

STAFF REPORT
August 7, 2008

No. 08SR066 - SDCL 11-6-19 Review to allow the installation of structures on Public Property **ITEM 47**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	No. 08SR066 - SDCL 11-6-19 Review to allow installation of structures on public property
EXISTING LEGAL DESCRIPTION	All of Blocks 1 and 2 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.2 acres
LOCATION	515 West Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District - Office Commercial District (Planned Development Designation)
East:	Central Business District
West:	General Commercial District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Jared Ball / Karley Halsted

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to allow the installation of structures on public property be approved if the additional required information is submitted prior to Planning Commission approval:

1. The applicant shall submit a complete set of site plans to scale for review and approval.

GENERAL COMMENTS: The property is located at 515 West Boulevard, which is the location of Halley Park. The property is zoned Park Forest District. The property to the north is zoned Light Industrial District. The properties to the south are zoned General Commercial District and Office Commercial District with a Planned Development Designation. The property to the east is zoned Central Business District and the property to the west is zoned General Commercial District. The applicant is proposing to install underground electrical utility and

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above ground power outlets for Christmas lights and other displays in the park.

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 location for electric utility lighting is 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:

Site Plan: The site plan that was submitted for this project is not scalable. In order for staff to review the request the applicant must submit a complete site plan drawn to scale. As such, prior to Planning Commission approval, staff is recommending that the applicant must submit a complete set of site plans drawn to scale for review and approval.

Historic Preservation Commission: The property in question is in the environs of the West Boulevard Historic District and in the environs as an individually listed property on the National Register of Historic Places. The applicant has obtained an 11.1 Historic Preservation Review approval and a determination of “No adverse impact” from the staff of the South Dakota Office of History.

Electrical Permit: The applicant should be aware that prior to installation of any lighting an Electrical Permit must be obtained. In addition, all wiring must be done by a Licensed Electrician.

Flood Plain: Halley Park is located within the 500 Year Federally Designated Flood Plain. The proposed work will not require a Flood Plain Development Permit.