

STAFF REPORT
April 9, 2009

No. 09SR021 - SDCL 11-6-19 Review to allow improvements on public property ITEM 38

GENERAL INFORMATION:

| | |
|----------------------------|--|
| APPLICANT/AGENT | Public Works Department for City of Rapid City |
| PROPERTY OWNER | City of Rapid City |
| REQUEST | No. 09SR021 - SDCL 11-6-19 Review to allow improvements on public property |
| EXISTING LEGAL DESCRIPTION | Lot 2 of Government Lot 2 less the east 472 feet and Tract C, Section 6, T1N, R8E, platted, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 4.474 acres |
| LOCATION | 760 Centre Street |
| EXISTING ZONING | Light Industrial District |
| SURROUNDING ZONING | |
| North: | Light Industrial District |
| South: | Flood Hazard District |
| East: | Light Industrial District |
| West: | Light Industrial District - Flood Hazard District |
| PUBLIC UTILITIES | City water and sewer |
| DATE OF APPLICATION | 3/13/2009 |
| REVIEWED BY | Travis Tegethoff / Mary Bosworth |

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to allow improvements on public property be approved if the following additional information is submitted:

1. Prior to Planning Commission approval, a revised parking plan in compliance with Section 17.50.270 of the Rapid City Municipal Code shall be submitted for review and approval.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to allow the installation of a 6 foot high chain link fence for the security of vehicles in front of the building located at 760 Centre Street. Currently, a 40,000 square foot building is located on the property and the facility is used for vehicle storage, traffic operations storage, and police operations storage. The property is currently zoned Light Industrial District.

STAFF REPORT

April 9, 2009

No. 09SR021 - SDCL 11-6-19 Review to allow improvements on public property ITEM 38

On September 6, 2007, Planning Commission approved a SDCL 11-6-19 Review to allow the acquisition of 4.25 acres of property for public use, and to allow the facility to be used for vehicle storage, traffic operations storage, and police operations storage on the property.

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 proposed construction is on publicly owned land requiring that the Planning Commission review and approve the proposed construction.

STAFF REVIEW:

Staff has reviewed the South Dakota Codified Law 11-6-19 review and noted the following considerations:

PARKING:

Staff noted that 12 parking stalls are required for the warehousing and office uses on the property per Section 17.50.270 of the Rapid City Municipal Code and currently 86 stalls are provided with three spaces being handicap accessible. However, the proposed fence appears to make 28 of the existing parking stalls unusable. As such, staff recommends that prior to Planning Commission approval a revised parking plan must be submitted demonstrating adequate access to all parking stalls for review and approval.

FENCING:

The applicant is proposing a 6 foot high chain link fence in the front yard of the property. As per Section 15.40.040 of the Rapid City Municipal Code, fences and walls may be eight feet in height in the front, side and rear yards in the Light Industrial Zoning District. The proposed fence appears to comply with the minimum standards of 15.40.040 of the Rapid City Municipal Code. Staff also noted that a building permit must be obtained prior to construction of any fence 6 feet in height or taller.

FLOODPLAIN:

The property is located within the 100 year Federally Designated Floodplain boundary. The applicant has provided an elevation certificate indicating that the lowest grade on the site (3185 feet) is higher than the base flood elevation (3184 feet).

FIRE PROTECTION:

Staff recommends that all applicable codes of the International Fire Code be continually met.

Staff finds that the location and extent of the proposed fence is in compliance with the adopted Comprehensive Plan and adopted regulations. As such, staff recommends that the SDCL 11-6-19 Review to allow improvements on public property be approved if the above noted information is submitted.