

STAFF REPORT
July 27, 2006

No. 06SR057 - SDCL 11-6-19 Review to install a structure on public property **ITEM 27**

GENERAL INFORMATION:

PETITIONER	David Miller for Youth & Family Services, Inc.
REQUEST	No. 06SR057 - SDCL 11-6-19 Review to install a structure on public property
EXISTING LEGAL DESCRIPTION	Lot 3, Block 21, Wise's Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.36 acres
LOCATION	120 E. Adams
EXISTING ZONING	Office Commercial (Planned Commercial Development)
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Neighborhood Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/28/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the SDCL 11-6-19 Review to install a structure on public property be approved with the following stipulation:

1. Prior to Planning Commission approval, the fire hydrant shall be raised and in usable condition.

GENERAL COMMENTS: The subject property is the Youth and Family Services Center located east of Maple Avenue at 120 E. Adams Street. The subject property is currently zoned Office Commercial District with a Planned Commercial Development and is owned by the City of Rapid City. The property located west of the subject property is zoned Neighborhood Commercial District. The properties located north, south and east of the subject property are zoned Medium Density Residential District. The applicant is requesting approval of a SDCL 11-6-19 Review to install a structure on public property.

Youth and Family Services wishes to provide a canopy for shade and covering over a portion of the children's playground located north of the building at 120 E. Adams Street. Currently a rubber surface exists on a 1,204 square foot play area. A bright blue canopy with

STAFF REPORT
July 27, 2006

No. 06SR057 - SDCL 11-6-19 Review to install a structure on public property **ITEM 27**

a bright red frame will cover a 9 foot by 29 foot area. The canopy will be made of heavy duty commercial grade breathable canvas.

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

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 considerations:

Structure: The 9 foot by 29 foot canopy will be made of heavy duty commercial grade breathable canvas. Staff has indicated that the material shall be made of a flame resistant type material as per the 2003 International Fire Code.

Permits: Prior to construction, a Building Permit shall be obtained and plans for the structure, stamped by a Registered Professional Engineer, shall be provided. Prior to occupancy, an Occupancy Permit shall be obtained.

Fire Hydrant: During this review, it was noted by staff that as part of the construction of their facility, a fire hydrant near the intersection of E. Adams and Herman Street needed to be raised because of site grading. This has not been completed and the hydrant remains substantially unusable. For fire safety concerns and as part of the approval of the construction of their building, this work needs to be completed. Prior to Planning Commission approval of the additional structure for this property, raising the hydrant shall be completed and the fire hydrant in usable condition.

Staff recommends that the SDCL 11-6-19 Review be approved.