

STAFF REPORT
January 7, 2010

No. 09SR120 - SDCL 11-6-19 Review to allow a structure on public property

ITEM 45

GENERAL INFORMATION:

APPLICANT/AGENT	Ryan Viel for Institutions Services
PROPERTY OWNER	Pennington County
REQUEST	No. 09SR120 - SDCL 11-6-19 Review to allow a structure on public property
EXISTING LEGAL DESCRIPTION	A portion of Tract B of the NE1/4 NE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota and a portion of the South 18.4 feet of Tract A of the NE1/4 NE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as beginning at the northeast corner of said South 18.4 feet of Tract A; Thence S00°09'50"E a distance of 344 feet, more or less; Thence S89°50'10"W a distance of 424 feet, more or less; Thence N00°09'50"W a distance of 344 feet, more or less; Thence S89°50'10"E a distance of 424 feet, more or less to a point of beginning
PARCEL ACREAGE	Approximately 3.4 acres
LOCATION	3505 Cambell Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	Heavy Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	12/23/2009
REVIEWED BY	Marcia Elkins

RECOMMENDATION: If prior to the Planning Commission meeting, the applicant provides a revised site plan documenting compliance with the provisions of Section 17.50 regarding landscaping and an agreement to install any required landscaping by June 30, 2010, Staff will recommend approval of SDCL 11-6-19 Review for a structure on public property.

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GENERAL COMMENTS: This property is located 3505 Cambell Street and is currently the location of the Western South Dakota Juvenile Services Center. The applicant has submitted this request for an approximately 3.4 acre portion of the existing Tract A & B, NE¼ NE¼, Section 18, Township 1 North, Range 8 East, Black Hills Meridian, Rapid City, Pennington County, South Dakota. The balance of the property owned by Pennington County is used for the Pennington County Highway Department Offices, shops and outdoor storage areas.

The property is located on the west side of Campbell Street, south of Fairmont Boulevard and north of Minnesota Street. The property is currently zoned General Commercial. The property to the north of the site is zoned Light Industrial. The property to the south and west (also part of Tract B) is zoned General Commercial. The property to the east is zoned Heavy Industrial.

The Juvenile Services Center was constructed in 1994 and two additions were constructed in 2001. A small 12' x 12' storage shed is also located on the southwest portion of the site adjacent to the parking lot. The total square footage of the existing structures is 52,570 square feet. The applicant is now requesting approval to construct and locate an 11"7" by 13'6" freestanding cooler/freezer on top of an existing concrete pad on the east side of the original building. The proposed cooler/freezer construction will add an additional 157 square feet of floor area to the site resulting in total lot coverage of 36.15%.

South Dakota Codified Law 11-6-19 states that "whenever any such Municipal Council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in Section 11-6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission." The proposed location of the exterior freestanding cooler/freezer is within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW: Staff has reviewed the location and extent of the proposed structure to be located on public property for compliance with the adopted Comprehensive Plan and related regulations.

Compliance with the Adopted Comprehensive Plan – The property in question is located in the South Robbinsdale Neighborhood Future Land Use Plan area. That plan identifies the property in question as appropriate for Public Uses. The Juvenile Services Center use operated by Pennington County is an appropriate use for the Public Use designation. Additionally, the property is located in a General Commercial Zoning District. The General Commercial Zoning District allows "Public buildings and grounds other than elementary or high schools." As such the Juvenile Services Center operated by Pennington County is a permitted use in the General Commercial Zoning District in which it is located.

Compliance with Other Ordinance Requirements – Staff has reviewed the proposed construction/location of a cooler/freezer and noted that the structure will be located on an

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existing slab. No surface disturbance has been identified on the plans. There will be no increase in the impervious surface on the site; as such, there will be no increase in storm water drainage generated on the site. A drainage plan is not necessary for the proposed structure. An erosion and sediment control plan is also not required as there is no surface disturbance proposed.

The proposed structure and the existing structures comply with all required minimum setbacks and with the maximum allowable lot coverage. The proposed use will not generate the need for additional off-street parking. As such no expansion of the off-street parking areas is necessary.

Staff has reviewed the information submitted for the landscaping and determined that a total of 93,129 landscape points are required. The landscape table provided with the application indicates that 58,610 landscape points have been provided. The plan does not clearly identify the location of all of the landscaping identified in the table. Due to snow cover, staff could not confirm the installation or condition of all of the plant material identified on the site plan as of this writing. Staff reviewed the 2008 aerial photographs and noted some discrepancies relative to the landscape plan as presented. Additionally, the plan indicates that the applicant is 34,519 points short of meeting the minimum required landscaping requirements. Staff will attempt to confirm the condition of the existing landscaping in the field prior to the Planning Commission meeting. However, prior to Planning Commission approval, a revised site plan identifying the provision of landscaping in compliance with the minimum requirements of Section 17.50 of the Rapid City Municipal Code should be submitted for review and approval.

Staff has not identified any other provisions of the Rapid City Municipal Code that have not been met relative to the development of this site.

If prior to the Planning Commission approval, the applicant submits a revised site plan documenting compliance with all applicable provisions of Section 17.50 of the Rapid City Municipal Code relative to the landscaping of the property and an agreement to install any required landscaping by June 30, 2010, Staff will recommend approval of the SDCL 11-6-19 Review application to allow the structure on public property.