

STAFF REPORT

February 20, 2003

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**No. 03SR008 - 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project**      **ITEM 20**

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GENERAL INFORMATION:

PETITIONER	Rapid City Weed and Seed Project
REQUEST	<b>No. 03SR008 - 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project</b>
EXISTING LEGAL DESCRIPTION	Tract 12 less Lot 1 of Tract 12 (also in Section 3, T1N, R7E), Rapid City Greenway Tract, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.44 acres
LOCATION	Northeast of W. Main Street and the bike path
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	Shopping Center II District/General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	01/24/2003
REPORT BY	Jeff Marino

RECOMMENDATION: Staff recommends that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

GENERAL COMMENTS: The applicant is proposing to place plaques along Rapid Creek for the "Adopt a Creek" program. The "Adopt a Creek" program will extend along Rapid Creek from Park Drive to Cambell Street. The applicant is proposing 12 different plaques along Rapid Creek to designate different portions of the creek for clean-up and maintenance. Each plaque will state the agency's name that will be performing the clean-up for that portion of the creek.

Each plaque will be mounted on a large rock and each rock will be placed in designated areas next to the bike path along the creek. The proposed plaques are approximately four

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inches thick and they will be constructed of South Dakota Granite. The proposed color of each plaque is Dakota Mahogany. The proposed plaque will state the program name, the name of the adopting agency, and the dates of involvement.

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 proposed 11-6-19 SDCL Review and has noted the following major issues:

Flood Plain Development: The applicant has proposed the location of the plaques in the designated floodway area. Additional information needs to be submitted in order to determine how the proposed plaque or rock will be secured to the ground. In addition, information is needed regarding the size of the proposed rock that the plaques will be attached to in order to determine if there will be a rise in the base floodplain height.

Mounting: Additional information will need to be submitted and reviewed concerning how the plaque will be mounted to the rock in order to ensure that the requirements of the Rapid City Municipal Code are being met.

Staff is recommending that the proposed request be continued to the March 6, 2003 Planning Commission Meeting in order for the applicant to submit additional information.

Staff notes that 11-6-19 South Dakota Codified Law Reviews do not require direct notification of neighboring property owners. In addition, South Dakota Codified Law does not require that 11-6-19 South Dakota Codified Law Reviews be advertised in a local newspaper.