

STAFF REPORT

November 21, 2002

No. 02SR017 - 11-6-19 SDCL Review to allow park improvements including permanent and temporary structures

ITEM 15

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 02SR017 - 11-6-19 SDCL Review to allow park improvements including permanent and temporary structures
EXISTING LEGAL DESCRIPTION	Tract 28, Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 6 acres
LOCATION	141 E Omaha Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District/Light Industrial District
East:	Flood Hazard District
West:	Light Industrial District
PUBLIC UTILITIES	City Sewer and water
DATE OF APPLICATION	08/30/2002
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the request to allow construction of park improvements including permanent and temporary structures be **denied without prejudice at the applicant's request.**

GENERAL COMMENTS:

(Updates to the staff report are shown in bold.) This request was continued from the **November 7, 2002** Planning Commission meeting. This is a request by the City of Rapid City for approval to construct structures on public land pursuant to the requirements of 11-6-19 SDCL. The proposed development is located in the Flood Hazard Zoning District at the above legally described property. The applicant is proposing to construct a portable ice rink at the site. In addition to the portable ice rink, the applicant is proposing a storage facility for equipment as well as an area for compression units at the site. Currently a motorcycle parking lot exists at the site, as well as an area for people to test drive motorcycles.

STAFF REPORT

November 21, 2002

No. 02SR017 - 11-6-19 SDCL Review to allow park improvements including permanent and temporary structures **ITEM 15**

The site is located at the southeastern corner of East Omaha Street and Elm Street.

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". The proposed site is publicly owned property. In addition, the property is located within the area covered by the Rapid City Comprehensive Plan requiring that the proposed expansion be reviewed and approved by the Rapid City Planning Commission as a part of an 11-6-19 SDCL Review.

STAFF REVIEW:

Staff has reviewed the site plan and is concerned that a substantial amount of additional information must be submitted in order to demonstrate that the project complies with the City's standards. The site is located on a six acre parcel, where part of the site is located in the 100 year federally designated flood plain. The proposed location for the structure is located outside the 100 year federally designated floodplain; however, the Engineering Division has indicated that a drainage plan must be submitted for review and approval prior to this project being approved.

Staff is requesting a revised site plan showing information concerning the type of ice rink that will be constructed. A site plan showing location of compression units, type of covering over the ice rink and construction materials for the storage facility showing the color of the building must be submitted prior to approval. In addition, Staff is requesting information concerning any type of signage or absence of signage pertaining to the site.

The Engineering Division has indicated that a grading and paving plan will be need to be submitted for review and approval prior to the project being approved. In addition, a site plan showing the accurate location of utility lines will be needed in order for Staff to adequately determine the ability for this proposal to be approved.

The Engineering Division has also indicated that if water lines are going to extended to provide water to the ice rink, a plan showing the extension of the water lines will be necessary prior to approval of the project. In addition, a maintenance agreement for the portable toilets will need to be submitted prior to the project being approved.

The Fire Department has indicated that all Uniform Fire Code requirements must be met. The Fire Department has also indicated that, prior to the issuance of a building permit, all weather access road(s) must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. Staff is recommending that the requirements of the Uniform Fire Code be continually met.

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The existing parking lot as shown on the site plan is not owned by the City. The existing 125 car parking lot is apparently owned by the Dakota Minnesota and Eastern Railroad and being leased by the adjacent property owner to serve the uses on the adjacent properties.

The applicant has requested that this case be denied without prejudice. The applicant has indicated that due to the number of participants in the hockey program there is no need for a temporary ice arena at this time..

Staff is recommending that the 11-6-19 request be **denied without prejudice at the applicant's request.**