

STAFF REPORT

March 6, 2003

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**No. 03SR020 - 11-6-19 SDCL Review to allow for the addition and expansion of structures on public property**      **ITEM 26**

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GENERAL INFORMATION:

PETITIONER	Lund Associates, Ltd. For Pennington County
REQUEST	<b>No. 03SR020 - 11-6-19 SDCL Review to allow for the addition and expansion of structures on public property</b>
EXISTING LEGAL DESCRIPTION	Lots 1 thru 32, Block 97; Lots 10 thru 15, Block 98 and the vacated alley adjacent to said lots; Lots 1 thru 9 and Lots 16 thru 32, Block 98, the vacated alley adjacent to said lots, and the vacated 3rd Street adjacent to Lots 16 and 17, Block 98; all located in the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6.21 acres
LOCATION	Pennington County Courthouse Complex
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District
East:	Central Business District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	02/10/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow for the addition and expansion of structures on public property be continued to the March 27, 2003 Planning Commission meeting to allow the applicant to submit additional information.

GENERAL COMMENTS:

The applicant has submitted an 11-6-19 SDCL Review to allow for the expansion of the Pennington County Courthouse/Jail Complex. In particular, the applicant has indicated that the existing Public Safety Building, consisting of a basement and two stories, will be remodeled and that two additional stories and a mechanical penthouse will be constructed

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on the building. The applicant has also indicated that a four story Jail Annex is proposed to be constructed directly east of the Public Safety Building. The first floor of the Jail Annex will provide parking for law enforcement personnel. The remaining three floors will be used to house inmates. The applicant has also indicated that a plaza addition, consisting of an underground connection between the existing Jail and the Jail Annex, is being proposed. The plaza will also include a shooting range for law enforcement personnel. In addition, the applicant has indicated that a three story parking structure will be constructed east of the proposed Jail Annex, adjacent to Second Street. The parking structure is being designed to allow for the future construction of two additional floors. The parking structure will provide additional public parking on the site.

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 and approved by the Planning Commission". The Pennington County Jail Complex is a publicly owned property. In addition, the property is located within the area covered by the Rapid City Comprehensive Plan requiring that the proposed expansion be reviewed and approved by the Rapid City Planning Commission as a part of an 11-6-19 SDCL Review.

#### STAFF REVIEW:

Staff has reviewed the 11-6-19 SDCL Review and has identified the following considerations:

Design Features: The applicant has indicated that the Public Safety Building expansion will be constructed with the same red brick currently existing on the structure. In addition, glass wood and exterior insulation finish system, a synthetic siding known in the industry as "EIFS". The applicant has also indicated that the remaining proposed structures will be constructed with a combination of concrete, wood, glass and exterior insulation finish system. In addition, the structure(s) will be the same dove gray color as currently exists on the Courthouse/Jail structure. Staff is recommending that the proposed construction conform architecturally to the plans and elevations submitted as part of this 11-6-19 SDCL Review.

Signage: The applicant has submitted elevations showing the existing signage currently located on the property. The applicant has indicated that additional signage will be located on and/or adjacent to the proposed structure(s). To date, a sign package identifying the additional signage has not been submitted for review and approval. Staff is recommending that a complete sign package be submitted for review and approval prior to Planning Commission approval. In particular, the applicant must identify the elevation, the location, the color and the lighting features of each sign.

Setback: The applicant's site plan identifies that the proposed parking structure will be located

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4.5 feet from the front lot line, 21.5 feet into the 25 foot front yard setback. The applicant has requested consideration to allow the encroachment due to the building constraints created by the development currently existing on the property. Staff has reviewed the request and has noted that the parking structure is an open sided building reducing the impact the structure has on the adjacent street

Height: The Zoning Ordinance states that a maximum height of 45 feet or four stories shall be allowed in the General Commercial Zoning District. The applicant's site plan identifies that the Public Safety Building, including the mechanical penthouse, will measure approximately 77 feet in height. In addition, the proposed parking structure and the jail annex will measure 58 feet 10 inches and 88 feet, respectively. All three structures will exceed the maximum allowable height of 45 feet. As such, the Fire Department has indicated that all structures must be fully fire sprinklered and alarmed. The applicant should be aware that any structure in excess of 80 feet jeopardizes the Fire Department's ability to provide maximum fire protection to the structure. Any future stories constructed on the Public Safety Building and/or the parking structure will require the review and approval of an additional 11-6-19 SDCL Review. In no way should it be inferred through this review that the City will and/or has approved of the additional height exceptions for the possible future expansion(s) of these buildings.

