

STAFF REPORT
May 6, 2010

No. 10SR013 - SDCL 11-6-19 Review to authorize the acquisition of property and the use as a community garden **ITEM 26**

GENERAL INFORMATION:

APPLICANT/AGENT	Josh Christiansen for NeighborWorks Dakota Home Resources
PROPERTY OWNER	Neighborhood Housing Services of the Black Hills, Inc
REQUEST	No. 10SR013 - SDCL 11-6-19 Review to authorize the acquisition of property for a community garden
EXISTING LEGAL DESCRIPTION	Lots 19 and 20 of Block 25 of North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.16 acres
LOCATION	706 Lemmon Avenue
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/26/2010
REVIEWED BY	Ali DeMersseman / Karley Halsted

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to authorize the acquisition of property and the use as a community garden be approved if the following information is received prior to Planning Commission approval:

- 1. The site plan shall be revised to show a paved parking area and paved alley access to the parking area; and**
- 2. The site plan shall be revised to eliminate backing into the alley.**

GENERAL COMMENTS: (Update, April 28, 2010. All revised and/or added text is shown in bold print.) This item was continued to the May 6, 2010 Planning Commission meeting to allow the applicant to submit a revised site plan, elevations of the proposed sign, lighting details, and a grading and drainage plan. On April 22, 2010,

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the applicant submitted the above noted information.

(Update, April 13, 2010. All revised and/or added text is shown in bold print.) This item was continued to the April 22, 2010 Planning Commission meeting to allow the applicant to submit a revised site plan, elevations of the proposed shed, fence and sign, lighting details and a grading and drainage plan. On April 12, 2010, the applicant submitted elevations of the proposed shed and fencing; however, to date, a revised site plan, sign elevation and a grading and drainage plan have not been submitted for review and approval. Staff will be meeting with the applicant on April 15, 2010 to discuss the remaining items that must be submitted for review and approval. As such, staff recommends that this item be continued to the May 6, 2010 Planning Commission meeting.

(Update, March 29, 2010. All revised and/or added text is shown in bold print.) This item was continued to the April 8, 2010 Planning Commission meeting to allow the applicant to submit a revised site plan, elevations of the proposed shed, fence and sign, lighting details and a grading and drainage plan. To date, the applicant has not submitted the above noted information. As such, staff recommends that the item be continued to the April 22, 2010 Planning Commission meeting.

The City of Rapid City is seeking to acquire Lots 19 and 20 of Block 25 of North Rapid Addition, 706 Lemmon Avenue, for use as a community garden. NeighborWorks has been working with the residents of Lemmon Avenue to revitalize the neighborhood, and the establishment of a community garden at this property is one component of the revitalization efforts. NeighborWorks is proposing to manage the community garden, and is requesting that the City incur the costs of water for the garden.

The property is located north of the intersection of Monroe Avenue and Lemmon Street, and is zoned Medium Density Residential District. The properties to the north, east, south and west are also zoned Medium Density Residential District. The general area is developed with a mix of single-family and multi-family residences.

The property measures approximately 6,970 square feet in area and was previously developed with a single family residence. The residence on the property was demolished, and the property is currently void of any structural development.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then no street, park or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its subdivision jurisdiction until and unless the location and extent thereof shall have been submitted to an approved by the Planning Commission." The property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the acquisition and proposed improvements be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW: Staff has reviewed the SDCL 11-6-19 Review request to authorize the

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acquisition of the property for a community garden and noted the following considerations:

Site Plan: The applicant has submitted a site plan identifying the property developed with seventeen, 8 foot 10 inch by 12 foot 10 inch raised garden spots, an 8 foot by 10 foot storage shed, a picnic area, a fence and a sign. In addition, the applicant's narrative states that lighting will be provided at the property. However, the applicant has not submitted elevations of the proposed storage shed, fencing, and sign, or details regarding the proposed lighting. Furthermore, the applicant has not identified the ground materials that are proposed between the raised garden spots, existing utility services to the property, or proposed parking facilities on the site plan. As such, staff recommends that the item be continued to allow the applicant to submit a revised site plan that includes the above mentioned items, elevations of the proposed shed and sign, and proposed lighting details for review and approval.

