

STAFF REPORT
December 7, 2006

**No. 06PD093 – Major Amendment to a Planned Residential ITEM 46
Development to allow the expansion of a group home**

GENERAL INFORMATION:

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| PETITIONER | Baffuto Architectura for Cornerstone Rescue Mission |
| REQUEST | No. 06PD093 - Major Amendment to a Planned Residential Development to allow the expansion of a group home |
| EXISTING LEGAL DESCRIPTION | The east half of Lots 27, all of Lots 28 and 29 of Block 116 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately .20 acres |
| LOCATION | 404 Columbus Street |
| EXISTING ZONING | High Density Residential District |
| SURROUNDING ZONING | |
| North: | High Density Residential District |
| South: | High Density Residential District |
| East: | High Density Residential District |
| West: | High Density Residential District |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 11/7/2006 |
| REVIEWED BY | Travis Tegethoff / Mary Bosworth |

RECOMMENDATION:

Staff recommends that the Major Amendment to a Planned Residential Development to allow the expansion of a group home be approved with the following stipulations:

1. All stipulations of the Original Planned Residential Development – Final Development Plan shall be met at all times;
2. A Building Permit shall be obtained prior to initiation of construction and a Certificate of Occupancy shall be obtained prior to occupancy of the new structure;
3. The proposed addition shall be fully fire sprinkled and all applicable provisions of the International Fire Code shall be continually met;
4. Prior to issuance of a building permit, the applicant shall demonstrate how the proposed sprinkler system will be served by the existing water main;
5. Prior to issuance of a building permit, the applicant shall submit drainage information and a plan for review and approval; and
6. The Major Amendment to a Planned Residential Development shall expire if the use is not undertaken within two years of the date of approval by the Planning Commission, or if

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the use as approved has ceased for a period of two years.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Residential Development Plan to allow the expansion of a group home on the subject property. The property is located on the north side of Columbus Street between 4th Street and 5th Street.

In 1946, a building permit was issued to allow the residence to be located on the property. The building permit indicates that the residence was to be used as a “rooming house”. In 1984, a building permit was issued to allow the residence to be used as a “group home”. Subsequently, Women Against Violence, Inc. located on the site.

On September 20, 2004 City Council approved an Initial and Final Development Plan (04PD038) for the subject property with the following stipulations:

1. Prior to Planning Commission approval, the site plan shall be revised to provide ten parking spaces with one of the spaces being “van” handicap accessible. In addition, the site plan shall be revised to preclude backing into Columbus Street and the alley;
2. Upon issuance of a building permit, the alley shall be paved from the approach along the rear lot line of the property to 4th Street;
3. Upon issuance of a building permit, the shrubs located along the front lot line shall be trimmed and/or removed from the ten foot sight triangle. In addition, a minimum of 6,638 landscaping points shall continually be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
4. A Building Permit and a Certificate of Occupancy shall be obtained prior to occupancy;
5. All Uniform Fire Codes shall be met;
6. A group home shall be allowed on the property as defined by Chapter 17.04.350 of the Zoning Ordinance. This shall not include missions, detoxification centers or detention centers. In particular, the existing residence shall be used as a group home for women and children with a maximum of eight bedrooms. Any expansion of the use shall require the review and approval of a Major Amendment to the Planned Residential Development; and,
7. The Planned Residential Development shall expire if the use is not undertaken within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

The applicant is now proposing to expand the existing group home by adding a 400 square foot addition for a children’s area.

STAFF REVIEW:

Staff has reviewed the Initial and Final Residential Development Plan and has noted the following considerations:

Land Use: As previously indicated the existing residence is used as a group home for women and children. In particular, the group home houses women and children in the eight

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bedrooms currently existing in the structure. In addition, a maximum of two employees are on the property at any one time. Chapter 17.04.350 states that a group home means “an activity providing personal assistance to six or more individuals unrelated by blood marriage who, by reason of mental or physical disability, addiction to drugs or alcohol, or family and school adjustment problems, require specialized attention and care in order to achieve personal independence. Such assistance must include board and room, and may include counseling, rehabilitative services and other incidental services customarily provided by group homes. This shall not include missions, detoxification centers or detention centers”.

The applicant is now proposing to construct a 400 square foot addition for a children’s area in the rear of the existing group home. Staff recommends approval of the expansion as no additional bedrooms are being proposed with the expansion. Any expansion of the use will require the review and approval of a Major Amendment to the Planned Residential Development.

Quit Claim Deed: In 1980, a Quit Claim Deed was filed at the Register of Deed's Office transferring ownership of the property from the City of Rapid City to Women Against Violence, Inc. A condition of the Quit Claim Deed requires that the “property be used for a shelter for domestic violence victims, and related operations, and if said property shall no longer be used for this purpose, title to said property shall revert to the City of Rapid City”. The proposed use of the property as a group home for women and children is consistent with the intent of the conditions of the Quit Claim Deed. The applicant should be aware that any other use of the property will result in the title of the property reverting back to the City of Rapid City.

Building Permit: Staff noted that a Building Permit must be obtained prior to any construction, and a Certificate of Occupancy must be obtained prior to occupancy of the building.

Parking: Staff noted that no additional parking stalls are required since the addition does not include any additional bedrooms.

Landscaping: A minimum of 6,238 landscaping points are required. The applicant has submitted a landscaping plan identifying that 8,000 landscaping points are being provided. The applicant’s landscape plan is in compliance with all applicable provisions of Section 17.50.300 of the Rapid City Municipal Code.

Fire Safety: Staff noted the proposed addition shall be fully fire sprinkled and all applicable provisions of the International Fire Code shall be continually met. In addition, the applicant shall demonstrate how the proposed sprinkler system will be served by the existing water main.

Drainage System: Staff noted that drainage information must be submitted for review approval. In particular, a drainage plan prepared by a Registered Professional Engineer shall include calculations demonstrating that developed flows from the site do not exceed pre-developed flows or local detention facilities shall be provided or expanded as necessary. Staff recommends that prior to issuance of a building permit, the applicant shall submit the required drainage information.

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Legal Notification Requirement: The receipts from the certified mailings have not been returned. Staff will notify the Planning Commission at the December 7, 2006 Planning Commission meeting if this requirement is not met.

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