

STAFF REPORT

November 7, 2002

No. 02SR023 - 11-6-19 SDCL Review to construct a porch canopy on a public building in a public place **ITEM 15**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02SR023 - 11-6-19 SDCL Review to construct a porch canopy on a public building in a public place
EXISTING LEGAL DESCRIPTION	Tract 8 of Rapid City Greenway Tract of Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	approximately 20.6 acres
LOCATION	2915 Canyon Lake Drive
EXISTING ZONING	Park Forest District/Flood Hazard District
SURROUNDING ZONING	
North:	Medium Density Residential District/Park Forest District
South:	Flood Hazard District
East:	Park Forest District/Flood Hazard District
West:	Park Forest District/Flood Hazard District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	10/10/2002
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL review to construct a porch canopy on a public building in a public place be approved with the following stipulations:

Urban Planning Division Recommendations:

1. The applicant shall submit a revised site plan showing lot lines prior to Planning Commission approval; and
2. All conditions of the original Use on Review Shall be continually met.

GENERAL COMMENTS: This is a request by the City of Rapid City for approval to construct structures on public land pursuant to the requirements of 11-6-19 SDCL. The proposed development is located in the Park Forest Zoning District at the above legally described location. The applicant is proposing to construct a new canopy over the entrance to the Parks Division office. The existing canopy at the Park Division office is a lean-to canopy, while the proposed canopy will be gabled.

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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 proposed site is publicly owned property. In addition, the property is located within the area covered by the Rapid City Comprehensive Plan requiring that the proposed expansion be reviewed and approved by the Rapid City Planning Commission as a part of an 11-6-19 SDCL Review.

STAFF REVIEW: The master plan for the Parks Department facilities was approved as a Use on Review by the Rapid City City Council on February 19, 2001. The master plan provided for a picnic shelter, lighting, playground equipment, a ball field, restrooms, sidewalks and the expansion of the existing parking lot at Old Storybook Island Park. This Use On Review was approved with four stipulations. These four stipulations were:

1. The applicant must comply with all provisions of the Flood Area Construction Regulations for all applicable improvements;
2. Prior to issuance of a Building Permit, detailed construction plans shall be submitted for review and approval;
3. Prior to issuance of a Building Permit for the proposed parking area, the Fire Department shall have reviewed and approved plans to ensure that adequate emergency vehicle access and circulation is being provided; and,
4. No structures shall be allowed in the Rapid Creek 100-year floodway including temporary structures.

All four of these stipulations will be met with this development.

The proposed development is located near the Rapid Creek 100-year floodway. However, the development is not in the floodway, and there are no structures being proposed to be located in the hydraulic floodway at this time.

Staff has reviewed the proposed request and feels the request is consistent and appropriate with the intent of the zoning ordinance. Staff notes that the provision of 11-6-19 South Dakota Codified Law does not require direct notification of neighboring property owners. In addition, South Dakota Codified Law does not require advertisement in a local newspaper.