

STAFF REPORT  
September 9, 2004

---

**No. 04SR051 - SDCL Section 11-6-19 Review to allow the construction of an addition to an existing structure located on public property** **ITEM 8**

---

GENERAL INFORMATION:

PETITIONER	David P. Wittnebel for Story Book Island Board of Directors
REQUEST	<b>No. 04SR051 - SDCL Section 11-6-19 Review to allow the construction of an addition to an existing structure located on public property</b>
EXISTING LEGAL DESCRIPTION	Tract 8, Rapid City Greenway Tracts, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	N/A
LOCATION	Story Book Island
EXISTING ZONING	Park Forest District/Flood Hazard District
SURROUNDING ZONING	
North:	Park Forest District/No Use District/Medium Density Residential District
South:	Flood Hazard District/Office Commercial District/Medium Density Residential District
East:	Park Forest District/Flood Hazard Zoning District/Low Density Residential District
West:	Public District/Medium Density Residential District/Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/23/2004
REVIEWED BY	Todd Tucker / Curt Huus

RECOMMENDATION: Staff recommends that the SDCL Section 11-6-19 Review to allow the construction of an addition to an existing structure located on public property 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. All fees associated with the proposed addition must be paid;
3. Prior to issuance of a Building Permit, a Flood Plain Development Permit must be obtained; and,

STAFF REPORT  
September 9, 2004

---

**No. 04SR051 - SDCL Section 11-6-19 Review to allow the construction of an addition to an existing structure located on public property** **ITEM 8**

---

4. Prior to Planning Commission approval, revised drawings must be submitted showing the location of all roof drains on the structure.

GENERAL COMMENTS: The subject property is located on the west side of Sheridan Lake Road between Jackson Boulevard and Canyon Lake Drive. The subject property is the location of Story Book Island Park which is public property. The existing building, known as the Birthday House, was constructed in 1986. The applicant is now proposing to add a 558 square foot covered patio to the existing 946 square foot building.

The applicant is seeking an SDCL 11-6-19 Review to allow the construction of an addition to an existing structure located 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 construction is on publicly owned land requiring that the Planning Commission review and approve of the proposed construction.

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:

Building Permit: Staff noted that a Building Permit must be obtained prior to any construction, and a Certificate of Completion must be obtained prior to occupancy of the building. Staff also noted that all fees associated with the proposed addition must be paid.

Flood Plain Development Permit: The existing structure and proposed addition are located within the 100 year federally designated flood plain, which requires that a Flood Plain Development Permit be obtained. Prior to issuance of a Building Permit, a Flood Plain Development Permit must be obtained.

Roof Drains: Staff noted that the applicant's submitted plans do not show the location of roof drains for the structure. Prior to Planning Commission approval, revised drawings must be submitted showing the location of all roof drains on the structure.

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