(Update: April 28, 2010) On April 22, 2010, the applicant submitted a revised site plan. The revised site plan shows fifteen, 8 foot 10 inch by 12 foot 10 inch raised garden spots, an 8 foot by 10 foot storage shed, a picnic area, fencing, lighting, utility services and a 24 foot by 28.5 foot parking area on the property. The site plan indicates that the areas between the raised garden spots will be covered with woodchip mulch. In addition, a walkway covered with a firm and stable surface per accessibility guidelines will be provided.

Parking: Section 17.50.270.E.1 of the Rapid City Municipal Code states that parking requirements for uses not specifically defined in the City Parking Regulations shall be determined by the Growth Management Director. Since the City Parking Regulations do not specify a parking requirement for a community garden, a parking determination was made for the proposed use.

The applicant has indicated that the majority of the users of the garden will be residents of Lemmon Avenue; however, garden plots have been reserved for a class at General Beadle School and Girls, Inc., which are both located approximately 0.5 miles from the community garden site. Because the majority of users will be walking to the garden, a parking determination was made requiring that 10 spaces per acre of off-street parking be provided for the community garden. The property where the Lemmon Avenue Community Garden is proposed measures 0.16 acre. Two off-street spaces are required for the Lemmon Avenue Community Garden. The two spaces will allow for off-street parking for those traveling to the site by car and will also allow for the loading and unloading of garden supplies and plant materials for users of the garden. In addition, the City Parking regulations require that for parking areas with two off-street parking spaces, one space must be handicapped accessible.

As previously noted, the applicant has submitted a revised site plan identifying a 24 foot by 28.5 foot parking area on the property. Section 17.50.270.G of the Rapid City Municipal Code requires that off-street parking areas and access to parking facilities be paved. Staff recommends that prior to Planning Commission approval, the site plan must be revised to show a paved parking area and paved alley access to the

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parking area.

In addition, Section 17.50.270.G states that circulation within a parking area shall be such that a vehicle need not enter a public right-of-way backwards. The configuration of the proposed off-street parking area will require that vehicles enter the public right-of-way, the alley, backwards. Staff recommends that prior to Planning Commission approval the site plan must be revised to eliminate backing into the alley.

Fencing, Shed and Sign Elevations: The applicant has submitted elevations of the proposed fencing, shed and sign. A four foot tall wood fence will surround the property. In addition, the proposed shed will be 10 feet tall and tan with white trim. Finally, the proposed sign will measure 18 square feet and will be constructed of wood with painted text.

Drainage and Grading Plan: The property is located within the Haines Avenue Drainage Basin. However, a grading and drainage plan for the proposed improvements on the site has not been submitted. As such, staff recommends that prior to Planning Commission approval, a grading and drainage plan be submitted for review and approval to ensure that the proposal will not negatively impact existing drainage on the property or adjacent properties.

(Update: April 28, 2010) The applicant has submitted a grading and drainage plan that demonstrates that the proposed site improvements will not negatively impact existing drainage on the property or adjacent properties.

Water: As previously noted, the applicant is requesting that the City incur the cost of watering the garden. The request will be considered at the March 30, 2010 Public Works Committee meeting and at the April 5, 2010 City Council meeting. Staff has indicated that water service will need to be installed in an above-ground meter pit in accordance with Parks Department standards for irrigation services.

(Update: April 28, 2010) The applicant's request that the City incur the cost of watering at the garden was approved by the City Council on April 5, 2010. In addition, the applicant has submitted plans for an above-ground meter pit, with a backflow preventer in accordance with City standards.

Erosion and Sediment Control Permit: As noted above, a house on the site was demolished and the property has been cleared. However, staff has indicated that the site has not been reclaimed or stabilized. As such, an Erosion and Sediment Control Permit must be obtained and stabilization or reclamation of the site is required within 14 days of stopping work.

Zoning: As previously noted, the property is zoned Medium Density Residential District. The City's Future Land Use Plan identifies the appropriate use of the property as Medium Density Residential District. Agricultural crops are a permitted use in the Medium Density Residential District.

The use of the property as a community garden is in compliance with the existing zoning of

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the property and the City's Future Land Use Plan.

Floodplain Development Permit: The property is located within the 100 year Federally Designated floodplain. Therefore, a Floodplain Development Permit must be obtained prior to the issuance of a building permit.

Building Permit: A building permit will be required prior to the start of construction activities on the property.

Staff will recommend that the 11-6-19 Review request to authorize the acquisition of property and the use as a community garden be approved if the above noted information is received prior to Planning Commission approval.