

STAFF REPORT
March 9, 2006

No. 06SR011 - SDCL 11-6-19 Review to construct utilities on Public Property **ITEM 15**

GENERAL INFORMATION:

PETITIONER	Todd Greyson for Storybook Island
REQUEST	No. 06SR011 - SDCL 11-6-19 Review to construct utilities on Public Property
EXISTING LEGAL DESCRIPTION	Tract 8 (also in Sections 4 and 10, T1N, R7E), Rapid City Greenway Tract, Section 3, T1N, R7E, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9 acres
LOCATION	1301 Sheridan Lake Road
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Office Commercial District
East:	Flood Hazard District - Low Density Residential District
West:	Flood Hazard District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/9/2006
REVIEWED BY	Travis Tegethoff / Bob Dominicak

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to construct utilities on Public Property be approved with the following stipulations:

1. An electrical permit shall be obtained for any wiring over 50V and an electrician shall do any such wiring;
2. Prior to construction the applicant shall verify that equipment is constructed at or above the regulatory flood protection elevation for the particular area or floodproofed; and,
3. All plans shall be stamped and signed by a professional engineer.

GENERAL COMMENTS: The applicant is seeking an SDCL 11-6-19 Review approval to construct utilities on public property. In particular, the applicant is proposing to upgrade the underground electrical, sound, and security cables. The subject property is located west of Sheridan Lake Road and north of Jackson Boulevard within Storybook Island Park.

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,

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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 publicly owned land requiring that the Planning Commission review and approve the proposed construction.

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

Electrical Permit: Staff noted that an electrical permit shall be obtained for any wiring over 50V and an electrician shall do any such wiring.

Engineering: Staff noted that prior to construction the applicant shall verify that equipment is constructed at or above the regulatory flood protection elevation for the particular area or floodproofed. Staff also noted that all plans shall be stamped and signed by a professional engineer.

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