

STAFF REPORT

July 3, 2013

No. 13UR011 – Conditional Use Permit to allow Roosevelt Park Expansion

ITEM 16

GENERAL INFORMATION:

APPLICANT	City of Rapid City
AGENT	Randy Fisher - Designworks
PROPERTY OWNER	City of Rapid City
REQUEST	No. 13UR011 - Conditional Use Permit to allow Roosevelt Park Expansion
EXISTING LEGAL DESCRIPTION	Tract 27 of Rapid City Greenway Tract, Section 31, T2N, R8E (also in Section 6, T1N, R8E), BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 32.08 acres
LOCATION	North of Omaha Street between Maple Avenue and Waterloo Street
EXISTING ZONING	Flood Hazard District
FUTURE LAND USE DESIGNATION	Flood Hazard
SURROUNDING ZONING	
North:	Medium Density Residential District - Medium Density Residential District (Planned Development)
South:	Flood Hazard District - General Commercial District
East:	Medium Density Residential District - Medium Density Residential District (Planned Development) - Office Commercial District (Planned Development Designation) - General Commercial District
West:	Park Forest District - Medium Density Residential District - General Commercial District - Flood Hazard District
PUBLIC UTILITIES	Rapid City
DATE OF APPLICATION	June 7, 2013
REVIEWED BY	Fletcher Lacock / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow Roosevelt Park Expansion be approved with the following stipulations:

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1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
3. Upon submittal of a building permit, a stormwater report addressing quantity and quality control, signed and stamped by a Professional Engineer, shall be submitted for review and approval;
4. Prior to issuance of a building permit, the applicant shall verify that sewer release rates for the proposed pool do not exceed current rates;
5. Prior to issuance of a building permit, a floodplain development permit shall be obtained;
6. A minimum of 40,109 landscaping points shall be provided for the proposed outdoor pool expansion. In addition, a minimum of 66,095 landscaping points shall be provided for the proposed parking lot expansion. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
7. A minimum of 392 parking spaces shall be provided. Twelve of the parking spaces shall be handicap accessible. Two of the handicap spaces shall be “van accessible.” All provisions of the Off-Street Parking Ordinance shall be continually met. In addition, additional parking shall be provided in compliance with Chapter 17.50.270 of the Rapid City Municipal Code when the storage use is changed;
8. All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Conditional Use Permit. Changes to the sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Conditional Use Permit. All signage not in conformance with the Sign Code shall require a Variance or a Planned Development Overlay. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Conditional Use Permit. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
9. Upon submittal of a building permit, a lighting package shall be submitted for review and approval. All outdoor lighting shall 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;
10. All provisions of the Flood Hazard District shall be met;
11. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
12. All applicable provisions of the adopted International Fire Code shall continually be met; and,
13. The Conditional Use Permit shall allow a pool and park complex with a future parking expansion. Any change in use that is a permitted use in the Flood Hazard District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Flood Hazard District shall require the review and approval of a Major Amendment to the Conditional Use Permit.

GENERAL COMMENTS:

The applicant has submitted a Conditional Use Permit to allow the expansion of Roosevelt Park. In particular, the applicant is proposing to construct a 10-lane 50-meter outdoor pool,

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restrooms attached to the existing pool facility, a pool mechanical / storage building and a future 150 parking stall expansion. The applicant has indicated that the parking lot expansion on the south side of the property in the location of the existing basketball court will be constructed as a second phase.

Roosevelt Park was deeded to the City of Rapid City in 1966. On May 18, 1992, the City Council approved a Conditional Use Permit (File #1329) to construct a concession stand. On July 5, 1994, the City Council approved a Conditional Use Permit (File #1329) to construct a public restroom facility. On May 20, 1996, the City Council approved a Conditional Use Permit (File #1497) to construct a softball field and to replace playground apparatus.

