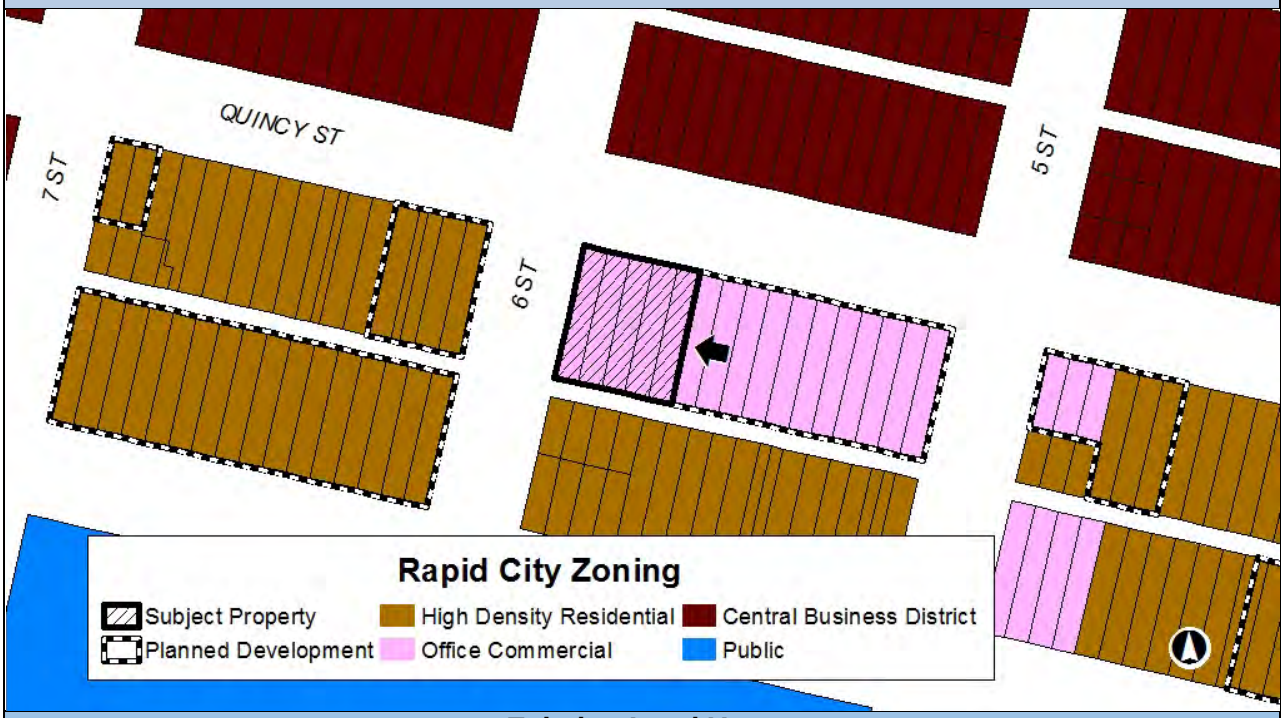
Rapid City Planning Commission
Planned Development Overlay Project Report
May 9, 2019

Item #8	
Applicant Request(s)	
Case #19PD014 –Major Amendment to a Planned Development Overlay to construct a playground accessory to a Group Home	
Companion Case(s) – N/A	
Development Review Team Recommendation(s)	
The Development Review Team recommends that the Major Amendment to a Planned Development Overlay to construct a playground accessory to a Group Home be approved with the stipulations as noted below.	
Project Summary Brief	
The applicant has submitted a Major Amendment to a Planned Development Overlay to construct a playground accessory to a group home for the property located at 527 Quincy Street. Specifically, the applicant intends to construct a 2,046 square-foot outdoor play area for the children of clients receiving services from Working Against Violence, Inc. (WAVI). WAVI provides services to victims of domestic abuse and has been operating on the subject property since 2002. The proposed outdoor play area includes a screening fence, recreational equipment, grass play areas, and landscaping features. As part of this application, the applicant is requesting an Exception to allow a seven foot high opaque screening fence for the outdoor play area in lieu of a maximum allowed fence height of four feet. The screening fence is intended to provide security and privacy for clients and their children receiving services from WAVI, Inc. The subject property is zoned Office Commercial District and is approximately 0.4 acres in size. The Rapid City Planning Commission approved a Major Amendment to a Planned Development Overlay (File# 02PD041) to allow a group home on the property on September 5th, 2002.	
Applicant Information	**Development Review Team Contacts**
Applicant: Working Against Violence, Inc.	Planner: John Green
Property Owner: Working Against Violence, Inc.	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: Kumar Veluswamy
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	527 Quincy Street
Neighborhood	Downtown/Skyline Drive Neighborhood
Subdivision	Original Town of Rapid City
Land Area	0.4 acres
Existing Buildings	5,206 square foot group home
Topography	Relatively flat
Access	6th Street
Water / Sewer	Rapid City
Electric/Gas Provider	Black Hills Power/MDU
Floodplain	N/A

