

STAFF REPORT
October 26, 2006

No. 06SR067 - SDCL 11-6-19 Review to allow a temporary stock pile on public property **ITEM 14**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06SR067 - SDCL 11-6-19 Review to allow a temporary stock pile on public property
EXISTING LEGAL DESCRIPTION	Tract 24, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .09 acres
LOCATION	South of the intersection of Philadelphia Street and New York Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Light Industrial District - Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/18/2006
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow a temporary stock pile on public property be approved.

GENERAL COMMENTS: A SDCL 11-6-19 Review request has been submitted to allow a temporary stock pile on public property. The subject property is located east of North Fifth Street and south of New York Street, within Memorial Park.

The applicant is proposing to temporarily store soil from the Civic Center Expansion Project on approximately 0.09 acres of 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

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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 temporary stockpile.

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

Flood Plain Development Permit: Staff noted that the subject property is located in the Flood Hazard Zoning District and is within the 100 Year Flood Plain. A Flood Plain Development Permit was issued for the subject property on August 16, 2006.

Air Quality Permit: Staff noted that this area is addressed as part of the Air Quality Permit for the Civic Center Expansion Project and is being monitored for fugitive dust and weeds as part of that permit.

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