

STAFF REPORT  
September 8, 2005

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**No. 05SR048 - SDCL 11-6-19 Review to allow a six foot high chain link fence on an existing retaining wall**      **ITEM 41**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 05SR048 - SDCL 11-6-19 Review to allow a six foot high chain link fence on an existing retaining wall</b>
EXISTING LEGAL DESCRIPTION	Lot 1a, Lakewood #1 and Lots 5 and 6, Jackson Park, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .56 acres
LOCATION	At the southwest corner of the intersection of Guest Road and Red Rock Canyon Road
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District - Medium Density Residential District
West:	Low Density Residential District - Park Forest District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	8/8/2005
REVIEWED BY	Karen Bulman / Michelle Horkey

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow a six foot high chain link fence on an existing retaining wall and a four foot high chain link fence on an existing drainage structure be continued to the September 22, 2005 Planning Commission meeting.

GENERAL COMMENTS: The subject property is located at the southwest corner of Red Rock Canyon Road and Guest Road. Existing drainage culverts are located on the subject property. The subject property is zoned Low Density Residential District. The properties located north and south of the subject property are zoned Low Density Residential District. The property located east of the subject property is zoned Low Density Residential District and Medium Density Residential District. The property located west of the subject property is zoned Low Density Residential District and Park Forest District.

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The applicant has requested that a six foot high fence be placed on the property located south of the intersection of Red Rock Canyon Road and Guest Road to fence the retaining wall of a drainage culvert. The applicant has also requested that a four foot high fence be placed on the property located north of Guest Road to fence the drainage culvert located north of the road. In addition, the applicant has applied for a Fence Height Exception (05FV009) to allow a six foot high chain link fence on an existing retaining wall.

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 subject property is City owned property requiring that the Planning Commission review and approve the proposed construction on City owned property.

**STAFF REVIEW:** Staff has reviewed the proposed SDCL 11-6-19 Review and has noted the following issues:

**Elevations:** A site plan has been submitted indicating that the requested six foot high fence will be located on a retaining wall adjacent to and south of Guest Road. Currently, there is a four foot fence located on an existing retaining wall along Red Rock Canyon Road south of Guest Road. The six foot height is proposed as a safety measure to prevent access to the culvert and drainage way since the retaining wall and culvert are located below the level of the road. The existing four foot fence along Red Rock Canyon Road should be extended so as to meet the proposed six foot fence. The elevation of the proposed six foot fence should be the same elevation as the existing four foot fence at the location where the two fences meet.

The site plan further indicates the elevations for the requested four foot high fence on an existing drainage culvert along the north side of Guest Road. Staff is recommending that the drainage structure located along the north side of Guest Road include the extension of fencing along the sides of the drainage structure.

**Materials:** The applicant has indicated that the fences will be constructed of chain link.

**Chapel Valley Homeowners Association:** The Chapel Valley Homeowners Association will meet on September 13, 2005 and have requested that this item be continued to the September 22, 2005 Planning Commission meeting to allow time for their members to discuss the proposed fences at their meeting.

Staff recommends this be continued to the September 22, 2005 Planning Commission meeting as a courtesy to the Chapel Valley Homeowners Association.