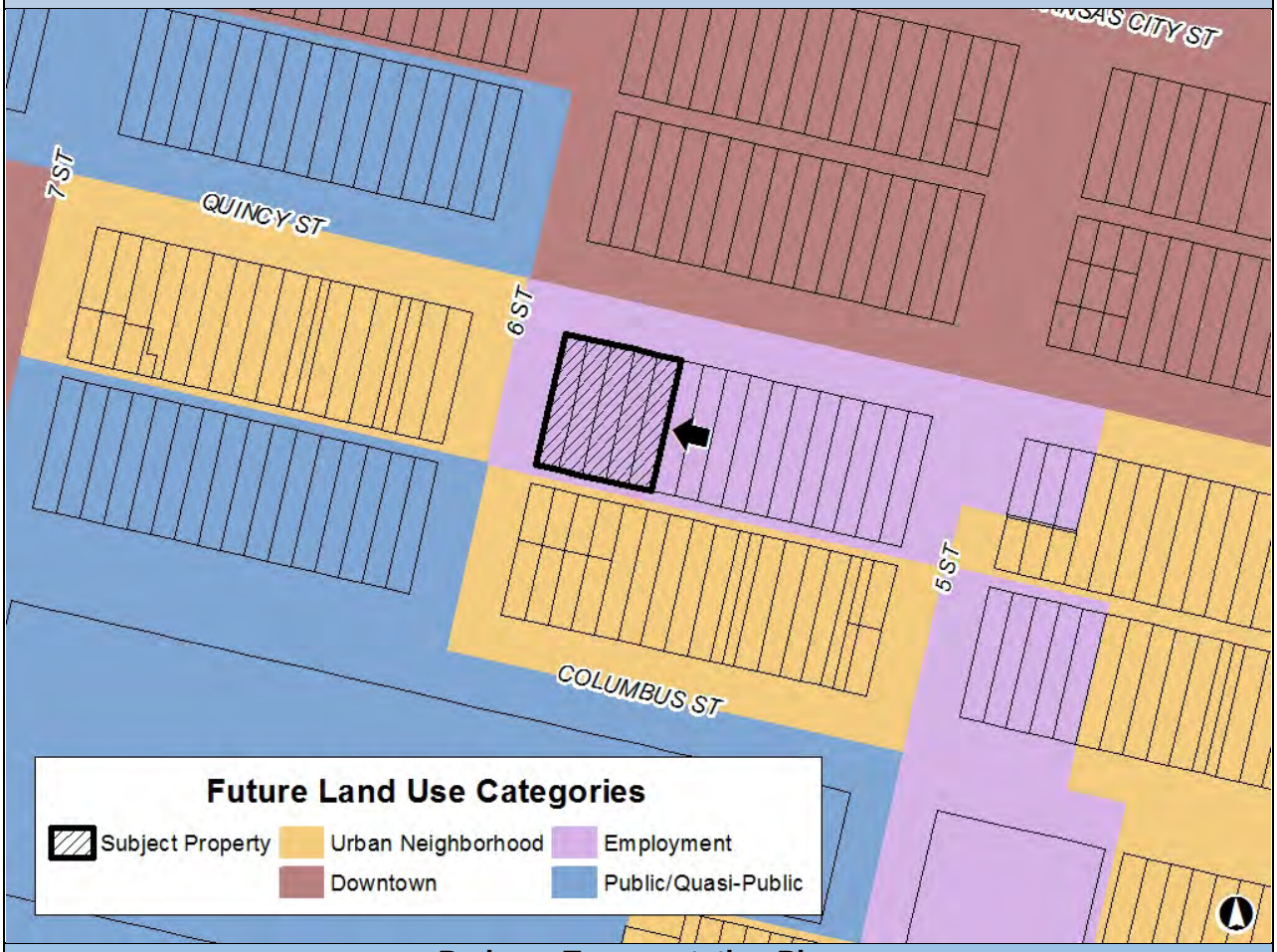
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	OC-PD	EC	WAVI, Inc. Group Home
Adjacent North	CBD	DT	Professional Office
Adjacent South	HDR	UN	Law Office
Adjacent East	OC-PD	EC	Security First Bank
Adjacent West	HDR-PD	UN	Multi-Family Development

