existing	
Lot Area	No minimum required	0.40 acres, approximately 17,424 sq ft	
Lot Frontage	No minimum required	Approximately 265 feet	
Maximum Building Heights	4 stories, 45 ft	3 stories, approximately 38 ft, 6 in	
Maximum Density	75%	Approximately 63.4%	
Minimum Building Setback:			
• Front	25 ft to Main Street	3.5 ft (legally non-conforming)	
• Rear	0 ft to south lot line	0 ft	
• Side	0 ft to west lot line	0 ft	
• Street Side	25 ft to 2 <sup>nd</sup> Street	0 ft (legally non-conforming)	
Minimum Landscape Requirements:			
• # of landscape points	6,406 points	0 points proposed (legally non-conforming)	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	74 spaces required	0 spaces proposed (a total of 13 legally non-conforming spaces on site.)	
• # of ADA spaces	3 ADA, 1 van accessible	0 spaces proposed (a total of 2 legally non-conforming ADA spaces on-site)	
Signage	Per RCMC	Per RCMC	
Fencing	Per RCMC	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
<p><b>Pursuant to Section 17.50.050.F.5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria in a request for a Planned Development:</b></p>	
	Findings
1. There are certain conditions pertaining to the particular piece of property in question because of its size shape, or topography;	There are no conditions existing on this lot due to size, shape, or topography.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;	The property has previously been developed through the Planned Development process. Today, the applicant is proposing to alter the previously approved Planned Development on the property in order to introduce a mix of residential and commercial uses into the same structure. As a part of this request, the applicant has requested Exceptions to the underlying land area regulations for the General Commercial District. As such, the applicant has submitted this Major Amendment to the Planned Development. The application of these regulations to this piece of property does not create a

	practical difficulty or undue hardship.
3. Exceptions to the underlying zoning district, if granted, would not cause undue hardship to the public good or impair the purposes and intent of these regulations;	<p>City staff has noted that the property is designated for a Downtown Use on the City's adopted Future Land Use Plan. It is anticipated that future development of the area will be as a part of the Rapid City Downtown. The Central Business District is in close proximity to the west and does not have an off-street parking requirement.</p> <p>The applicant is proposing a mix of residential, office/retail/service, and restaurant uses on the property that require a minimum of 74 parking spaces be provided on the site. Submitted plans show that the existing site has a total of 15 parking spaces on the property today. Two of the existing spaces serve as ADA accessible parking for the facility. However, none of the existing parking spaces have the required parking access aisle for legally complying parking in Rapid City. As such, the requested reduction in parking being requested as a part of this Major Amendment is from 74 spaces to 0 spaces. As a part of the most recently approved Major Amendment to the Planned Development, the reduction in parking for this site was from 168 to 0. The proposed incorporation of residential uses onto the property will result in a much smaller overall reduction in parking than is previously approved for the property. However, securing residential parking on the site is critical to ensuring residential tenants of the building have safe, effective parking. As such, the applicant has proposed and staff recommends that the existing, legally non-complying parking located on the property today be signed and utilized for residential use only, with the exception of the existing ADA accessible parking, which may remain available for all customers. Based on the overall decrease in parking demands for the property as well as the residential and ADA accessible parking secured for the building, it appears that the requested Exception to reduce the required parking will not create undue hardship on the neighborhood or impair the intent of the Zoning Ordinance.</p>
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;	The property is located within an existing Planned Development. Residential uses are a conditional use in the General Commercial District when included with other existing or proposed commercial uses. Based on the applicant's intended plans to introduce residential uses into the existing commercial development, a Major Amendment to the Planned Development is required. A literal interpretation of this chapter does not deprive the applicant of rights that others in the same district are allowed.
5. Any adverse impacts will be reasonably mitigated;	As previously noted, the applicant's requested reduction in parking is actually less than the reduction in parking previously approved as a part of the most recent Major Amendment. The Rapid City Comprehensive Plan identifies this area as appropriate for Downtown

	development in the future, and the Rapid City Downtown Master Plan identifies a need for a minimum of 350 residential dwelling units in the Downtown Corridor in coming years. With the securing of residential parking on the site for the proposed dwelling units, it appears that the potential impacts of introducing residential uses into the Creamery Building are being reasonably mitigated.
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.	Current parking requirements for the property require a total of 168 parking spaces. The requested Exception to reduce the required parking for the property from 74 to 0 spaces results in a less intense use of the existing facility. However, residential parking needs differ from commercial needs. In recognition of these different requirements, the applicant is proposing to utilize the existing, legally non-conforming parking on the property to satisfy residential parking needs. While the existing parking on-site does not meet Rapid City parking standards, the existing spaces can ensure residential parking needs are being met, while alleviating parking pressure on the surrounding on-street parking network. In addition, the introduction of desired residential uses in an area expected to be incorporated into the Downtown designation in the near future is an identified objective of the Rapid City Comprehensive Plan and the Rapid City Downtown Master Plan. The requested Exception to reduce parking is an alternative, innovative practice which reasonably achieves the objectives of the Zoning Ordinance, if approved with the stipulation that all existing, legally non-conforming parking on the property be signed and reserved for the use of residential tenants or ADA accessible parking.