On February 5, 2000, the City Council approved a Conditional Use Permit (File #00UR042) for the "Roosevelt Park Master Plan". The major components of the master plan are as follows:

- Replacement of the existing Roosevelt Park tank swimming pool with a new leisure water pool;
- Construction of multi-use complex to include indoor pool, indoor ice rink, and multi-use gymnasium;
- Relocation of two basketball courts;
- Construction of new parking lots on the east side of the park;
- Vacation of Herman Street between East New York Street and East Chicago Street;
- Construction of a new parking lot along East St. Louis Street and Herman Street;
- Relocation and construction of the Roosevelt Pond to include a larger open water area and wetland area;
- Construction of new restroom pavilion; and,
- An outdoor amphitheater.

On September 5, 2002, a South Dakota Codified Law 11-6-19 review (File #02SR015) was approved to allow an indoor pool, parking and landscaping improvements. On February 7, 2008, a South Dakota Codified Law 11-6-19 review (File #07SR054) was approved to allow structures and improvements in the Flood Hazard District. In particular, to construct a shade structure, picnic shelter, pedestrian bridge, sidewalks, lighting, parking and landscaping improvements. On November 19, 2009, a South Dakota Codified Law 11-6-19 review (File #09SR102) was approved to allow a bus shelter on the above legally described property.

The property is located on the north side of East Omaha Street between Maple Avenue on the west and Waterloo Street on the east. Currently, the property is the location of Roosevelt Park, the Rapid City Aquatic Center and Roosevelt Park Ice Arena.

STAFF REVIEW:

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:*

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The property is located on the north side of East Omaha Street between Maple Avenue on the west and Waterloo Street on the east. Currently, the property is the location of Roosevelt Park, the Rapid City Aquatic Center and Roosevelt Park Ice Arena.

2. *The location, character and design of adjacent buildings:*

Properties located to the north and northeast are zoned Medium Density Residential District and are primarily developed with one and two-story single-family residences. The property located to the west is zoned Office Commercial District and developed with three-story apartments. The property located to the southeast is zoned General Commercial District and is developed as a car sales lot. Located on the properties to the west are a mix of commercial and residential structures. The property to the southwest is zoned Flood Hazard District and is currently developed as additional park land. The property abuts East Omaha Street on south. On the south side of East Omaha Street are properties zoned General Commercial District developed with one-story commercial structures and property zoned Flood Hazard District.

3. *Proposed fencing, screening and landscaping:*

The applicant has submitted a landscaping plan for the proposed outdoor pool area and the future parking expansion. A minimum of 40,109 landscaping points must be provided for the proposed outdoor pool expansion. The applicant has submitted a landscaping plan that shows a total of 44,350 landscaping points to be provided. In addition, a minimum of 66,095 landscaping points must be provided for the proposed parking lot expansion. The applicant has submitted a landscaping plan that shows a total of 70,030 landscaping points for the proposed parking lot expansion. The proposed landscaping is in compliance with Chapter 17.50.300 of the Rapid City Municipal Code. All landscaping must be continually maintained in a live vegetative state and replaced as necessary. The site plan also identifies a 6 foot high chain link fence which will enclose the proposed outdoor pool area.

4. *Proposed vegetation, topography and natural drainage:*

The proposed swimming pool and parking expansion are located in the Federal Emergency Management Agency's designated 100 year floodplain. As such, prior to issuance of a building permit, a floodplain development permit must be obtained. Upon submittal of a building permit, a stormwater report addressing quantity and quality control, signed and stamped by a Professional Engineer, must be submitted for review and approval.

5. *Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:*

There are two access approaches off of Waterloo Street on the east side of the property. Vehicular access is also provided off of East New York street on the north and Herman Street on the west. There is property line sidewalk along Waterloo Street. There is also

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a mix of property line and curbside sidewalk along East Omaha Street. In addition, the interior of the site has a network of pedestrian pathways.

