

STAFF REPORT
August 7, 2008

No. 08SR058 - SDCL 11-6-19 Review to locate a historic structure on public property **ITEM 27**

GENERAL INFORMATION:

APPLICANT/AGENT	Ray Summers for Museum Alliance of Rapid City, Inc. d/b/a The Journey Museum
PROPERTY OWNER	City of Rapid City
REQUEST	No. 08SR058 - SDCL 11-6-19 Review to locate a historic structure on public property
EXISTING LEGAL DESCRIPTION	Lots 17 and 18 of the Original Town of Rapid City, Block 18, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.0 acres
LOCATION	230 Philadelphia Street
EXISTING ZONING	Civic Center District
SURROUNDING ZONING	
North:	Civic Center District
South:	Civic Center District
East:	Civic Center District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	6/19/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to locate a historic structure on public property be approved.

GENERAL COMMENTS: (Update: July 28, 2008. All revised and/or added text is shown in bold.) Staff had indicated that they would recommend approval of this request at the July 24, 2008 Planning Commission meeting if a revised site plan was submitted prior to the Planning Commissions action on this item identifying that the handicap access ramp is provided. That information was submitted, reviewed and approved. However, this item was continued at the July 24, 2008 Planning Commission meeting at the applicants request.

The property is located at 230 Philadelphia Street, east of Third Street and south of Denver

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Street. The property is currently zoned Civic Center District. The property to the west is zoned Low Density Residential District. The adjacent properties to the north, south, and east are zoned Civic Center District. The Journey Museum is located on the property.

The applicant is proposing to move a historic cabin onto the property. The cabin is 15 feet 1 inch by 14 feet 10 inches. The applicant is proposing to locate the historic cabin in front of the Third Street entrance to the Journey Museum. The proposed historic cabin will be located 27 feet and 7 inches from the front property line.

South Dakota Codified Law 11-6-19 states that “whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission”.

The proposed historic cabin is being relocated onto public property and the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

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

Zoning: The property is currently zoned Civic Center District. The Comprehensive plan identifies the land use as Civic Center District. Public buildings are an allowed use in the Civic Center District. The Journey Museum is currently located on the property. The site is an appropriate location for the historic cabin due to the historic nature.

Setbacks: The proposed location for the historic cabin is west of the Journey Museum at the Third Street entrance. The proposed historic cabin will be set back from the property line 27 feet and 7 inches. The required front yard setback for the Civic Center District is 25 feet. As such, the required front yard set back is being met.

Walk Way Ramp: The site plan that was submitted identifies a five foot wide walkway leading from the Journey Museum driveway to the historic cabin. However, the plan does not identify a handicap accessible ramp where the pavement meets the walkway. Prior to Planning Commission approval the applicant must submit a site plan that identifies the required handicap access to the walkway leading to the cabin or the site plan must be revised to identify a sidewalk from the existing ramp located to the south.

Building Permit: The applicant should be aware that prior to locating the historic cabin, a Building Permit must be obtained.

Moving Permit: The applicant should be aware that prior to moving the historic cabin, a Moving Permit must be obtained. In addition, the applicant must coordinate the move with the Rapid

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City Parks and Recreation Department to insure that no flowers or turf are disturbed at Halley Park or the Journey Museum during the move.