

STAFF REPORT  
July 9, 2009

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**No. 09SR050 - SDCL 11-6-19 Review to allow a structure on public property**      **ITEM 30**

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GENERAL INFORMATION:

|                            |  |
|----------------------------|--|
| APPLICANT                  | Rushmore Little League   |
| AGENT                      | Chris Wehrle for Wyss Associates, Inc.   |
| PROPERTY OWNER             | City of Rapid City   |
| REQUEST                    | <b>No. 09SR050 - SDCL 11-6-19 Review to allow a structure on public property</b>                             |
| EXISTING LEGAL DESCRIPTION | Tract 29 of Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE             | Approximately 15.50 acres  |
| LOCATION                   | 401 East Main Street   |
| EXISTING ZONING            | Flood Hazard District  |
| SURROUNDING ZONING         |  |
| North:                     | Flood Hazard District  |
| South:                     | Flood Hazard District  |
| East:                      | Flood Hazard District  |
| West:                      | Flood Hazard District  |
| PUBLIC UTILITIES           | City sewer and water   |
| DATE OF APPLICATION        | 6/4/2009   |
| REVIEWED BY                | Vicki L. Fisher / Mary Bosworth  |

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to allow a structure on public property be approved if a Floodplain Development Permit is obtained prior to the July 9, 2009 Planning Commission meeting.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to allow the construction of an 8.6 foot by 19 foot building as a part of the existing ball fields currently located on the property. The applicant has submitted an elevation identifying that the structure is an approximate ten foot high building with a peaked asphalt shingled roof. In addition, the structure will be constructed with tan cedar siding, redwood trim and steel doors with locks. The building will be used for scorekeeping during baseball games along with some minimal storage for field

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preparation equipment.

The property is located between Elm Avenue and Brennan Avenue and north of E. Main Street. Currently, three baseball fields, one practice baseball field, four handball courts and an approximate 5,000 square foot youth boxing facility is located on the 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 request to construct a structure on public property is a public improvement. In addition, the property is identified 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 Review and has noted the following considerations:

**Design Features:** As noted above, the building elevation shows a one story structure with an approximate height of ten feet and with a peaked asphalt shingled roof. In addition, the structure will be constructed with tan cedar siding, redwood trim and steel doors with locks. The overall design of the building appears to be consistent with the established design standards for the property and is appropriate for the site.

**Parking:** During the review of the 5,000 square foot youth boxing facility, it was determined that 92 parking spaces were required for the uses currently located on the property. The applicant has submitted a site plan showing that 109 parking spaces exist. Constructing a building as an accessory structure to an existing baseball field will not generate a demand for any additional parking. As such, the existing parking appears to be sufficient for the existing uses and the proposed crows nest.

**Floodplain:** A portion of the property, including the area of the proposed structure, is located within the 100 year Federally Designated Floodplain Area. The applicant has indicated that a Floodplain Development Permit has been submitted for review and approval. Staff recommends that prior to Planning Commission approval, a Floodplain Development Permit be obtained as required.

**Permits:** Prior to the start of construction, a building permit must be obtained from the Growth Management Department.

The location and extent of the proposed structure is consistent with the adopted Comprehensive Plan and the related regulations. As such, staff will recommend that the SDCL 11-6-19 Review be approved if a Floodplain Development Permit is obtained prior to

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Planning Commission approval of this item.