

STAFF REPORT

April 25, 2002

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**No. 02UR009 - Conditional Use Permit to allow a public parking area in the Neighborhood Commercial Zoning District**      **ITEM 43**

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GENERAL INFORMATION:

PETITIONER	Thurston Design Group, LLC for Youth & Family Services, Inc.
REQUEST	<b>No. 02UR009 - Conditional Use Permit to allow a public parking area in the Neighborhood Commercial Zoning District</b>
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 21, Wise's Addition, located in the SW1/4 of the NW1/4, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.0 acres
LOCATION	818 North Maple Avenue
EXISTING ZONING	Neighborhood Commercial District
SURROUNDING ZONING	
North:	Neighborhood Commercial District
South:	Neighborhood Commercial District/Office Commercial District/Planned Commercial Development
East:	Office Commercial District w/Planned Commercial Development
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	03/21/2002
REPORT BY	Lisa Seaman

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a public parking area in the Neighborhood Commercial Zoning District be approved with the following stipulations:

Urban Planning Division Recommendations:

1. The Use on Review shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years; and,
2. That all requirements of the Off-Street Parking Ordinance shall be continually met.

GENERAL COMMENTS: This Conditional Use Permit has been requested to allow the Black

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Hills Food Bank to lease a portion of their parking lot located on Lot 2 of Block 21 of Wise's Addition to the Youth and Family Services for the fulfillment of the off-street parking requirements for the proposed development of the adjacent property.

In 1957, a Building Permit was issued for the construction of a grocery store on all of Block 6 and parts of Blocks 4, 5 and 7 of Wise's Addition. The grocery store was constructed on what is now Lot 1R of Block 6 and the parking area was constructed on the balance of property. No other structures are located on Lot 2 of Block 21, only the paved parking lot. Parking lots as a principal use on a lot are not allowed in the Neighborhood Commercial Zoning District. However, because the Building Permit issued in 1957 included the entire Block 6 the parking area on Lot 2 of Block 21 has been considered an accessory use to the building located on Lot 1R of Block 6. The leasing of a portion of the parking lot to Youth and Family Services will change the status of the parking on Lot 2 of Block 21 to a public parking lot which is not an allowed principal use in the Neighborhood Commercial Zoning District.

**STAFF REVIEW:** Staff review of the Conditional Use Permit request has determined that the Black Hills Food Bank requires 32 parking stalls for the uses identified within the existing building located on Lot 1R of Block 6. The site plan submitted with this request shows that a total of 95 parking stalls that comply with the requirements of the Off-Street Parking Ordinance are currently located on the Black Hills Food Bank properties. The number of parking stalls located on the Black Hills Food Bank properties exceed the number of stalls required by the parking regulations for the Food Bank use by more than what the Youth and Family Services is proposing to lease.

The Youth and Family Services have indicated that the leased parking spaces will be utilized by employees and for parking of their mini-buses and vans and they are proposing to pave a portion of the adjacent lot to provide access to the leased parking area from the property owned by the Youth and Family Services.

Staff has reviewed the proposed use with respect to Section 17.54.030 and finds it to be in general compliance with the 12 criteria for Conditional Use Permits. Staff is recommending that the Conditional Use Permit be approved to allow a public parking on the subject property with the stipulations as noted in the Staff Recommendation portion of the Staff Report.