Soil Contaminants: Previous soil testing in the vicinity has indicated that a petroleum plume was present. As such, the applicant has submitted a geotechnical analysis from American Technical Services, Inc. stating that geotechnical drilling and sampling for the proposed construction site(s) were performed. In addition, groundwater elevation studies were conducted. It is the opinion of the American Technical Services, Inc. that the areas explored have not been negatively impacted by contaminants. Should petroleum products be encountered on the site during construction, all Federal, State and local regulations must be met.

Historic Review: The Pennington County Courthouse Complex has been identified on the National Historic Register. As such, approval pursuant to the 11.1 Review process must be obtained from the Rapid City Historic Preservation Commission prior to any development and/or redevelopment of the site.

Parking: The current use(s) located on the property require that a minimum of 826 parking spaces be provided. Currently, 400 off-street parking spaces are being provided, 426 short of the minimum required number of off-street parking spaces. The 400 parking spaces include 48 parking spaces located north of the subject property on County owned property. The 48 spaces are located within 300 feet of the Jail's primary entrance and, as such, qualify as an off-site parking facility for the Jail Complex.

With the proposed expansion, a minimum of 982 off-street parking spaces must be provided. The applicant's site plan identifies that 595 parking spaces will be provided, 195 more than what currently exists, but 387 parking spaces short of the minimum required number of spaces for the existing and proposed use(s).

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Historically, parking shortages have existed at the Courthouse/Jail Complex. The additional parking provided in the proposed parking structure(s) does not provide a sufficient amount of additional parking to correct the situation. As such, staff is recommending that the 11-6-19 SDCL Review be continued to allow the applicant to submit a revised site plan identifying a minimum of 982 parking spaces. Any off-site parking facility that is located a maximum of 300 feet from any primary entrance located on the property may be calculated into the total number of off-street parking spaces being provided for the Courthouse/Jail Complex.

The proposed construction project will interfere with existing parking currently located on the property. As such, the applicant must also identify interim parking to be provided for public and/or employee use during the construction phase of the development to limit the impact on adjacent businesses and residents.

Interior Access: The Engineering Division has indicated that the site plan must be revised to identify and/or clarify access to the Jail Annex parking structure, the parking ramp and that portion of the outdoor parking lot located directly west of the proposed parking structure. The Engineering Division has also indicated that it appears that the approach to the outdoor parking lot from St. Joseph Street should be closed. In addition, the Engineering Division has indicated that the applicant must submit information demonstrating that all sight triangles at all approach locations are being maintained.

The Fire Department has indicated that cross section(s) of the proposed parking facilities must be submitted to determine adequate vertical clearance to allow fire apparatus access within the parking structure(s). Staff is recommending that the 11-6-19 SDCL Review be continued to allow the applicant to submit the additional information as identified.

Drainage: The Engineering Division has indicated that a complete drainage plan by a Professional Engineer be submitted for review and approval. In particular, the drainage plan must demonstrate 100% on-site collection of all on-site storm drainage. Staff is recommending that the 11-6-19 SDCL Review be continued to allow the applicant to submit a complete drainage plan as identified.

Sewer: The Engineering Division has indicated that the proposed parking structure will be located over an existing sanitary sewer line. The applicant must provide plans addressing the sewer issue. The sewer line may be required to be placed in a steel casing pipe. Staff is recommending that the 11-6-19 SDCL Review be continued to allow the applicant to address the sewer line issue.

Water: The Engineering Division has reported that the recently installed water line extension to the Public Safety Building site was not constructed to provide a service line installation that would allow future connection of the system to water main improvements that may be constructed by the City in the Kansas City Street right-of-way. The desired installation details had been communicated to the Architect prior to the construction of the service line in conjunction with a previous ground water/drainage project. As such, prior to Planning

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Commission approval, the construction plans must be revised or amended to show correction of the improperly installed water service line to the proposed facility. The service line must be installed using a tee on the public main to run perpendicular to the street centerline. In particular, no 45 degree fittings may be used.

Staff is recommending that the 11-6-19 SDCL Review be continued to the March 27, 2003 Planning Commission meeting to allow the applicant to submit additional information as outlined above.