

STAFF REPORT  
February 21, 2008

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**No. 08SR002 - SDCL 11-6-19 Review to allow the expansion of an existing correction facility**      **ITEM 35**

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GENERAL INFORMATION:

APPLICANT	Robert Mann for Community Education Centers
AGENT	FMG, Inc.
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 08SR002 - SDCL 11-6-19 Review to allow the expansion of an existing correction facility</b>
EXISTING LEGAL DESCRIPTION	That part of the SE1/4 of the NE1/4, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: Commencing at a point at the southeast corner of Lot H3 of the 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 of the NE1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
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:	Heavy Industrial District
East:	General Agriculture District (Pennington County)
West:	Public District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/11/2008

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REVIEWED BY

Jared Ball / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Planning Commission approval the applicant shall submit a revised Parking Plan showing wheel stops for the parking stalls to the north;
2. Prior to Planning Commission approval the applicant shall submit a revised landscaping plan relocating the required landscaping points from the west side of the property to the east side of the property along South Dakota Highway 79;
3. Prior to Planning Commission approval the applicant shall submit a revised site plan and drainage report for the property that is sealed and signed by a Professional Engineer;
4. Prior to Planning Commission approval the applicant shall submit a revised site plan addressing all redline comments; and,
5. Prior to Planning Commission Approval of the applicant shall obtain a new Air Quality Permit.

GENERAL COMMENTS:

**Updated, February 11, 2008. All revised and/or added text is shown in bold print. This item was continued to the February 21, 2008 Planning Commission meeting at the applicant's request. Staff recommends that this item be approved with the above stipulations.**

The property is located west of South Dakota Highway 79 and south of Catron Boulevard. The property is currently zoned Public District. The property located east of the property is zoned General Agriculture District by Pennington County. The properties located north, south and west of the property are zoned Public District. The property to the north houses offices for the South Dakota Highway Patrol and the South Dakota Department of Motor Vehicles. The Rapid City Landfill is located on the properties to the south and west. The applicant is requesting approval of a SDCL 11-6-19 Review to allow the expansion of an existing correction facility. The applicant is proposing to construct a 24 unit expansion of 3262.80 square feet for the housing of clients. The property is the location of the Community Alternatives of the Black Hills, a work release facility, housing approximately 64 clients, and located on the site since the fall of 1991

A lease agreement with the City of Rapid City was approved on December 5, 2005. 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.

On October 6, 2005 the Planning Commission approved a SDCL 11-6-19 Review with stipulations to construct a two story facility. Prior to construction the applicant revised their plans and proposed to construct a three story facility. On June 22, 2006 the Planning Commission approved a SDCL 11-6-19 Review with stipulations to construct a three story facility for office use and housing for the clients, and then remove the facility that was

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currently on the property. Prior to construction of the three story facility, Community Alternatives of the Black Hills decided to build the original two story facility that was approved on October 6, 2005. Community Alternatives of the Black Hills is now proposing to construct an expansion of 3263.80 square feet onto the existing two story facility. On June 4, 2007 the City Council approved a request from Community Education Centers to increase the number of occupants at the Community Alternatives of the Black Hills Facility from 80 to 88.

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". 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: For prior reviews of the facility parking has been calculated based on one visitor per 3 clients and one staff per 6 clients. The site plan indicates that the facility will house 88 clients, indicating a requirement for 44 parking spaces. The site plan indicates 44 parking spaces including 2 handicapped spaces are being provided; however, curb stops are required for the parking stalls located on the northern end of the property.

Landscaping: Based on the size of the proposed structure and the size of the lot, 68,288 landscaping points are required. The landscaping plan provided indicates that 77,264 landscaping points will be provided. The proposed plan indicates that 13 large deciduous trees will be planted along the north and west sides of the property, one deciduous tree will be transplanted to the southwest corner of the property and one deciduous tree will be transplanted to the middle of the property. Along with the trees the proposed plan indicates that a seasonal garden will be planted on the east side of the property facing South Dakota Highway 79. The proposed landscaping plan meets the minimum requirements of Section 17.50.300 of the Rapid City Municipal Code; however staff recommends that the landscaping that is proposed for the western side of the property be moved to the eastern side of the property in order to screen the facility from motorists traveling north and south on South Dakota Highway 79.

Elevations: The elevations provided for the proposed building with the application indicate a one story structure. The materials to be used on the exterior of the proposed building are earth tone horizontal lap siding and fiberglass reinforced asphalt shingles to match the existing facility. The proposed elevation plan also shows obscure glass windows with molded plastic sills and match the existing facility.

Fire codes: The addition shall be fully sprinkled and fire alarm detected as is the existing

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structure and Fire Department apparatus access shall remain in compliance with the 2003 international Fire Code.

Air Quality: The Air Quality Permit has expired without the completion of the required reclamation, as such, staff recommends that the applicant obtain a new Air Quality Permit prior to Planning Commission Approval of the 11-6-19 Review..

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. Prior to occupancy an occupancy permit shall be obtained. One sign exists on the eastern side of the property. No new signs are being proposed on the new site plan. Prior to installation of any additional signage an 11-6-19 review shall be reviewed and approved. All plans shall be stamped by a Registered Professional Engineer or Architect

Drainage Report: Staff noted that a drainage report for the property has not been submitted. Prior to Planning Commission approval the applicant shall submit a revised site plan and drainage report for the property, sealed and signed by a Registered Professional Engineer, for review and approval.

Red Line Comments: Staff recommends that the red line comments be addressed and the red lined drawings be returned to the Growth Management Department prior to Planning Commission approval.