

STAFF REPORT  
August 6, 2009

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**No. 09SR069 - SDCL 11-6-19 Review to allow construction of a structure on public property**      **ITEM 15**

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GENERAL INFORMATION:

APPLICANT	City of Rapid City
AGENT	Dan Ferber for Ferber Engineering Co., Inc.
PROPERTY OWNER	FMLC/ Julie Lien, President
REQUEST	<b>No. 09SR069 - SDCL 11-6-19 Review to allow construction of a structure on public property</b>
EXISTING LEGAL DESCRIPTION	The unplatted portion of the NW1/4 including the vacated East Mall Drive located within said NW1/4 less Lot AR, B, C less the E1/2 NE1/4 NW1/4 less the E1/2 NW1/4 NE1/4 NW1/4, less East Mall Business Center Subdivision, less Lots H2, H4, H5, H6, H7, H8 and less county road right-of-way, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 2 of Block 5 of East Mall Business Center Subdivision, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3 acres
LOCATION	Adjacent to the proposed Tish Boulevard between East Mall Drive and Seger Drive
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	General Commercial District
East:	General Commercial District (Planned Commercial Development)
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/10/2009
REVIEWED BY	Patsy Horton / Karley Halsted

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RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to allow construction of a structure on public property be approved if the following additional information is submitted, reviewed and approved prior to Planning Commission approval of this item:

1. Additional information regarding the proposed colors and materials for the structure and the dumpster screening shall be submitted for review and approval; and
2. A revised site plan shall be submitted for review and approval identifying the minor changes in the driveway widths and location.

GENERAL COMMENTS: The applicant has submitted a SDCL 11-6-19 Review application to construct a new 7,724 square foot fire station located approximately 2,000 feet north of the intersection of Tish Boulevard and East Mall Drive.

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 request to construct a public structure on public property is a public improvement. In addition, the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvement be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

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

Design Features: The applicant has submitted an elevation of the proposed building identifying a one story structure with a pre-finished metal edge trim. A picture of Fire Station #3 was submitted with the application to provide a sample of the proposed color scheme. Staff recommends that additional information regarding the color scheme for Color A, Color B, the asphalt shingles and the dumpster screening be submitted for review and approval prior to Planning Commission approval.

Parking: Staff has reviewed the parking calculations for the fire station and noted that 12 parking spaces are needed for the six proposed dorm rooms, or two spaces per room to allow for shift changes. In addition, one parking space is required for the 255 square foot office area at a ratio of five parking spaces per 1,000 square foot gross floor area. In total, a minimum of 13 off-street parking spaces are required. In addition, one of the parking spaces must be handicap accessible with one of the handicap spaces being "van" accessible. The applicant's parking plan identifies 16 parking spaces with one of the spaces being handicap accessible. As such, the applicant's parking plan is in compliance with the City's adopted Parking Regulations.

Landscaping: The applicant has submitted a landscaping plan identifying that 147,326

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landscape points are being provided as a part of the construction of the fire station. In particular, the landscape plan shows a row of evergreen trees located along the south and east sides of the site. In addition, evergreen and deciduous shrubs are located along the front of the fire station. As such, the applicant's landscaping plan appears to be in compliance with the City's adopted Landscaping Regulations.

Dumpster: The site plan shows a dumpster area to be located north of the proposed fire station. A note on the site plan identifies that the dumpster will be screened with a 6 foot high fence consisting of EIFS panels. In addition, the elevation identifies that the screening fence will be tan to match the fire station.

Street Design Criteria Manual: The Street Design Criteria Manual identifies that commercial driveway openings shall be no more than 28 feet in width. The applicant has indicated that a revised site plan will be submitted to reflect this requirement. Additionally, the applicant has obtained an exception to the fillet radii in order to accommodate the 47 foot truck turning movements. As such, staff is recommending that the revised site plan be submitted for review and approval prior to Planning Commission approval.

Drainage and Grading: Staff noted that the drainage and grading plans submitted appear to be designed in compliance with the Rapid City Drainage Criteria Manual and City of Rapid City Standard Specifications for Public Works Construction, 2004 Edition.

Air Quality Permit: An Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres.

Building Permit: A Building Permit must be obtained prior to the start of construction. Additionally, the restroom design appears to be inconsistent with ANSI 117.1 standard for restrooms. Prior to issuance of a building permit, revised information to address the ANSI standard must be submitted for review and approval. A Certificate of Occupancy must be obtained prior to occupying the structure.

Stormwater Management Plan: The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. The applicant's stormwater management plan appears to be in compliance with the City's adopted Stormwater Quality Manual.

Property Lease: The City Council has recently approved a development agreement for East Mall Business Center Subdivision wherein Lot 2 of Block 5 will be transferred to the City of Rapid City when the final plat is reviewed and approved. Until such time, it is anticipated that the property owner will enter into a Lease Agreement with the City of Rapid City to secure the site to allow construction of the proposed fire station prior to recording of the Final Plat. As such, staff is recommending that the Lease Agreement is executed and on file with the City Finance Office or the property be platted and transferred to the City of Rapid City prior to issuance of the building permit.

The location and extent of the proposed construction of the fire station within the Northeast

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Neighborhood Area Future Land Use Plan is consistent with the adopted Comprehensive Plan and the related regulations. As such, staff will recommend that the SDCL 11-6-19 Review be approved if the above noted issues are addressed prior to Planning Commission approval of this item.

Staff will recommend that the SDCL 11-6-19 Review to allow construction of a structure on public property be approved if the additional information outlined in this report is submitted for review and approval prior to the August 6, 2009 Planning Commission meeting.