

STAFF REPORT

January 22, 2004

No. 03SR051 - 11-6-19 SDCL to allow the expansion of an existing parking lot **ITEM 33**

GENERAL INFORMATION:

PETITIONER	Alliance of Architects and Engineers for Pennington County Housing and Redevelopment
REQUEST	No. 03SR051 - 11-6-19 SDCL to allow the expansion of an existing parking lot
EXISTING LEGAL DESCRIPTION	Lots 1 thru 4 and Lots 5 thru 17; and that portion of the alley of Block 13, Wise's Addition adjacent to Lots 4 thru 10 and Lots 11 thru 17 of said Block 13, located in the S1/2 NW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.76 acres
LOCATION	at 305, 307, 311 and 313 East Adams Street
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	12/24/2003
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL to allow the expansion of an existing parking lot be approved with the following stipulations:

1. Prior to the initiation of any construction the existing alley right-of-way must be vacated;
2. Prior to Planning Commission approval, the applicant shall enter into a covenant with the City of Rapid City identifying that surface restoration due to any operations, maintenance or reconstruction of public utilities shall be the responsibility of the property owner; and,
3. A building permit shall be obtained prior to initiation of construction.

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GENERAL COMMENTS:

The applicant is proposing to replace the asphalt pavement in the existing parking lot at the Adams Street Apartments with concrete pavement. The property is owned by the Pennington County Housing and Redevelopment Commission, which is a publicly funded organization.

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". As previously indicated, the property is owned by a publicly funded organization requiring that the Planning Commission review and approve of the proposed construction on publicly owned property.

STAFF REVIEW:

Staff has reviewed the proposed 11-6-19 SDCL Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Alley right-of-way:

A portion of an existing alley right-of-way runs through the parking lot for the Adams Street Apartments. The Pennington County Housing and Redevelopment Commission has proposed to vacate the right-of-way in the companion request (03VR013) to allow for the expansion of the parking lot. Prior to the initiation of any construction the existing alley right-of-way must be vacated.

Utilities:

As part of the companion Vacation of Right of Way request (03VR013) the Engineering Division staff noted that a sanitary sewer main exists in the alley right-of-way. The right-of-way provides the only legal access to the dead end manhole for maintenance. The area proposed for vacation would need to be retained as a utility easement. Staff has indicated that the applicant must enter into a covenant with the City of Rapid City identifying that surface restoration due to any operations, maintenance or reconstruction of public utilities be the responsibility of the property owner.

Building Permit:

Staff noted that a Building Permit is required for the construction of a parking lot. Prior to initiation of construction on the parking lot a Building Permit must be obtained.

Parking Lot Layout:

The Adams Street Apartments were constructed in 1974 in a Medium Density Residential Zoning District. The parking lot is currently a legal non-conforming use. The property was in compliance with the Zoning Ordinance at that time which required 1.25 parking stalls per dwelling unit. There are 16 dwelling units at the Adams Street Apartments which required 20 off street parking stalls by ordinance. The site plan submitted indicates 22 parking stalls will be constructed with one being handicapped van accessible. The parking stall and access

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dimensions are in compliance with the current Zoning Ordinance. The stalls are a minimum of nine feet in width with a minimum length of 18 feet. The driveway is 20 feet wide with a minimum access isle of 26 feet being provided to each stall.

Staff recommends approval of the 11-6-19 SDCL Review with the above stated stipulations.