Zoning Map

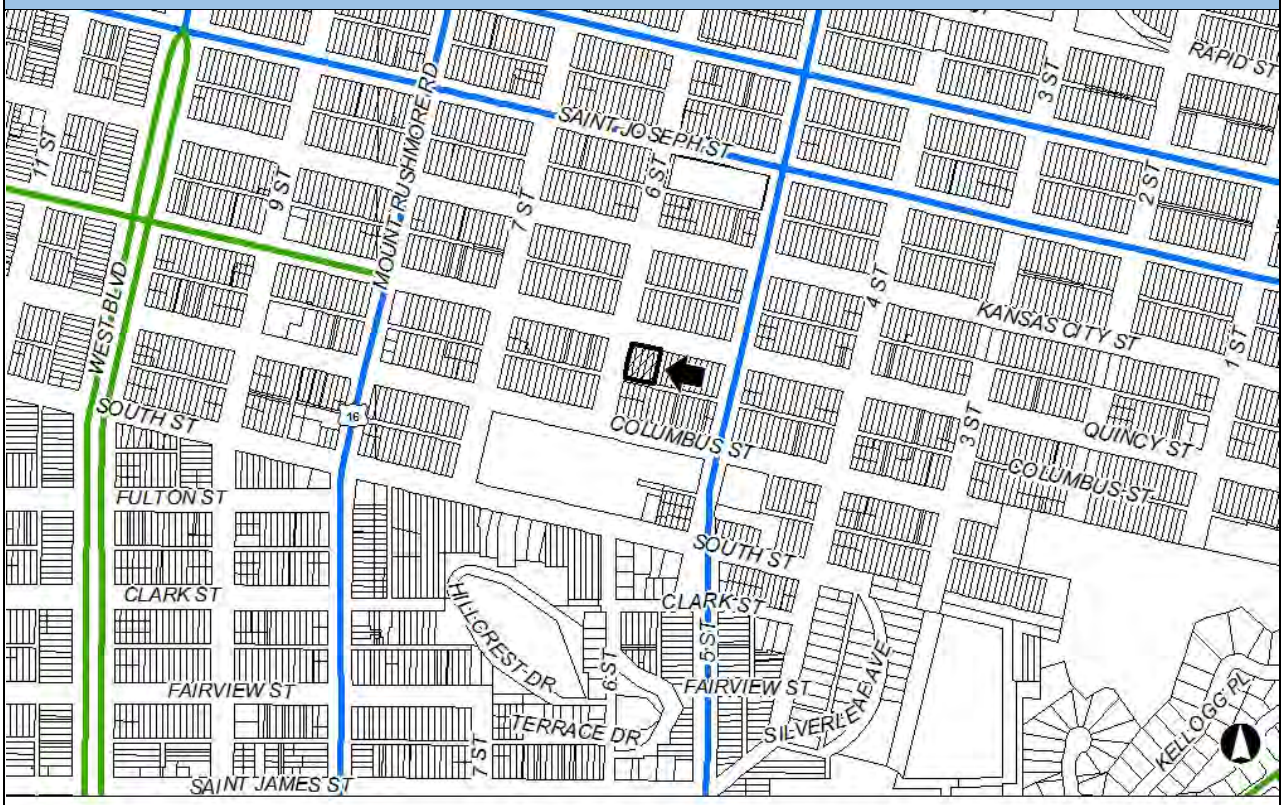


Existing Land Uses

Comprehensive Plan Future Land Use



Parks or Transportation Plan



Relevant Case History			
Case/File#	**Date**	**Request**	**Action**
01PD001	01/26/01	Initial and Final Planned Development Overlay	PC approved 2/22/01 CC approved 3/5/01
02PD041	7/26/02	Major Amendment to a Planned Development Overlay to allow a group home and reduce the parking requirement and allow a zero (0) foot side yard setback	PC approved 9/5/02

