

STAFF REPORT
September 9, 2004

No. 04SR049 - SDCL Section 11-6-19 Review to allow a new use in a public building **ITEM 6**

GENERAL INFORMATION:

PETITIONER	Rod Pappel for South Dakota School of Mines & Technology
REQUEST	No. 04SR049 - SDCL Section 11-6-19 Review to allow a new use in a public building
EXISTING LEGAL DESCRIPTION	All Blocks 1 and 2, Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	2.36 Acres
LOCATION	515 West Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District/High Density Residential District/Neighborhood Commercial District
East:	Central Business District
West:	Light Industrial District/General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/3/2004
REVIEWED BY	Vicki Fisher / Curt Huus

RECOMMENDATION:

Staff recommends that the SDCL Section 11-6-19 Review to allow a new use in a public building be approved with the following stipulations:

1. The building shall be used as an education consortium. Any revised and/or additional use of the property shall require the review and approval of a subsequent SDCL 11-6-19 Review. In addition, if the parking should be eliminated from the West Boulevard right-of-way, a subsequent SDCL 11-6-19 Review shall be submitted for review and approval;
2. All Uniform Fire Codes shall be continually met;
3. A sign permit shall be obtained for any additional signage proposed on the site; and,
4. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy of the building;

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GENERAL COMMENTS:

A SDCL 11-6-19 Review request has been submitted to allow the South Dakota School of Mines and Technology to use the existing building located in Haley Park as an education consortium. In addition, the applicant has indicated that renovations to the existing building are being proposed. The property is located in the southwest corner of the W. Main Street/West Boulevard intersection and until recently, the building has been used as a children's science center.

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 proposed site is publicly owned property. In addition, the property is located within the area covered by the Rapid City Comprehensive Plan requiring that the proposed renovations and use be reviewed and approved by the Rapid City Planning Commission as a part of a SDCL 11-6-19 Review.

STAFF REVIEW:

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

Parking: Currently, no off-street parking is being provided at the site. In the past, the children's science center utilized seventeen parking spaces located within the West Boulevard right-of-way to serve as parking for the facility. The Parking Regulations require that parking for any use of the building be located on the property, outside of the right-of-way. The applicant has indicated that a maximum of seventeen employees and/or students will be at the facility at any one time. As such, the applicant is requesting that the 17 parking spaces located within the West Boulevard right-of-way count towards their parking requirement. Allowing the existing structure to be used as an education consortium appears to be reasonable reuse of the site. Any revised and/or additional use of the property will require the review and approval of a subsequent SDCL 11-6-19 Review. In addition, if the parking should be eliminated from the West Boulevard right-of-way, a subsequent SDCL 11-6-19 Review must be submitted for review and approval.

Renovations: The applicant has indicated that the building will be re-roofed, heating, ventilation and air conditioning will be added and/or improved and the lobby will be restored. As such, staff is recommending that a building permit be obtained prior to any construction and a Certificate of Occupancy be obtained prior to occupancy of the building.

Signage: Staff has noted that in the past numerous signs have been placed on the property without a Sign Permit. As such, staff is recommending that a sign permit be obtained prior to any additional signage being placed on the property.

Fire Code: The Fire Department staff has indicated that the facility must comply with current

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Uniform Fire Code requirements. In particular, the facility must have a fire alarm and detention system. In addition, the facility must be sprinklered. The Fire Department has indicated that a site inspection will be conducted to determine what, if any, Fire Code requirements must be implemented. Staff is recommending that all Uniform Fire Codes be continually met.

Staff is recommending that the SDCL 11-6-19 Review request be approved with the previously stated stipulations.