

STAFF REPORT  
October 6, 2005

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**No. 05SR054 - 11-6-19 SDCL Review to allow a correction facility on public property**      **ITEM 20**

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GENERAL INFORMATION:

PETITIONER	FMG Engineering, Inc. for Community Education Centers, Inc.
REQUEST	<b>No. 05SR054 - 11-6-19 SDCL Review to allow a correction facility on public property</b>
EXISTING LEGAL DESCRIPTION	That part of the SE1/4 NE1/4, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota that lies within the following description: Commencing at a point at the southeast corner of Lot H3, NE1/4 less Lot H4 in Section 19, T1N, R8E; thence S00°02'59"E, 405.00 feet to a point on the west South Highway 79 right-of-way line; thence N89°55'38"W, 120.45 feet to a point; thence N38°35'32"W, 134.08 feet to a point; thence N00°02'59"W, 300.31 feet to a point on the south lot line of Lot H3 of the NE1/4 less Lot H4 in Section 19, T1N, R8E; S89°55'38"E, 204.00 feet to a point at the southeast corner of Lot H3 of the NE1/4 less Lot H4 in Section 19, T1N, R8E, at the point of beginning; all located within the SE1/4 SE1/4, Section 19, T1N, R8E, BHM; said parcel containing 1.796 acres, more or less.
PARCEL ACREAGE	Approximately 1.796 acres
LOCATION	West of Highway 79 and south of Catron Boulevard
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Public District
South:	Public District
East:	General Agriculture District (Pennington County)
West:	Public District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/9/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow a correction facility on public property be approved with the following stipulations:

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1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met;
3. Prior to Planning Commission, a list of existing landscaping material shall be submitted for review and approval;
3. All provisions of Section 17.50.270, the minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met;
4. An air quality permit shall be obtained prior to issuance of a grading permit or a building permit;
5. All requirements of the 2003 International Uniform Fire Code shall be continually met;
6. Prior to Planning Commission, a list of the materials to be used on the exterior of the building shall be submitted for review and approval;
7. Prior to Planning Commission, ADA accessibility revisions as noted on the site plan shall be submitted for review and approval;
8. A demolition permit shall be obtained prior to demolition of the existing building;
9. Prior to obtaining a building permit, all plans shall be stamped by a registered engineer or architect;
10. Prior to Planning Commission, all red line comments shall be revised and submitted for review and approval, and the red line drawings shall be returned to the Growth Management Office; and,
11. Any future installation of signs will require an 11-6-19 SDCL Review.

GENERAL COMMENTS: The subject property is located west of S.D. Highway 79 and south of Catron Boulevard. The subject property is currently zoned Public District. The property located east of the subject property is zoned General Agriculture District by Pennington County. The properties located north, south and west of the subject property are zoned Public District. The applicant is requesting approval of a SDCL 11-6-19 Review to allow a correction facility on public property.

The subject property is the location of the Community Alternatives of the Black Hills, a work release facility, housing approximately 60 clients, and located on the site since the fall of 1991. Community Alternatives is proposing to construct a two story facility for office use and housing for the clients, and then remove the facility currently on the property.

A lease agreement has been proposed for the applicant and the City of Rapid City to lease the subject property. The use of the premises indicated in the agreement state that the leased premises will be used for the purpose of operating a community corrections facility and/or out-patient substance abuse treatment facility for not more than eighty clients. The parties may agree to an expansion of the operation to include not more than 120 clients. The current site plan indicates a total of 64 clients will be housed at the facility.

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

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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". This is a structure located on publicly owned land requiring that the Planning Commission review and approve of the proposed installation.

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

Parking: Typically, parking is calculated based on the number of employees, the number of visitors allowed on the property at one time, and the police drop-off and pick-up areas. The site plans indicate that the facility will house 64 clients. The site plan indicates parking was based on one visitor per client and one staff per client, indicating a need for 32 parking spaces. The site plan indicates 34 parking spaces including 2 handicapped spaces.

Landscaping: Based on the size of the proposed structure and the size of the lot, 73,421 landscaping points are required. The landscaping plan provided indicates that 82,150 landscaping points will be provided. Of the total points provided, 10,250 points are existing landscaping and were not identified on the landscaping plan. Prior to Planning Commission, a list of the existing landscaping materials shall be submitted for review and approval.

Elevations: Elevation of the proposed building was submitted with the application indicating a two story structure. However, the materials to be used on the exterior of the proposed building were not included. Prior to Planning Commission, a list of the materials to be used on the exterior of the building shall be submitted for review and approval.

Red line comments: Staff has made several red line comments on the submitted site plans regarding drainage calculations, grading design, street design, and water and wastewater system lines. These comments need to be addressed and the red line comments returned to the Growth Management Office.

Fire codes: The submitted plans indicate the structure will be fully sprinklered. The structure shall also be fully fire detected/alarmed as per the 2003 International Fire Code. All other requirements of the 2003 International Uniform Fire Code shall be continually met.

Air Quality: As the area to be disturbed during construction of the public improvements will be greater than one acre, an Air Quality permit will be required.

Accessibility: The structure shall be handicap accessible. Prior to Planning Commission, revisions regarding accessibility as noted on the site plan shall be submitted for review and approval.

Permits: Prior to construction, a building permit shall be obtained to construct the new building and a demolition permit shall be obtained to demolish the existing building. All plans shall be stamped by a registered professional engineer or architect.

Signs: Signs were not indicated on the site plan. Any future installation of signs will require an

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11-6-19 SDCL Review.

Staff recommends that the 11-6-19 SDCL Review be approved with the above stated stipulations.

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**No. 05SR056 - 11-6-19 SDCL Review to construct road improvements, extend right-of-way and public utilities ITEM**

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