The proposed outdoor swimming pool increases the minimum required parking for the existing and proposed uses from 310 spaces to 392 parking spaces. In addition, 12 of the parking spaces must be handicap accessible. Two of the handicap spaces must be “van accessible.” Currently, there are 437 parking spaces located on the property. No additional parking is required for the existing and proposed uses.

The applicant is also proposing to expand the parking lot in the future to include an additional 150 parking spaces as a part of this Conditional Use Permit. The proposed parking lot will replace the existing basketball court on the south side of the property along East Omaha Street. The total parking provided will be 587 parking spaces with the future expansion. In addition, 14 of the parking spaces are handicap accessible with two of the spaces being “van accessible”. The parking plan is in compliance with Chapter 17.50.270 of the Rapid City Municipal Code. All provisions of the Off-Street Parking Ordinance must be continually met.

6. *Existing traffic and traffic to be generated by the proposed use:*

The applicant has submitted a Master Plan that identifies future expansions to the Roosevelt Park complex. A part of the future expansion is to enclose the currently proposed outdoor pool. The applicant should be aware that the proposed expansions may trigger the criteria to require a Traffic Impact Study in the future. A Major Amendment to the Conditional Use Permit will be required for the future phases as they come forward.

7. *Proposed signs and lighting:*

The applicant has stated that no additional signage is being proposed with this application. All signage must continually conform to the Sign Code. No electronic signs are being approved as a part of this Conditional Use Permit. Changes to the sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, will be allowed as a Minimal Amendment to the Conditional Use Permit. All signage not in conformance with the Sign Code will require a Variance or a Planned Development Overlay. Any electronic reader board signs will require the review and approval of a Major Amendment to the Conditional Use Permit. Lighting for the signs must be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

The applicant has not submitted an outdoor lighting package with this application. As such, upon submittal of a building permit, a lighting package must be submitted for review and approval. All outdoor lighting must continue to 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.

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8. *The availability of public utilities and services:*

The property is currently served by public utilities including Rapid City sewer and water. Prior to issuance of a building permit, the applicant must verify that sewer release rates for the proposed pool will not exceed current rates.

9. *The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:*

The Zoning Ordinance is the tool that implements the Comprehensive Plan. Public recreational uses with structures are a conditional use in the Flood Hazard District. The Conditional Use Permit will allow a 10-lane 50-meter outdoor pool, restrooms attached to the existing pool facility, a pool mechanical / storage building and a future 150 parking stall expansion. Any change in use that is a permitted use in the Flood Hazard District will require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Flood Hazard District will require the review and approval of a Major Amendment to the Conditional Use Permit.

A building permit must be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy. Upon submittal of a building permit, plans must be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A.

10. *The overall density, yard, height and other requirements of the zone in which it is located:*

The existing and proposed development on the property are in compliance with the density, yard and height requirements of the Flood Hazard District. All provisions of the Flood Hazard District must be met.

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:*

Roosevelt Park is a public recreational complex. The proposed outdoor swimming pool and future parking lot expansion will be located on the south side of the existing structures which should provide a buffer from the residential properties to the north. In addition, the Public Works Department has identified stormwater quantity and quality control as an issue that must be addressed for the proposed outdoor pool. As such, upon submittal of a building permit, a stormwater report addressing quantity and quality control, signed and stamped by a Professional Engineer, must be submitted for review and approval.

An Air Quality Construction Permit must be obtained prior to any surface disturbance of one acre or more.

12. *The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:*

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The stipulations of approval of the Conditional Use Permit will serve as a tool to insure that the proposed expansion will have minimal adverse impacts on the floodplain and floodway. In addition the stipulations will ensure that parking, landscaping and signage will comply with the Zoning Ordinance.

Notification: The first class mailings have been returned to Community Planning and Development Services for mailing. The sign has been picked up; however, as of this writing, staff has not confirmed that the sign has been posted on the property. Staff will notify the Planning Commission at the July 3, 2013 Planning Commission meeting if this requirement has not been met.