

STAFF REPORT

August 21, 2003

No. 03SR038 - 11-6-19 SDCL Review to allow for the construction of a security and screening fence on public property **ITEM 14**

GENERAL INFORMATION:

PETITIONER	Lund Associates, Ltd. for Pennington County
REQUEST	No. 03SR038 - 11-6-19 SDCL Review to allow for the construction of a security and screening fence on public property
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	07/11/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 SDCL Review to allow for the construction of a security and screening fence on public property be approved with the following stipulations:

Urban Planning Division Recommendations:

- 1. Prior to Planning Commission approval, a Fence Height Exception shall be obtained;**
- 2. Prior to Planning Commission approval, a revised site plan shall be submitted identifying the relocation of the security fence flush with the front of the new jail.**

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In addition, the site plan shall show the relocation of the intercom kiosk from the public right-of-way onto the subject property along the front of the new jail. Elevations shall also be submitted identifying the security fence as a twelve foot high chain link fence with angled chain link extended from the top of the fence to the new jail building. No barbed wire shall be allowed along the top of the fence or otherwise permitted;

3. **A 9.5 foot high security fence shall be allowed along the west side of the new jail in compliance with the elevations and location as shown on the site plan; and,**
4. **A Special Exception is hereby granted to allow backing into the right-of-way for the bus used to transport inmates to and from the site.**

GENERAL COMMENTS:

This item was continued at the August 7, 2003 Planning Commission meeting at the applicant's request. This Staff Report has been revised as of August 13, 2003. All revised and/or added text is shown in bold print. The applicant has submitted a SDCL 11-6-19 Review to allow for the construction of a screening fence and a security fence around a portion of the Courthouse complex. . In particular, the applicant is proposing to construct a 12 foot high chain link fence with three strands of barbed wire for a total height of 14 feet around the new Pennington County jail structure. The fence is proposed to be located approximately 3.5 feet inside of the property line. In addition, it appears that the applicant is proposing to construct a 9.5 foot high screening fence with a "mountain peaked" design to be located on the outside of the security fence along the west side of the future jail structure. (The fence elevation document does not label the height of the proposed "peaks". It appears that the height of the tallest peak is 1.5 feet based on the labeled scale of ¼ inch = 1' 0".)

On August 12, 2003, the Public Works Committee reviewed a Fence Height Exception to allow a fence in excess of six feet in the General Commercial District and to allow a fence in excess of four feet in the 25 foot front yard. In addition, the Public Works Committee reviewed a Special Exception request to allow a structure in right-of-way. (The referenced "structure" is an approximate 3.5 foot high intercom kiosk. In addition, four bollards are proposed around the kiosk.) The Fence Height Exception was forwarded to City Council without a recommendation to allow the applicant to submit a revised site plan and elevations for the security fence. In addition, the Special Exception to allow a structure in right-of-way was tabled as the result of an alternate design location for the kiosk.

STAFF REVIEW:

The applicant has indicated that the proposed security fence is needed to create a secured area to load and unload inmates within the parking garage located under the proposed jail structure. On August 5, 2003, staff met with several Pennington County Commissioners as well as individuals from the County Building committee and a representative from the architectural consulting firm. Three alternate fence options were discussed as outlined below:

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1. Leave the fence in the proposed location but create a wall façade by incorporating pillars intermittently into an iron fence or a chain link fence design and eliminate the barbed wire. This design would be similar to the façade created in the design of the City's new parking structure located south of the City School Administrative Building.
2. Relocate that portion of the fence located along Kansas City Street to align with the south wall of the new jail and possibly eliminate the barbed wire. This creates an area on the subject property for the intercom kiosk outside of public right-of-way.
3. Construct the proposed security fence in the interior area of the parking garage in order to secure just that area where the inmates are loaded and unloaded. The applicant continues to have the option of constructing a four foot fence within the front yard along Kansas City Street and a six foot fence around the balance of the jail as per the Rapid City Municipal Code in order to create a more secured area.

On August 11, 2003, staff met again with members of the County Building committee and representative(s) from the architectural consulting firm. A compromise was agreed upon to relocate the fence as outlined in option number two. In addition, the relocation of the kiosk onto the subject property was agreed upon. As a part of the compromise staff indicated that they could support the twelve foot high fence flush with the front of the new jail with the stipulation that no barbed wire be allowed. In lieu of the barbed wire it was determined that an alternate design of angled chain link from the top of the security fence to the new jail building would be permitted. This design, along with gated entrance and exit points to the garage creates a secured area to load and unload inmates within the parking garage located under the proposed jail structure.

The applicant has also requested a Special Exception to allow the bus used to transport inmates to and from the site to back into the right-of-way. (The applicant has indicated that the bus is used four times a week to transport the inmates.) Due to the configuration within the parking garage, the bus is unable to maneuver the turn within the garage. As such, staff is recommending that a Special Exception be granted to allow backing into the right-of-way for the bus only.

Staff is recommending that the 9.5 foot high screening fence be allowed as shown on the submitted elevations and site plan and that revised elevations and a revised site plan for the security fence as outlined above be submitted prior to Planning Commission approval. In addition, a Fence Height Exception must be obtained from the City Council prior to Planning Commission approval of this SDCL 11-6-19 Review.