

STAFF REPORT
February 5, 2009

No. 09SR005 - SDCL 11-6-19 Review to allow the installation of a ITEM 23 transformer on public property

GENERAL INFORMATION:

APPLICANT/AGENT	David Miller for Youth & Family Services, Inc.
PROPERTY OWNER	City of Rapid City
REQUEST	No. 09SR005 - SDCL 11-6-19 Review to allow the installation of a transformer on public property
EXISTING LEGAL DESCRIPTION	Lot A of Block 12 of Wise's Addition, located in the SE1/4 of the NW1/4, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
LEGAL DESCRIPTION	
PARCEL ACREAGE	Approximately 1.99 Acres
LOCATION	410 E. Monroe
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Public District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	1/15/2009
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the installation of a transformer on public property be approved.

GENERAL COMMENTS: The property is located north of Monroe Street between Waterloo Street and North Lacrosse Street at 401 East Monroe Street. The property is currently zoned Public District and is owned by the City of Rapid City. Youth and Family Services currently operate the facility located on the property. The properties located north, south and west of the property are zoned Low Density Residential District. The properties located east of the property are zoned Public District. The applicant is requesting approval of a SDCL 11-6-19 Review to allow the installation of a transformer on public property.

On April 21, 2008 City Council approved a Vacation of Right-of-Way Request (#08VR003)

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along the south side of the property to develop a parking lot.

On April 24, 2008 Planning Commission approved a SDCL 11-6-19 Review to allow the construction of a parking lot on public property be approved with the following stipulations:

1. Prior to Planning Commission approval, the Vacation of Right-of-Way Request shall be approved; and,
2. Prior to Planning Commission approval, exceptions to the Rapid City Street Design Criteria Manual for driveway location, separation, and number of driveways shall be obtained or the plans must be revised to meet the requirements of the Rapid City Street Design Criteria Manual.

The applicant is now requesting approval of a SDCL 11-6-19 Review to allow the installation of a transformer on public property.

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". As previously indicated, the property is publicly owned land requiring that the Planning Commission review and approve the proposed construction.

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 considerations:

Building Permits: Staff noted that a building permit must be obtained prior to installation of the proposed transformer.

Setbacks: The Public District requires a minimum 25 foot setback from all property lines. Staff noted that the proposed transformer complies with the minimum setback requirements of Section 17.46.040 of the Rapid City Municipal Code.

Parking: Staff has previously reviewed the parking plan and noted that it complies with the minimum standards of Section 17.50.270 of the Rapid City Municipal Code.

Staff recommends that the SDCL 11-6-19 Review to allow the installation of a transformer on public property be approved.