

STAFF REPORT
May 21, 2009

No. 09SR036 - SDCL 11-6-19 Review to install a structure on public property **ITEM 22**

GENERAL INFORMATION:

APPLICANT/AGENT	Rob Larson
PROPERTY OWNER	City of Rapid City
REQUEST	No. 09SR036 - SDCL 11-6-19 Review to install a structure on public property
EXISTING LEGAL DESCRIPTION	Lots 38 and 39 of Robbinsdale No. 8 Addition, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 25.38
LOCATION	3829 Odde Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/16/2009
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

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

GENERAL COMMENTS: The property is located north of the East Minnesota Street and east of Odde Drive and is the location of the LaCroix Links Golf Course. The property is currently zoned Low Density Residential. The YMCA proposes to construct a storage shed on the property to house maintenance equipment. The applicant is requesting approval of a SDCL 11-6-19 Review to allow the construction of a structure on public property.

On April 20, 1987, the City Council approved a Conditional Use Permit (#750) to allow a golf course and park on the property.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has

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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 applicant is requesting that a structure be constructed on public property 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 any construction and a Certificate of Occupancy obtained prior to occupancy.

Structure: The applicant is proposing to construct a 16 foot by 24 foot shed located in the south east corner of the parking lot on the property for the storage of equipment used in maintaining the park. The structure will be constructed with steel siding and roofing and have tan siding and a green roof.

Floodplain Development Permit: Staff noted that the proposed shed appears to be located outside of the 100 year floodplain and a Floodplain Development Permit is not required for this project.

Setbacks: Staff noted that the applicant is proposing to locate the shed approximately 109 feet from the west property line and 8 feet from the south property line. The site plan meets all of the minimum setback requirements of Section 17.10.040 of the Rapid City Municipal Code.

Parking: Staff noted that the Conditional Use Permit required that 33 parking stalls be provided and there are currently 42 parking stalls on the property. The proposed structure will eliminate three parking stalls leaving a total of 39 parking stalls on the property. The 39 parking stalls meet the minimum requirements of the previously approved Conditional Use Permit and Section 17.50.270 of the Rapid City Municipal Code.

Landscaping: Staff noted that the landscaping was previously approved and installed as part of the Conditional Use Permit application. The proposed structure will not impact the existing landscaping on the property.

The location and the extent of the proposed structure are consistent with the adopted Comprehensive Plan and the current regulations. As such, staff recommends that the SDCL 11-6-19 Review to allow a structure on public property be approved.