Relevant Zoning District Regulations		
Office Commercial District	**Required**	**Proposed**
Lot Area	N/A	17,524 square feet
Lot Width	N/A	125 feet
Maximum Building Heights	3 stories or 35 feet	2 stories
Maximum Density	35%	29.7%
Minimum Building Setback:		
• Front	25 feet	19.2 feet (Variance obtained to allow a 10 foot front yard setback in 1991)
• Rear	25 feet	43 feet
• Side	12 feet	0 feet (Exception previously granted)
• Street Side	25 feet	25 feet
Minimum Landscape Requirements:		
• # of landscape points	12,318 points	19,112 points
• # of landscape islands	1 per 50 spaces	N/A
Minimum Parking Requirements:		
• # of parking spaces	25 spaces	19 spaces (Exception previously granted)
• # of ADA spaces	1 per 25 spaces	1 space
Signage	As per RCMC 17.50.100	None proposed
Fencing	As per RCMC 17.50.340	Requesting an Exception to allow a 7 foot high opaque screening fence in lieu of a maximum 4 foot height allowed

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.50.050(F)5 of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a Major Amendment to a Planned Development Overlay:	
Criteria	**Findings**
1. There are certain conditions pertaining to the particular piece of property in question because of its size, shape, or topography:	The subject property is 0.4 acres in size and is zoned Office Commercial District. On September 5, 2002, the Rapid City Planning Commission approved a Major Amendment to a Planned Development Overlay (File# 02PD041) to allow a group home on the subject property to serve victims of domestic violence. The applicant is now proposing to construct a 2,046 square-foot outdoor play area for the children of clients served by the group home. The proposed play area is located on the north side of the primary structure on the lot adjacent to Quincy Street and will be screened by a 7-foot high opaque screening fence. Pursuant to Rapid City Municipal Code section 17.50.340, no fence taller than 4 feet in height may be allowed in the

	front yard of any commercial district property. The applicant is requesting an Exception to allow the seven foot high opaque screening fence in lieu of the maximum allowed height of four feet.
2. The application of these regulations to this particular piece of property would create a practical difficulty or undue hardship:	The applicant is proposing to construct a 2,046 square-foot outdoor play area to be utilized by the children of clients served by WAVI, Inc., a group home for victims of domestic violence. A group home is a Conditional Use within the Office Commercial District. In 2002, the Rapid City Planning Commission approved a Planned Development Overlay application to allow a group home on the subject property with the stipulation that any expansion of use would require the review and approval of a subsequent Major Amendment to the Planned Development Overlay.
3. 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:	On October 1, 1991, the Rapid City Zoning Board of Adjustment granted a Variance to allow a 10-foot front yard setback for the property in lieu of 25 feet required. Additionally, in 2002, the Rapid City Planning Commission approved Exceptions to reduce the required side yard setback from 25 feet to 0 feet on the eastern lot line of the property and to reduce the required parking for the group home form 25 spaces to 19 spaces as part of a Planned Development Overlay application to allow a group home on the subject property. As part of this application, the applicant has requested an Exception to allow a seven-foot high opaque screening fence in lieu of a maximum height of four feet allowed in a front yard. The proposed fence is intended to provide privacy and security for clients of the associated group home, WAVI, Inc. The proposed fence height is based on federal recommendations for privacy fences utilized by group homes serving vulnerable clients. Public Works staff has indicated that the proposed fence does not obstruct any sight triangles on Quincy Street or 6th Street. As such, staff recommends that the Exception request to allow a seven-foot high fence in lieu of a maximum of four feet be granted.
4. A literal interpretation of this chapter would deprive the applicant of rights that others in the same district are allowed:	Group Homes are listed as a Conditional Use in the Office Commercial District.
5. Any adverse impacts will be reasonably mitigated:	The stipulations of approval of this application will serve to reasonably mitigate any adverse impacts.
6. The requested exception to the underlying zoning district standards is an alternative or innovative practice that reasonably achieves the objective of the existing standard sought to be modified:	The requested Exception to allow a seven-foot high opaque screening fence in lieu of a maximum of four feet allowed in a front yard is intended to provide privacy and safety for clients served by the associated group home, WAVI, Inc. WAVI, Inc. provides services to victims of domestic violence and the screening fence is intended to provide privacy and discretion for clients and their children while receiving services from the group home.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:
Comprehensive Plan Conformance – Core Values Chapters

