

STAFF REPORT
July 27, 2006

No. 06SR055 - SDCL 11-6-19 Review to construct a park on public property **ITEM 25**

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06SR055 - SDCL 11-6-19 Review to construct a park on public property
EXISTING LEGAL DESCRIPTION	Tract 20, Rapid City Greenway Tracts, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.96 acres
LOCATION	Adjacent to Omaha Street between North Mount Rushmore Road and Fifth Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	General Commercial District
East:	Light Industrial District - Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	6/13/2006
REVIEWED BY	Karen Bulman / Todd Peckosh

RECOMMENDATION: Staff recommends that the SDCL 11-6-19 Review to construct a park on public property be approved.

GENERAL COMMENTS: The subject property is Memorial Park located adjacent to Omaha Street between 5th Street and N. Mt. Rushmore Road. The subject property is currently zoned Flood Hazard and is owned by the City of Rapid City. The property is located adjacent to Flood Hazard properties to the north and west. The property located east of the subject property is zoned Flood Hazard and Light Industrial District. The property located south of the subject property is zoned General Commercial District. The application requests approval of a SDCL 11-6-19 Review to construct a park on public property.

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

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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 subject property is publicly owned land 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:

Park Improvements: The reconstruction of Omaha Street caused damage to a portion of Memorial Park adjacent to Omaha Street. As part of the final construction process, Memorial Park improvements have been designed and engineered to accommodate the changes to Omaha Street as well as needed upgrades. The Master Plan for Memorial Park has been presented to the public and the City Council. Some changes in the sidewalk design are part of the reconstruction of Memorial Park, specifically to route the sidewalk around the north side of the Lasting Legacy Monument and to accommodate the pedestrian crossing between 6th Street and Mt. Rushmore Road. The ten foot wide sidewalks will be wide enough to accommodate Fire Department medical apparatus, specifically ambulances. The flagpole at the Veterans Memorial will be relocated to allow better viewing of the memorial. A storm water management area is to be located at the northeast portion of the subject property and adjacent to 5th Street.

Bridge repair: The 6th Street Bridge structure will be remodeled to remove the concrete and wooden features and to replace them with pavers, interpretive display areas, benches, and guardrails.

Landscaping: A significant amount of landscaping will be located throughout the proposed area. Deciduous and evergreen trees as well as numerous shrubs and grass will be located adjacent to Omaha Street and throughout the Memorial Park area.

Permits: A Building Permit shall be obtained prior to construction and the plans shall be stamped and signed by a Registered Engineer or Architect. Prior to disturbance of any soils within the 100 year hydraulic floodplain, a Floodplain Development Permit and a 404 Permit shall be obtained if needed.

Irrigation System: An irrigation system will be installed within the proposed area. Staff recommends that, if possible, non-potable water from Memorial Pond be used for the irrigation system.

Air Quality: An Air Quality permit is required if one or more acres will be disturbed.

Sewer system: A twelve inch storm sewer pipe, located within the subject area, appears to curve or bend at the southern portion near 5th Street. A manhole shall be located at the bend/curve or an Exception to the City's Standard and Criteria will need to be obtained.

Staff is recommending that the SDCL 11-6-19 Review be approved.

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