

STAFF REPORT
July 24, 2014

No. 14PD016 - Final Planned Development Overlay to allow a park

ITEM 5

GENERAL INFORMATION:

APPLICANT	Rick Asvigg - Willow Park Committee
AGENT	Stephany Valkenburg
PROPERTY OWNER	City of Rapid City
REQUEST	No. 14PD016 - Final Planned Development Overlay to allow a park
EXISTING LEGAL DESCRIPTION	Lot RU-34 of RU Lots, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.72 acres
LOCATION	At the southwest corner of Monroe Street and Blaine Avenue
EXISTING ZONING	Medium Density Residential District
FUTURE LAND USE DESIGNATION	Urban Neighborhood
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	Rapid City water and sewer
DATE OF APPLICATION	June 27, 2014
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Final Planned Development Overlay to allow a park be approved with the following stipulations:

1. An Exception is hereby granted to allow parking to back into the right-of-way. A minimum of three parking spaces shall be provided as a part of a future phase of development of the park. A minimum of one of the parking spaces shall be a van accessible handicap parking space. All parking shall be paved and striped pursuant to the requirements of the Rapid City Parking Ordinance;
2. An Exception is hereby granted to reduce the minimum front yard setback from 35 feet to 20 feet;
3. An Exception is hereby granted to increase the maximum permitted sign size from 1

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square foot to 32 square feet. Changes to the signage which comply with the Rapid City Sign Code shall be permitted. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Planned Development. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for each sign;

4. Sidewalks shall be provided on all property lines adjacent to the public right-of-way pursuant to the requirements of the Rapid City Municipal Code or a Variance waiving the requirement for sidewalk shall be obtained from the City Council;
5. A building permit shall be obtained prior to construction. A Certificate of Completion shall be obtained prior to use of the park;
6. Prior to issuance of a building permit, revised plans shall be submitted showing the location and dimension of all proposed amenities and park improvements, including the location of all proposed playground equipment, the proposed sculpture, and the location of all future improvements on the property;
7. All requirements of the International Fire Code shall be continually maintained;
8. All requirements of the Medium Density Residential District shall be continually maintained unless specifically approved as a part of this Final Planned Development or a subsequent Major Amendment to the Planned Development, and;
9. This Final Planned Development shall allow for the development of a park on the property. Uses permitted in the Medium Density Residential District shall be permitted with the approval of a building permit and contingent upon provision of sufficient parking. Conditional uses in the Medium Density Residential District shall require a Major Amendment to the Planned Development.

GENERAL COMMENTS: The applicant has submitted an application to allow a Final Planned Development Overlay to allow a public park, to be named Willow Park, to be located on approximately 0.72 acres of property currently zoned Medium Density Residential District. A park is a conditional use in the Medium Density Residential District. Neighborworks Dakota Home Resources is a community housing organization working to create and improve diverse housing stock in South Dakota. Neighborworks has partnered with the Rapid City Parks and Recreation Department and is proposing to convert property from a vacant lot into a pocket park with playground equipment and a sculpture. A second phase of development proposes to construct parking, a basketball court, and a shade shelter at a future date. This Final Planned Development application includes both phases of the project.

The property is located southwest of the intersection of Monroe Street and Blaine Avenue and is currently void of structural development.

STAFF REVIEW: Staff has reviewed the request for an Initial Planned Development pursuant to the requirements of Chapter 17.50.050.F(5) of the Rapid City Municipal Code and has noted the following considerations:

There are certain conditions pertaining to the particular piece of property in questions because of its size, shape, or topography;

The property is comprised of approximately 31,363 square feet of land zoned Medium Density Residential District. The surrounding properties are zoned Medium Density

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Residential District. The property is a triangular lot adjacent to property located within the Federally Designated 100 Year Flood Plain. Large portions of the subject property are located within the Federally Designated 500 Year Floodplain. Submitted plans show that all park amenities will be located outside the Federally Designated 100 Year Floodplain. The unique size of the lot combined with the location within a Federally Designated Floodplain make the property undesirable for residential development. It appears these issues may create particular conditions on this property which do not apply to the district in general.

The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship;

The applicant is proposing to convert the currently vacant property into a park with playground equipment, bench seating, and a public sculpture as a part of the first phase of development. The second phase of development includes the addition of parking, a picnic shelter, and a basketball court. A park is a conditional use in the Medium Density Residential District. The application of these regulations to this particular piece of property does not create a practical difficulty or undue hardship.

