

STAFF REPORT  
November 8, 2007

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**No. 07SR048 - SDCL 11-6-19 Review to allow a structure on public property ITEM 62**

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GENERAL INFORMATION:

APPLICANT	Black Hills Baseball Association
AGENT	Bryan Schnell
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 07SR048 - SDCL 11-6-19 Review to allow a structure on public property</b>
EXISTING LEGAL DESCRIPTION	Tract 8 (also in Sections 4 and 10, T1N, R7E) of the Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 146 Acres
LOCATION	2900 Jackson Boulevard
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	8/27/2007
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

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

1. Prior to Planning Commission approval, a Flood Plain Development Permit shall be obtained or the structure shall be located outside of the 100 year Federally Designated Flood Plain.

GENERAL COMMENTS: **This staff report has been revised as of October 29, 2007. All revised and/or added text is shown in bold print. This item was continued to the November 8, 2007 Planning Commission Meeting to allow the applicant to submit additional information. As of October 29, 2007, a Flood Plain Development Permit has not been obtained or the structure has not been located outside of the 100 year**

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**federally designated flood plain. As such, staff recommends that prior to Planning Commission approval, a Flood Plain Development Permit shall be obtained or the structure shall be located outside of the 100 year Federally Designated Flood Plain. Staff will notify the Planning Commission at the November 8, 2007 Planning Commission meeting if the Flood Plain Development Permit has not been obtained or the structure has not been located outside of the 100 year Federally Designated Flood Plain.**

The applicant has submitted a SDCL 11-6-19 Review request to relocate a structure on public property. The applicant is proposing to relocate an existing eight foot by twelve foot galvanized metal storage shed from northeast of the existing parking lot to an area between the baseball field and the bike path to store maintenance equipment associated with the baseball complex. The shed is proposed to be located approximately 280 feet east of 32<sup>nd</sup> Street.

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". The structure is privately owned but located on City owned property requiring that the Planning Commission review and approve of the proposed construction on City owned property.

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

Parking: On November 7, 2002 the City of Rapid City Planning Commission approved an 11-6-19 SDCL Review (#02SR018) to allow park improvements including structures on the above legally described property. Two of the structures located on the property are batting cages. As part of that review, Staff identified that a minimum of 560 off-street parking spaces were required. The approved site plan for the subject property shows 580 parking stalls provided. Staff also noted in file (#02SR018) that five off-street parking spaces must be provided for each batting cage. With 580 off-street parking stalls provided, the property is in compliance with the off-street parking provisions of Section 17.50.270 of the Rapid City Municipal Code.

Flood Plain: Staff noted that part of the property is located in the 100 year federally designated flood plain. It appears the proposed structure is located within the 100 year federally designated flood plain. As such, staff recommends that prior to Planning Commission approval a Flood Plain Development Permit shall be obtained or the structure shall be located out of the 100 year federally designated flood plain.

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