

STAFF REPORT
September 9, 2004

No. 04SR050 - SDCL Section 11-6-19 Review to allow the demolition of structures on public property **ITEM 7**

GENERAL INFORMATION:

PETITIONER	Pennington County Housing
REQUEST	No. 04SR050 - SDCL Section 11-6-19 Review to allow the demolition of structures on public property
EXISTING LEGAL DESCRIPTION	Lots 21-34 and 40 feet of East Saint Louis Street between Racine Street and LaCrosse Street, Block 16, Blakes Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.3 Acres
LOCATION	101 and 115 LaCrosse Street
EXISTING ZONING	Medium Density Residential
SURROUNDING ZONING	
North:	Medium Density Residential
South:	Medium Density Residential
East:	Medium Density Residential
West:	Medium Density Residential (PRD)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/3/2004
REVIEWED BY	Todd Tucker / Curt Huus

RECOMMENDATION: Staff recommends that the SDCL Section 11-6-19 Review to allow the demolition of structures on public property be approved with the following stipulations:

1. Prior to any demolition on the subject property, a Demolition Permit shall be obtained;
2. Prior to issuance of a Demolition Permit, an erosion control plan for surface restoration shall be submitted for review and approval;
3. The applicant must maintain best management practices of the property until the surface restoration has been completed;
4. Prior to any future construction on the subject property, a separate SDCL 11-6-19 Review shall be approved; and,
5. Prior to any future construction on the property, a Building Permit must be obtained.

GENERAL COMMENTS: The subject property is located on the west side of LaCrosse Street between East Chicago Street and East Omaha Street. Currently, there are two structures, containing a total of 10 dwelling units, located on the property. The two structures total

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4,800 square feet. The applicant has indicated that the existing structures are not structurally sound. The applicant is now proposing to demolish the two existing structures.

The subject property is owned by the Pennington County Housing and Redevelopment Commission.

The applicant is seeking an SDCL 11-6-19 Review to allow the demolition of the two existing structures on the subject property.

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 proposed demolition is on publicly owned land requiring that the Planning Commission review and approve of the proposed demolition.

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

Demolition Permit: Staff noted that a Demolition Permit must be obtained prior to any demolition on the subject property.

Erosion Control: Staff noted that no erosion control plan was submitted with the application. Prior to issuance of a Demolition Permit, an erosion control plan for surface restoration must be submitted for review and approval. Staff also noted that the applicant must maintain best management practices of the property until the surface restoration has been completed.

Future Construction: No building plans were submitted with the application regarding future construction on the property. However, the applicant has indicated that they do plan on developing the property in the future. A separate SDCL 11-6-19 Review must be approved prior to any future construction on the subject property. Staff also noted that a Building Permit must be obtained for any future construction on the property.

Staff is recommending that the SDCL 11-6-19 Review be approved with the previously stated stipulations.