

STAFF REPORT
November 22, 2006

No. 06SR052 - SDCL 11-6-19 Review to allow the construction of a city park **ITEM 16**

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	No. 06SR052 - SDCL 11-6-19 Review to allow the construction of a city park
EXISTING LEGAL DESCRIPTION	The unplatted portion of the E1/2 NE1/4, Section 21, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 80.85
LOCATION	4511 Jolly Lane
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Low Density Residential II - District (Planned Residential Development)
South:	Light Industrial District - Limited Agriculture District - General Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Low Density Residential II District (Planned Residential Development)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/9/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow for construction of a city park be denied without prejudice at the applicant's request.

GENERAL COMMENTS: **This staff report has been revised as of November 15, 2006. All revised and/or added text is shown in bold print.** A SDCL 11-6-19 Review request has been submitted to allow for the construction of a city park. The property is located at 4511 Jolly Lane.

As part of the development of Elk Meadows Subdivision, the applicant has designated approximately 6.41 acres of land for a drainage easement/neighborhood park. The applicant will design and construct the park in consultation with the Rapid City Parks Department. The City Council will then authorize the acceptance of the park into their system of parks.

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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 subject property is proposed to be constructed as a neighborhood park on private property and then donated to the City. If accepted, the City would then own the land and be responsible for future maintenance of the park. The property is proposed to serve as a public park requiring that the proposed construction and acceptance of the park be reviewed and approved by the Rapid City Planning Commission as a part of a SDCL 11-6-19 Review.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review and has noted the following considerations:

Parking Requirements: Off street parking requirements are not specifically identified in the Zoning Ordinance for neighborhood parks. When parking requirements are not specified, the parking requirements are determined by the Planning Director based upon Parking Generation published by the Institute of Transportation Engineers (ITE). Parks are not specifically identified in the ITE. However, the Park, Recreation, Open Space and Greenway Guidelines published by the National Recreation and Park Association identifies neighborhood parks as being as small as .5 acres with the optimal size of 7-10 acres. The Guideline also identifies that a neighborhood park site should accommodate 7 to 10 off street parking spaces. Staff noted that the applicant has not submitted a parking plan. Prior to Planning Commission approval a site plan needs to be submitted for review and approval.

On August 23, 2006 the applicant submitted a site plan with eleven parking stalls being provided. The submitted site plan meets the parking requirements as identified.

Landscape Plan: Staff noted that no landscape plan was submitted as part of the application. Prior to Planning Commission approval, a landscape plan needs to be submitted for review and approval.

On August 23, 2006 the applicant submitted a site plan showing 38 large and medium trees being provided. However, the site plan did not indicate the type of planting for the remainder of the park area. Prior to Planning Commission approval, a revised landscape plan needs to be submitted showing the areas to be seeded for review and approval.

Irrigation Improvements: Staff noted that no irrigation plan was submitted as part of the application. Prior to Planning Commission approval, an irrigation plan needs to be submitted for review and approval.

Grading Plan: Staff noted that no grading plan was submitted as part of the application. Prior to Planning Commission approval, a grading plan needs to be submitted for review and approval.

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approval.

Drainage System: Staff noted that no drainage system plan was submitted as part of the application. Prior to Planning Commission approval, a drainage system plan needs to be submitted for review and approval.

Water System: Staff noted that no water system plan was submitted as part of the application. Prior to Planning Commission approval, a water system plan needs to be submitted for review and approval.

Waste Water System: Staff noted that no waste water system plan was submitted as part of the application. Prior to Planning Commission approval, a waste water system plan needs to be submitted for review and approval.

Signage: Staff noted that no sign package was submitted by the applicant. Staff also noted that a sign permit is required prior to installation of any signage. Prior to Planning Commission approval a sign package shall be submitted for review and approval or a separate SDLC 11-6-19 Review application shall be submitted for any signage in the future.

City Ownership: The applicant has indicated that they will construct the park in collaboration with the Parks and Recreation Department staff. The property will be platted by the applicant during platting of adjacent lots. Following construction, a request to accept ownership of the park will need to be presented to the City Council for their action.

Section Line Highway: Staff noted that a section line highway is located along the east lot line. The site plan shows a parking lot and playground equipment being constructed within the section line highway. Prior to Planning Commission approval, a revised site plan needs to be submitted for review and approval showing the parking lot and playground equipment located outside of the section line highway or the section line highway needs to be vacated. The adjacent property owner(s) must sign the petition to vacate the section line highway.

On July 6, 2006 this item was continued to the July 27, 2006 Planning Commission Meeting to allow the applicant time to submit the required information. On July 27, 2006 this item was continued to the August 10, 2006 Planning Commission Meeting to allow the applicant time to submit the required information. On August 10, 2006 this item was continued to the August 24, 2006 Planning Commission Meeting to allow the applicant time to submit the required information. On August 23, 2006 the applicant submitted a revised set of plans for review and approval. On August 24, 2006 this item was continued to the September 7, 2006 Planning Commission Meeting to allow the applicant time to submit the required information. This item was continued to the September 21, 2006 Planning Commission Meeting to allow the applicant to submit the required information. This item was continued to the October 5, 2006 Planning Commission Meeting to allow the applicant to submit the required information. This item was continued to the October 26, 2006 Planning Commission Meeting to allow the applicant to submit the required information. This item was continued to the November 9, 2006 Planning Commission Meeting to allow the applicant to submit the required information. As of October 31, 2006 the required information has not

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been submitted. Staff would also note that this item has been continued numerous times and if the required information is not brought forward prior to the November 22, 2006 Planning Commission Meeting staff will recommend that this item be denied without prejudice at that time. **This item was continued to the November 22, 2006 Planning Commission Meeting to allow the applicant to submit the required information. On November 15, 2006 the applicant requested that this item be denied without prejudice.**

Staff is recommending that the SDCL 11-6-19 Review request be denied without prejudice at the applicant's request to allow the applicant to submit the required information when it is available.