

STAFF REPORT
May 7, 2009

No. 09PD008 - Planned Commercial Development - Initial and Final Development Plan **ITEM 18**

GENERAL INFORMATION:

APPLICANT/AGENT	Rob Larson
PROPERTY OWNER	Rapid City YMCA
REQUEST	No. 09PD008 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lots 13 thru 20 of Block 4 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.64 acres
LOCATION	1124 Kansas City Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	General Commercial District - Office Commercial District (Planned Development Designation)
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/27/2009
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan be approved with the revised legal description of Lots 15 thru 18 of Block 4 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota and the following stipulations:

1. An exception is hereby granted to allow the existing parking stalls that back into the alley remain in place until such time as the building is expanded or removed and a new structure is built on the property. At the time the building is expanded or removed and a new structure is built the subject property shall conform to all of the regulations of the district in which it is located;
2. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative

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- state and replaced as necessary;
3. **The currently adopted International Fire Code shall be continually met;**
 4. **The hours of operation shall be from 5:30 a.m. to 7:00 p.m. for the child care center;**
 5. **A maximum of 75 children shall be allowed at the child care center at any one time;**
 6. **Prior to Planning Commission approval, a complete sign package shall be submitted for review and approval or a Major Amendment to the Planned Commercial Development shall be obtained prior to the installation of any signage**
 7. **A minimum of 35 square feet of play space shall be provided per child as per Section 17.50.150 of the Rapid City Municipal Code; and,**
 8. **The Planned Commercial Development to allow a Child Care Center 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.**

GENERAL COMMENTS: (Update, April 29, 2009. All revised and/or added text is shown in bold print.) This item was continued to the May 7, 2009 Planning Commission meeting to allow the applicant to submit additional information. On April 28, 2009 the applicant met with staff and requested that Lots 13, 14, 19, and 20 of Block 4 of Boulevard Addition be removed from the request. As such, staff recommends that the Planned Commercial Development – Initial and Final Development Plan be approved with the above noted stipulations.

(Update, April 15, 2009. All revised and/or added text is shown in bold print.) This item was continued to the April 23, 2009 Planning Commission meeting to allow the applicant to submit the required information. To date, no additional plans have been submitted for the project. The applicant is requesting that no improvements be made at this time. The requested change in use requires that the off-street parking be brought into compliance with the items as outlined in this report.

(Update, March 31, 2009. All revised and/or added text is shown in bold print.) This item was continued to the April 9, 2009 Planning Commission meeting to allow the applicant to submit the required information. To date, no additional information has been submitted. As such, staff recommends that this item be continued to the April 23, 2009 Planning Commission meeting.

The applicant has submitted a Planned Commercial Development - Initial and Final Development Plan to allow a Child Care Center to be located on the above legally described property. The property is located north of Kansas City Street and east of 12th Street. A church is currently located on the property and the applicant is proposing to use the facility for a staging area and alternate site for the YMCA day camp for up to 75 children. There will be a maximum of 8 staff provided and the hours will be from 6:30 a.m. to 6:00 p.m.

STAFF REVIEW: Staff has reviewed this request for a Planned Commercial Development - Initial and Final Development Plan as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

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Building Permits: Staff noted that a building permit must be obtained prior to any construction and a certificate of occupancy obtained prior to occupancy. Staff also noted that all plans shall be stamped by a Registered Professional Engineer and/or Architect per SDCL 36-18A.

Parking: Staff noted that 16 parking stalls are required for the proposed facility along with an unloading zone. There are currently 21 legal parking stalls on the property and an existing loading zone is located along the north side of the building. In addition, there are a number of existing off-street parking stalls that back into the public alley surrounding the facility. Staff supports granting an exception to allow these existing parking stalls that back into the alley remain in place for the proposed facility. However, there is a number of existing parking stalls located in the north parking lot that back into the 12th Street right-of-way that have no separation between the on-street and off-street parking stalls. In addition, there is no sidewalk provided for pedestrian access along this portion of 12th Street. As such, staff recommends that this item be continued to allow the applicant to submit a revised site plan providing separation between the on-street and off-street parking and provide a sidewalk for review and approval.

The applicant has requested that requirements be waived. Staff cannot support the request to waive the requirements due to the safety concerns. Staff recommends that prior to Planning Commission approval, construction plans for the parking lot along 12th Street be submitted for review and approval.

On April 28, 2009 the applicant met with staff and requested that Lots 13, 14, 19, and 20 of Block 4 of Boulevard Addition be removed from the legal description since the proposed day care facility would have 23 parking stalls, exceeding the 16 required, on Lots 15 through 18 of Block 4 of Boulevard addition if the exception is granted to allow the existing parking stalls that back into the alley to remain in place for the proposed facility. In addition, the applicant stated that church use will be relocating to a different site in December of 2009 and that no day care activities will take place at the facility if a church event is schedule so there is no conflict with parking.

Landscaping: A minimum of 19,528 landscaping points are required. There are existing trees, shrubs and lawn area on the property that provides 20,250 landscaping points. However, no trees or shrubs are provided in the north parking lot to provide a buffer between the on-street and off-street parking. Staff recommends that the applicant submit a revised landscaping plan providing a landscaped buffer between the on-street and off-street parking for review and approval.

The applicant has requested that no buffering be required. However, no trees or shrubs are provided in the north parking lot to provide a buffer between the on-street and off-street parking. Staff recommends that the applicant submit a revised landscaping plan providing a landscaped buffer between the on-street and off-street parking for review and approval. As such, staff recommends that prior to Planning Commission approval, landscape plans for the parking lot along 12th Street be submitted for review and approval.

On April 28, 2009 the applicant met with staff and requested that Lots 13, 14, 19, and

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20 of Block 4 of Boulevard Addition be removed from the legal description since Lots 15 through 18 of Block 4 of Boulevard Addition meet the minimum requirements of Section 17.50.300 of the Rapid City Municipal Code.

Play Area: Section 17.50.150 of the Rapid City Municipal Code requires that a minimum of 35 square feet of play space be provided per child. There is 8,350 square feet of space provided in the building for 75 children. This provides 111 square feet of play space per child and exceeds the minimum requirement of Section 17.50.150 of the Rapid City Municipal Code.

Signage: Staff noted that a sign package was not submitted with the application. Staff recommends that prior to Planning Commission approval, a complete sign package must be submitted for review and approval or a Major Amendment to the Planned Commercial Development must be obtained prior to the installation of any signage.

Fire Code: Fire Code: Staff noted that the structure shall be fully fire sprinklered and fire alarmed detected. In addition, all applicable provisions of the current International Fire Code must be continually met.