

STAFF REPORT  
March 24, 2011

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**No. 11PD012 - Initial and Final Planned Commercial Development**

**ITEM 7**

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GENERAL INFORMATION:

|                               |   |
|-------------------------------|---|
| APPLICANT                     | Gene Fennell  |
| PROPERTY OWNER                | Pennington County   |
| REQUEST                       | <b>No. 11PD012 - Initial and Final Commercial Development Plan</b>  |
| EXISTING<br>LEGAL DESCRIPTION | Property located in Block 98 of the Original Town of Rapid City, Section 1, T1N, R7E, described as follows: Lots 1-5 and the N ½ of the vacated Alley adjacent to said lots; Lots 28-32 and S ½ of the vacated Alley adjacent to said lots; and, a portion of Lots 6 and 27 and the N ½ and S ½ of the vacated Alley adjacent to said Lots 6 and 27 described following: Beginning at the northeast corner of said Lot 6, thence southerly along the east line of said Lot 6 a distance of 140.00 feet to the southeast corner of said Lot 6, thence southerly along a line parallel to the east line of said Lot 6 a distance of 20.00 feet to the northeast corner of Lot 27, thence southerly along the east lot line of said Lot 27 a distance of 140.00 feet to the southeast corner of said Lot 27, thence westerly along the south lot line of Lot 27 a distance of 1.60 feet, thence northerly along a line parallel to the east lot line of Lot 27 a distance of 125.33 feet, thence westerly along a line perpendicular to the east lot line of Lot 27 a distance of 14.50 feet, thence northerly along a line, parallel to the east lot line of Lot 27 a distance of 36.50 feet, thence easterly along a line perpendicular to the east lot line of Lot 6 a distance of 14.50 feet, thence northerly along a line parallel to the east lot line of Lot 6 a distance of 138.17 feet to a point on the north lot line of Lot 6, thence easterly along the north line of Lot 6 a distance of 1.60 feet to the point of beginning being the northeast corner of Lot 6, all located on Block 98 of the Original Town of Rapid City, Section 1, TIN, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE                | Approximately .884 acres  |
| LOCATION                      | 211 Saint Joseph Street   |
| EXISTING ZONING               | General Commercial District   |
| SURROUNDING ZONING            |   |

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| North: | General Commercial District |
| South: | General Commercial District |
| East:  | General Commercial District |
| West:  | General Commercial District |

PUBLIC UTILITIES                      City sewer and water

DATE OF APPLICATION                2/25/2011

REVIEWED BY                          Karen Bulman / Brandon Quiett

**RECOMMENDATION:**

Staff recommends that the Initial and Final Commercial Development Plan be approved with the following stipulations:

1. An Exception is hereby granted to allow the parking structure with a maximum height of 75 feet in lieu of 45 feet as per Chapter 17.18.060;
2. The parking structure is located 4.5 feet from the front lot line, 21.5 feet into the 25 foot front yard setback, as approved by the Planning Commission on March 6, 2003 for the 11-6-19 SDCL Review;
3. Parking for the Pennington County Courthouse Complex is currently at 781 parking spaces with this two story addition to the parking structure. Any future expansion of this area shall require that parking be provided in compliance with Chapter 17.50.270 of the Rapid City Municipal Code or a Major Amendment to the Planned Commercial Development shall be submitted for review and approval reducing the parking requirement;
4. Any additional signage will require a Major Amendment to the Planned Commercial Development;
5. Any future enclosure of the stair towers will require a Major Amendment to the Planned Commercial Development; and,
6. The Major Amendment to a Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. A time extension may be granted upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

**GENERAL COMMENTS:** The applicant has submitted an Initial and Final Commercial Development Plan to allow for the two story expansion of the parking facility, a roof system, stair towers, and an elevator, located at 211 St. Joseph Street. The current three story parking structure is located east of the Jail Annex, adjacent to Second Street. The parking structure was designed to allow for additional floors in the future.

On March 6, 2003, the Planning Commission approved an 11-6-19 SDCL Review for the three story parking structure in addition to the expansion of the Pennington County Courthouse/Jail Complex.

**STAFF REVIEW:** Staff has reviewed the Initial and Final Commercial Development Plan and

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has noted the following considerations:

Setback: The current parking structure is located 4.5 feet from the front lot line, 21.5 feet into the 25 foot front yard setback. The Planning Commission approved this encroachment through the 11-6-19 Review. The additional two stories on the parking lot structure will not add additional encroachment into the setback.

Height: The Zoning Ordinance states that a maximum height of 45 feet or four stories shall be allowed in the General Commercial Zoning District. The proposed height of the parking structure with two additional stories is 55 feet plus an additional 20 feet for the roof, for a total height of 75 feet. The Planning Commission approved the height of the Public Safety Building at 88 feet through the 11-6-19 Review process on March 6, 2003. As the parking structure will be lower in height, staff recommends approval of the height exception of 75 feet.

Parking: The current use(s) located on the property require that a minimum of 826 parking spaces be provided. Currently 595 parking spaces are provided, 387 parking spaces short of the minimum required number of spaces for the existing and proposed use(s). Through the approval of the 11-6-19 Review, the parking shortages were allowed.

Historically, parking shortages have existed at the Courthouse/Jail Complex. The additional parking provided in the proposed two story addition, will increase the parking spaces by 186. This will still leave a shortage of 201 parking spaces. However, the proposed addition will help to alleviate any shortage currently identified. The applicant has indicated that they are currently working to identify daily parking counts through the month of March. As the additional two stories to the parking structure will help to alleviate the current shortage, staff believes the additional parking space is warranted. However, prior to any future construction which will require a Major Amendment to the Planned Commercial Development, a complete parking calculation will need to be submitted indicating the required parking needed for this complex.

A five-stop elevator will be installed at the west side of the parking structure, adjacent to the vacated alley.

Future development: The applicant has indicated that in the future, the stair towers will be enclosed. As such, a Major Amendment to the Planned Commercial Development will be required.

Signage: No additional signage is currently proposed for this property. However, any additional signage will require a Major Amendment to the Planned Commercial Development.

Notification Requirements: As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the March 24, 2011 Planning Commission meeting if these requirements have not been met. Staff has received no inquiries or objections regarding the proposed request at the time of this writing.