

STAFF REPORT  
September 8, 2005

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**No. 05SR047 - SDCL 11-6-19 Review to develop a parking lot on City Park land**      **ITEM 40**

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GENERAL INFORMATION:

PETITIONER	Peter Anderson
REQUEST	<b>No. 05SR047 - SDCL 11-6-19 Review to develop a parking lot on City Park land</b>
EXISTING LEGAL DESCRIPTION	A portion of tract 8, Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	2900 Jackson Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Office Commercial District
West:	Park Forest District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	8/11/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to develop a parking lot on City Park land be approved with the following stipulations:

1. A Building Permit shall be obtained prior to construction and an Occupancy Permit shall be obtained prior to occupancy;
2. Prior to the installation of any signs, a Sign Permit shall be submitted for review and approval;
3. Prior to obtaining a Building Permit, a Flood Plain Development Permit and related elevation certificates shall be submitted for review and approval;
4. Prior to any work being conducted within the right-of-way, a permit to work in the right-of-way shall be obtained from the Department of Transportation;
5. Prior to obtaining a Building Permit, grading and drainage plans shall be submitted for review and approval;
6. Prior to obtaining a Building Permit, a Parking Easement shall be granted to the City of Rapid City;
7. Prior to obtaining a Building Permit, the City Council shall give authorization to develop a parking lot on City Park land;
8. Prior to obtaining a Building Permit, a Maintenance Agreement shall be submitted for

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- review and approval;
9. Parking on the lot shall be for Public Park purposes and prior to obtaining a Building Permit, a site plan indicating the location of a sign stating that the parking lot is to be for public parking shall be submitted for review and approval;
  10. Prior to obtaining a Building Permit, a site plan indicating landscaping along the Park Access Road shall be submitted for review and approval;
  11. The parking codes of the Rapid City Municipal Code shall be continually met; and,
  12. The landscaping codes of the Rapid City Municipal Code shall be continually met.

**GENERAL COMMENTS:** The subject property is located at 2900 Jackson Boulevard, north of Jackson Boulevard and west of Sheridan Lake Road. The subject property is currently zoned Park Forest and is owned by the City of Rapid City. The property is located adjacent to Park Forest properties to the north, south and west. The property located east of the subject property is zoned Office Commercial District. The applicant is requesting approval of an SDCL 11-6-19 Review to allow the construction of a parking lot on City Park land.

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". This is a park improvement located on public land requiring that the Planning Commission review and approve of the proposed construction.

**STAFF REVIEW:** Staff has reviewed the proposed SDCL 11-6-19 Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

**Parking:** The parking lot is proposed to be constructed in conjunction with an adjacent proposed office commercial use east of the subject property. The proposed parking lot to be constructed on City Park land shall be used for public park uses. The parking lot shall be signed as Public Parking and the location of the sign shall be at the west entrance of the parking lot. A site plan indicating the location of the sign shall be submitted for review and approval prior to obtaining a building permit. In addition, in order to provide access to the public parking spaces and traffic to flow within the parking lot, a parking easement shall be granted to the City prior to obtaining a building permit.

**Maintenance:** Maintenance of the parking lot shall be the responsibility of the applicant. A maintenance agreement, to include lighting of the parking lot and snow removal, shall be granted to the City prior to obtaining a building permit.

**Grading:** Prior to obtaining a building permit, grading and drainage plans shall be submitted for review and approval.

**Landscaping:** The parking lot shall comply with the landscaping regulations located in Chapter 17.50.30 of the Rapid City Municipal Code. Landscaping will act as a buffer

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between the parking lot surface and the City park land. Staff requests that landscaping be located along the access road into the park land and at the corner of Jackson Boulevard and the park access road. A site plan indicating landscaping along the access road shall be submitted for review and approval prior to obtaining a Building Permit.

Permits: A Building Permit shall be required for any construction of the lot and a Sign Permit shall be obtained prior to any signage. Prior to obtaining a Building Permit, a Flood Plain Development Permit and related elevation certificates shall be submitted for review and approval. Any work in the right-of-way will require a permit from the South Dakota Department of Transportation.

Staff recommends the approval of the SDCL 11-6-19 to develop a parking lot on City Park land be approved with the previously stated stipulations.