**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:**

<b>Comprehensive Plan Conformance – Core Values Chapters</b>	
	<b>A Balanced Pattern of Growth</b>
BPG-1.2B	<u>Priority Activity Centers for Reinvestment:</u> The proposed development will encourage the continued investment into the Downtown Regional Activity Center and will allow redevelopment of an existing historic structure while retaining the historic character of the building and the area.
	<b>A Vibrant, Livable Community</b>
LC-1.1A	<u>Innovative Design:</u> The proposed development introduces a mix of uses into an existing historic structure, encouraging creativity and flexibility in the redevelopment of this existing neighborhood.
LC-4.1B	<u>Diverse Mix of Uses:</u> The proposed development introduces a mix of uses into the Downtown, which will expand vibrancy and activity east of 5 <sup>th</sup> Street.

	<b>A Safe, Healthy, Inclusive, and Skilled Community</b>
N/A	N/A
	<b>Efficient Transportation and Infrastructure Systems</b>
N/A	N/A
	<b>Economic Stability and Growth</b>
EC-2.1A	<u>Downtown Area Retail and Entertainment</u> : The proposed development expands residential options in close proximity to the downtown and may open additional space for development.
	<b>Outstanding Recreational and Cultural Opportunities</b>
N/A	N/A
	<b>Responsive, Accessible, and Effective Governance</b>
GOV-2.1A	<u>Public Input Opportunities</u> : The Major Amendment to the Planned Development requires notification of surrounding property owners located within 250 feet of the property boundary and posting of a sign on the property. These notification requirements allow public input into the proposed development. As of this writing, there have been no inquiries into the requested Major Amendment.

<b>Comprehensive Plan Conformance – Growth and Reinvestment Chapter</b>	
<b>Future Land Use Plan Designation(s):</b>	Downtown, Revitalization Corridor
<b>Design Standards:</b>	
GDP-MU2	<u>Integrated Housing</u> : The proposed development incorporates some new options for housing in a Regional Activity Center and along a principal arterial street on the City's Major Street Plan, an identified Revitalization Corridor, and a major commercial corridor of the City, with immediate access to transit, shops, services, and employment opportunities.

<b>Comprehensive Plan Conformance – Neighborhood Area Policies Chapter</b>	
<b>Neighborhood:</b>	Downtown/Skyline Drive Neighborhood
<b>Neighborhood Goal/Policy:</b>	
DSD-NA1.1B	<u>Regional Activity Center</u> : The proposed development supports the continuing revitalization of the downtown.
DSD-NA1.1C	<u>Mixed Use Development</u> : The proposed development is an adaptive reuse of an existing historic structure located within a primary corridor of the city and adjacent to the Central Business District.
DSD-NA1.1D	<u>Reinvestment Corridor</u> : The proposed development emphasizes the objective of targeted reinvestment along Reinvestment Corridors, including Main Street.

<b>The Development Review Team Recommends that the request for a Major Amendment to the Planned Development be approved for the following reasons:</b>	
•	The proposed development is an adaptive reuse of an existing historic structure with a mix of uses which provides future flexibility and creativity on property anticipated to be a part of the Downtown in the future.

•	The requested Exception for parking will still ensure that sufficient parking for proposed residential uses is being provided, while utilizing available on-street parking for commercial uses.
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<b>Staff recommends that the requested Major Amendment to the Planned Development be approved with the following stipulations:</b>
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1.	The requested Exception to reduce the required amount of parking provided on the property from 74 spaces to 0 spaces is hereby granted, contingent upon provision of 13 signed, residential parking spaces and 2 ADA accessible parking spaces on the existing, legally non-conforming parking located on the property today;
2.	Prior to issuance of a building permit for any external renovation, an 11.1 Historic Review shall be completed for the property;
3.	Prior to issuance of a sign permit, Historic Review of all signage shall be complete. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment. The addition of LED signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign, and;
4.	This Major Amendment to the Planned Development shall allow a total of nine residential units in the existing mixed-use development located on the property today. All requirements of the General Commercial District shall be maintained unless specifically stipulated as a part of this Major Amendment or a subsequent Major Amendment to the Planned Development. All permitted uses in the General Commercial District shall be permitted. All conditional uses in the General Commercial District 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.*

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<b>Companion Case(s)</b>	N/A
<b>ADVISORIES: Please read carefully!</b>	
1.	A building permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to use;
2.	All construction plans shall be signed and sealed by a registered professional pursuant to SDCL 36-18A;
3.	All requirements of the currently adopted Building Code shall be met;
4.	All requirements of the International Fire Code shall be met;
5.	All requirements of the Rapid City Infrastructure Design Criteria Manual and Rapid City Standard Specifications shall be met;
6.	All erosion and sediment control measures shall be installed and continually maintained as necessary;
7.	Handicap accessibility shall be maintained as necessary;
8.	All installed landscaping shall be installed and maintained in compliance with the requirements of the Rapid City Municipal Code;
9.	All lighting shall be designed to preclude shining on adjacent properties and rights-of-ways, so as not to create a nuisance to neighboring properties and traffic.