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;

As of this writing, Neighborworks Dakota Home Resources is working with a number of entities in order to provide the required amount of off-street parking spaces for the park. Submitted plans show that three parking spaces are being proposed as a part of the second phase of development for the park. The three proposed parking spaces include one van accessible parking space. Due to the proximity of the park to an existing residential neighborhood, the park will be accessed primarily via pedestrian access. Due to the primarily pedestrian use of the park, the proposed parking spaces may be provided as a part of the second phase of development. The proposed parking spaces back into the Blaine Avenue right-of-way. As such, the applicant has requested an Exception to allow parking which backs into the right-of-way. Blaine Avenue is classified as a local street on the City's Major Street Plan and is not expected to accommodate large volumes of traffic. The parking is located and designed similar to other parking provided at Rapid City parks, including College Park and Robbinsdale Park. For these reasons, it appears that the requested Exception to allow parking to back into the right-of-way will not have a negative impact on the neighborhood or to the public welfare.

The submitted site plan shows sidewalk is being proposed along Monroe Street in order to provide pedestrian connectivity to residents in the neighborhood. Sidewalks must be provided on all property lines adjacent to the public right-of-way pursuant to the requirements of the Rapid City Municipal Code, or a Variance waiving the requirement for sidewalk must be obtained from the City Council.

The land-area regulations for accessory structures in the Medium Density Residential District require that all structures be set back a minimum of 35 feet from the front property line. Submitted plans show that the playground structures will be located 20 feet from Monroe Street and Blaine Avenue. As such the applicant has submitted a request for an Exception to reduce the minimum required front yard setback from 35 feet to 20 feet. The

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requested Exception will allow some of the park amenities to be located on the property and outside of the existing flood plain located southwest of the park. In addition, the proposed 20 foot setback is in keeping with the setbacks required for primary structures in the neighborhood. It does not appear that the locations of the amenities will conflict with any site triangles or have a negative impact on public safety or the character of the neighborhood. As such, staff recommends that the request to reduce the required front yard setback from 35 feet to 20 feet be approved as shown on the submitted site plans.

Submitted plans show that a 4 foot tall by 8 foot wide sign is being proposed. In the Medium Density Residential District, a maximum 1 square foot sign is permitted on a property. As such, the applicant has requested an Exception to increase the maximum permitted amount of signage from 1 square foot to 32 square feet as shown on the submitted plans. Willow Park is anticipated to be maintained and supervised by the Rapid City Parks and Recreation Department. The proposed sign meets the design standards typical of public park signage in the City. As such, staff recommends that the Exception to increase the maximum permitted amount of signage on the property from 1 square foot to 32 square feet be approved. Changes to the signage which comply with the Rapid City Sign Code will be permitted. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Planned Development. The addition of electronic or LED signage will require a Major Amendment to the Planned Development. A sign permit is required for each sign.

All requirements of the Medium Density Residential District must be maintained unless specifically stipulated as a part of this Final Planned Development or a subsequent Major Amendment to the Planned Development. Any expansions or additions to the proposed park will require a Major Amendment to the Planned Development.

A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed;

The Medium Density Residential District is intended to provide for medium to high density residential development. This includes recreational, religious, and educational facilities in keeping with the residential character of the neighborhood. The proposed park will provide a recreational area for the surrounding neighborhood. A literal interpretation of this chapter does not deprive the applicant of rights that others in the same district are allowed.

Any adverse impacts will be reasonably mitigated;

The proposed park is intended for pedestrians and residents of the residential neighborhood. The provision of sidewalks and the proposal to provide parking in a future phase of development will ensure that access and parking for the park will be able to accommodate the anticipated use of the park. The Medium Density Residential District allows a minimum 20 foot setback for residential structures. Maintaining a minimum 20 foot setback for all park amenities will ensure that the park maintains the design standards of the neighborhood. Submitted plans show that the park will include a sign typical to most public parks in the City of Rapid City. It appears that any potential impacts of the proposed development are being mitigated to the greatest extent possible.

The requested exception to the underlying zoning district standards is an alternative or

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innovative practice that reasonably achieves the objectives of the existing standard sought to be modified;

A park is a conditional use in the Medium Density Residential District. Development of the property through the Planned Development will ensure that the property meets the development standards set forth by the Zoning Ordinance and will be consistent with development in the area. The approved future land use designation on the property shows the area is appropriate for development as an urban neighborhood in the future. All provisions of the Medium Density Residential District will be continually maintained unless specifically stipulated as a part of this Final Planned Development or a subsequent Major Amendment to the Planned Development. For these reasons, staff recommends that the Final Planned Development be approved with the stipulations outlined above.

Notification Requirements: The sign has been posted on the property. The letters of notification have been returned to Community Planning and Development Services for mailing. As of this writing, there have been no inquiries into the proposed Final Planned Development.