

STAFF REPORT

March 25, 2004

No. 04SR010 - 11-6-19 SDCL Review to allow the construction of a storage building **ITEM 9**

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Baseball 320 Inc.
REQUEST	No. 04SR010 - 11-6-19 SDCL Review to allow the construction of a storage building
EXISTING LEGAL DESCRIPTION	Tract 8 (also in Section 4 and 10, T1N, R7E) of Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 145 acres
LOCATION	Pete Lien Field at the intersection of Canyon Lake Drive and Sheridan Lake Road
EXISTING ZONING	Park Forest District/Flood Hazard District
SURROUNDING ZONING	
North:	Park Forest District/No Use District
South:	Flood Hazard District/Office Commercial District/Medium Density Residential District
East:	Park Forest District/Flood Hazard District/Medium Density Residential District
West:	Public District/Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	02/27/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the construction of a storage building be approved with the following stipulations:

1. Prior to initiation of construction, a building permit must be obtained, and a Certificate of Occupancy must be obtained prior to occupancy of the building;
2. Prior to issuance of a Certificate of Occupancy, the address must be posted on the street side of the building, with 12 inch high numbers plainly visible from the street; and,
3. Access to the structure must be paved.

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GENERAL COMMENTS: The applicant is seeking an 11-6-19 Review approval to allow the construction of a storage garage on public property. The proposed garage will be located at Pete Lien Field between the batting cages and the parking lot on the north side of the bleachers south of Canyon Lake Drive. The proposed building is 40 feet wide by 30 feet deep providing 1,200 total square footage. The applicant has indicated the garage will be used to store vans and trailers.

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". As previously indicated, the building is privately owned but located on City owned property requiring that the Planning Commission review and approve of the proposed construction on City owned property.

STAFF REVIEW: Staff has reviewed the proposed 11-6-19 SDCL Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Building Permit: Staff noted that a Building Permit must be obtained prior to any construction, and a Certificate of Occupancy must be obtained prior to occupancy of the building. Staff also noted that the plans submitted show unconventional construction for the proposed storage garage with regards to the posts. Prior to issuance of a Building Permit, engineered stamped plans must be submitted for post construction or plans submitted must show conventional foundation construction.

Address: Staff noted that the address must be posted on the street side of the building, with 12 inch high numbers plainly visible from the street prior to issuance of a Certificate of Occupancy.

Access: As previously noted, the applicant indicated that the proposed garage will be used for the storage of vans and trailers. Staff noted that the access to the garage must be paved.

Staff recommends approval of the 11-6-19 SDCL Review with the above stated stipulations.