	A Balanced Pattern of Growth
BPG-1.2A	**Priority Infill Areas:** The proposed development expands upon a community service organization operating adjacent to the Central Business District.
	A Vibrant, Livable Community
LC-3.1C	**Compatible Infill and Development**: The proposed development is a community service organization operating on an interior City lot near the Central Business District.
	A Safe, Healthy, Inclusive, and Skilled Community
SHIS-1.2A	N/A
	Efficient Transportation and Infrastructure Systems
T1-2.1A	**Major Street Plan Integration:** The proposed development will be accessed via 6th Street, which is a classified as a Local Street.
	Economic Stability and Growth
EC-1.2A	**Housing Stock:** N/A
	Outstanding Recreational and Cultural Opportunities
	N/A
	Responsive, Accessible, and Effective Governance
GOV-2.1A	**Public Input Opportunities:** The proposed Major Amendment to a Planned Development Overlay requires that public notice be advertised in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Major Amendment to a Planned Development is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	Employment Center
Design Standards:	
GDP-EC1	**Outdoor Gathering Spaces:** The proposed development will create a 2,046 square foot outdoor play area for clients receiving services from WAVI, Inc. in a private, secure space.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	Downtown/Skyline Drive Neighborhood
Neighborhood Goal/Policy:	
DSD-NA1.1C	**Mixed Use Development:** The proposed development is an expansion of a community service organization that is located adjacent to the Central Business District.

Findings
Staff has reviewed the Major Amendment to a Planned Development Overlay to allow an outdoor play area in association with a group home pursuant to Chapter 17.50.050(F)5 of the

Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The application appears to meet all staff requirements of approval.

Planning Commission Recommendation and Stipulations of Approval	
Staff recommends that the Major Amendment to a Planned Development Overlay to allow an outdoor play area in association with a group home be approved with the following stipulations:	
1.	The Exception request to allow a seven foot high opaque screening fence in lieu of a maximum of four feet allowed in a front yard is hereby approved;
2.	The previously granted Variance is hereby acknowledged to allow a front yard setback of 10 feet in lieu of 25 feet required;
3.	The previously granted exception is hereby acknowledged to allow a reduced minimum side yard setback of 0 feet on the eastern lot line in lieu of 12 feet required;
4.	The previously granted exception is hereby acknowledged to allow 19 parking spaces for the group home in lieu of 25 spaces required;
5.	A Building Permit shall be obtained prior to construction of any fence over 6 feet in height;
6.	All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Development Overlay. Changes to the proposed sign package, which the Department of Community Development Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Development Overlay. All signage not in conformance with the Sign Code shall require a Major Amendment to the Final Planned Development. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Final Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A Sign Permit shall be obtained for each individual sign; and,
7.	The Major Amendment to the Planned Development Overlay shall allow an outdoor play area in association with the previously approved group home. All requirements of the Office Commercial District shall be maintained unless specifically authorized as a stipulation of this Major Amendment to the Planned Development Overlay or a subsequent Major Amendment to the Planned Development. All uses permitted in the Office Commercial District which do not increase parking requirements shall be permitted contingent upon an approved Building Permit. All conditional uses in the Office Commercial District or uses which increase the required amount of parking on the site shall require a Major Amendment to the Planned Development.

Rapid City Department of Community Development

Development Review Advisories

Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. ***This is not a complete list.*** *All City, District, State, and Federal requirements must be continually met.*	
	Applicant Request(s)
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Companion Case(s) N/A	N/A
ADVISORIES: Please read carefully!	
1.	A Building Permit shall be obtained prior to any structural construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
3.	All requirements of the currently adopted Building Code shall be met;
4.	An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
5.	A Right-of-way Permit shall be obtained prior to any work within the right-of-way, including grading;
6.	ADA accessibility shall be provided throughout the structure and site as necessary;
7.	All provisions of the underlying zoning district shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development Overlay or a subsequent Major Amendment;
8.	All outdoor lighting shall continually 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; and,
9.	All applicable provisions of the adopted International Fire Code shall continually be met.