

STAFF REPORT  
February 7, 2008

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**No. 08SR001 - SDCL 11-6-19 Review to allow the construction of structures on public property** **ITEM 36**

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GENERAL INFORMATION:

|                            |   |
|----------------------------|---|
| APPLICANT/AGENT            | Ken Wilkerson   |
| PROPERTY OWNER             | City of Rapid City  |
| REQUEST                    | <b>No. 08SR001 - SDCL 11-6-19 Review to allow the construction of structures on public property</b>   |
| EXISTING LEGAL DESCRIPTION | Tract 8, also in Sections 4 and 10, T1N, R7E, of Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE             | Approximately 5.0 acres   |
| LOCATION                   | 2900 Jackson Boulevard  |
| EXISTING ZONING            | Park Forest District  |
| SURROUNDING ZONING         |   |
| North:                     | Medium Density Residential District   |
| South:                     | Flood Hazard District   |
| East:                      | Flood Hazard District   |
| West:                      | Park Forest District  |
| PUBLIC UTILITIES           | City water and sewer  |
| DATE OF APPLICATION        | 1/11/2008   |
| REVIEWED BY                | Travis Tegethoff / Mary Bosworth  |

RECOMMENDATION:

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

1. Prior to Planning Commission approval, the applicant shall address all red line comments and return the revised plans and the red lined drawings to the Rapid City Growth Management Department for review and approval.

GENERAL COMMENTS: The applicant is requesting approval of a SDCL 11-6-19 Review to allow the expansion of an existing storage shed, add a second story "crow's nest" to an existing building, and place concrete pads in the existing batting cages at McKeague Field. The subject property is located south of Canyon Lake Drive between 32<sup>nd</sup> Street and Sheridan Lake Road.

On June 4, 2007 City Council approved a Sports Facility Partnership Fund Grant application

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to fund a portion of the proposed project.

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". This is a public building located on publicly owned land requiring that the Planning Commission review and approve the proposed installation.

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:

Building Permits: Staff noted that a building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy.

Setbacks: Staff noted that the proposed addition is a minimum of 60 feet from the existing property lines. The proposed structure shall be set back not less than 35 feet from the front property line, 40 feet from the side property lines and 50 feet from the rear property line. The proposed addition meets all setback requirements of Section 17.08.040 of the Rapid City Municipal Code.

Building Height: Section 17.08.050 of the Rapid City Municipal Code states that no main building shall exceed 2½ stories or 35 feet in height. The applicant's plans demonstrate a maximum height of twenty feet for the proposed "crow's nest" and meet all the building height requirements as per Section 17.08.050 of the Rapid City Municipal Code.

Design Features: The submitted elevation drawings show the proposed structures to be finished with green metal siding and asphalt shingles to match the existing structures. Staff noted that the existing facility is screened with an eight foot high wood fence that is green in color. Staff also noted that no additional site lighting is proposed with this project.

Fire Safety: Staff noted that all applicable provisions of the International Fire Code shall be continually met.

Floodplain: Staff noted that this portion of the property is located outside of the 100 year floodplain and in the Park Forest Zoning District. As such, a floodplain development permit is not required as part of this project.

Red Line Comments: Staff noted that red line comments addressing required revisions and changes have been made on the plans. Staff recommends that the comments be addressed and the red lined drawings be returned to the Growth Management Department prior to Planning Commission approval.