

STAFF REPORT
November 20, 2008

No. 08SR092 - SDCL 11-6-19 Review to authorize acquisition of ITEM 42 property

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	FMLC, Inc. c/o Julie Lien
REQUEST	No. 08SR092 - SDCL 11-6-19 Review to authorize acquisition of property
EXISTING LEGAL DESCRIPTION	Lot 2 of Block 5 of East Mall Drive Business Center Subdivision, more particularly described as follows: Commencing at a found one inch iron pipe, accepted to be the Common 1/4 Corner of Section 29, T2N, R8E; Thence, N02°02'26"E, along the North 1/4 Section Line of said Section 29, a distance of 1,325.02 feet to the North 1/16 Line; Thence, N87°58'03"W, along the 1/16 Line, a distance of 50.00 feet to the True Point of Beginning; Thence, N87°58'03"W, along the said 1/16 Line, a distance of 392.57 feet; Thence, S02°02'25"W, a distance of 334.23 feet to the North Line of Lot C of the NW¼ of Section 29, T2N, R8E, BHM; Thence, S88°18'16"E, along the North Line of Said Lot C, a distance of 392.57 feet to the proposed West Right-of-Way Line for North Mickelson Drive; Thence, N02°02'25"E, along the proposed West Right-of-Way Line for North Mickelson Drive, a distance of 333.06 feet to the True Point of Beginning
PARCEL ACREAGE	Approximately 3.01 acres
LOCATION	North of Mall Drive and west of East North Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	General Commercial District
East:	General Commercial District - Heavy Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/10/2008
REVIEWED BY	Travis Tegethoff / Karley Halsted

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RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to authorize acquisition of property be approved.

GENERAL COMMENTS: **(Update, November 12, 2008. All revised and/or added text is shown in bold print.) This item was to be heard at the November 6, 2008 Planning Commission Meeting. However, due to inclement weather, the Planning Commission was unable to meet. Staff is recommending that this item be approved with the stipulations of approval as noted above.**

The City of Rapid City is seeking to obtain a 3.01 acre parcel of land for a future fire station. A Preliminary Plat (#08PL138) application that includes this property will be considered at the November 6, 2008 Planning Commission meeting. The property is located north of East Mall Drive and west of the proposed extension of East North Street. The property is currently void of structural development. The applicant has submitted this 11-6-19 Review to authorize the acquisition of this property for the future construction of a public fire station.

On October 6, 2008 City Council approved a Layout Plat (#08PL125) with stipulations for this property.

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 fire station location will be 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 also noted that an additional 11-6-19 Review will need to be completed for the actual construction of the proposed fire station.

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 notes the following considerations:

Zoning: As previously indicated the property is zoned General Commercial District. Staff noted that Section 17.18.020 of the Rapid City Municipal Code states that public buildings are a permitted use in the General Commercial Zoning District.

Location: The Rapid City Fire Department has indicated that this proposed location of Fire Station #7 will improve response times for emergency services to the existing and proposed development in this area of Rapid City. In addition, this proposed fire station is anticipated

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to replace the existing fire station at 1205 N. Maple Avenue but that building would be retained to house the ambulance service.

Staff recommends that the SDCL 11-6-19 Review to authorize acquisition of property be approved.