

STAFF REPORT
March 6, 2008

No. 08SR005 - SDCL 11-6-19 Review to construct a bike park on public land **ITEM 36**

GENERAL INFORMATION:

APPLICANT/AGENT	Tim Rangitsch for BH MBA
PROPERTY OWNER	City of Rapid City
REQUEST	No. 08SR005 - SDCL 11-6-19 Review to construct a bike park on public land
EXISTING LEGAL DESCRIPTION	That part of Tract 17 of the Rapid City Greenway Tract located west of the intersection of Mountain View Road and West Omaha Street, Section 34, T2N, R7E and Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 35.0 acres
LOCATION	1520 West Omaha, west of the intersection of Mountain View Road and West Omaha
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	General Commercial District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	1/24/2008
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to construct a bike park on public land be continued until the **March 27, 2008 Planning Commission meeting.**

GENERAL COMMENTS: **(Updated, February 25, 2008. All revised and/or added text is shown in bold print.) This item was continued until the March 6, 2008 Planning Commission meeting. On February 25, 2008 staff met with the applicant to discuss several issues. Staff recommends that the SDCL 11-6-19 Review to construct a bike park on public land be continued until the March 27, 2008 Planning Commission meeting to allow the applicant to submit additional information at the applicant's request.** The applicant is requesting approval of a SDCL 11-6-19 Review to construct a dirt

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jump park on public property. The property is located at the north end of Mountain View Road, north of Rapid Creek in Founders Park. On August 10, 2006, an 11-6-19 Review to allow a dirt jump park on public land was denied without prejudice at the applicant's request.

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". 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 issues:

Memorandum of Understanding: The applicant submitted a letter with the application stating that a memorandum of understanding between the Black Hills Mountain Bike Association and the Rapid City Parks and Recreation Department will be signed. The memorandum of understanding will explain the ongoing maintenance and use of the dirt bike jump park. Prior to Planning Commission approval, the memorandum of understanding shall be submitted to the Rapid City Growth Management Department for review and approval.

Corp of Engineers 404 Permit: The plan that was submitted by the applicant shows a gravel path crossing an intermittent stream north of Rapid Creek. Prior to Planning Commission approval, the applicant shall provide verification that the proposed improvements meet the Corp of Engineers 404 permit requirements and provide a detailed plan for the gravel path that crosses the intermittent stream north of Rapid Creek. **Staff met with the applicant on February 25, 2008 and discussed the requirements for a Corp of Engineers 404 permit. The applicant indicated that sufficient information will be submitted showing that a Corp of Engineers 404 permit is covered under the nationwide permit. As such, staff recommends that the information be submitted by the applicant for review and approval prior to Planning Commission approval.**

Anchoring for Log Rides: The applicant submitted a plan that includes a proposed log ride section that is to be built within the 100 year flood plain. According to the Rapid City Code of Ordinances Section 15.32.140 of the Rapid City Municipal Code new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and be certified by a Registered professional Engineer or Architect that the design and method of construction are in accordance with the provisions of this section. Prior to Planning Commission approval, the applicant shall submit a revised site plan showing the required stabilization of the logs to be used in the log ride that is signed and sealed by a Professional Registered Engineer or Architect. **On February 25, 2008 staff met with the applicant and it was determined that the approved Flood Plain Development**

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Permit previously addressed the construction of log rides.

Fire Safety: Staff noted that access should be provided to ensure emergency vehicles can access the site if needed. Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval showing adequate emergency vehicle access.

Grading Plan: Staff noted that a grading plan prepared by a Registered Professional Engineer shall be submitted for review and approval. Staff also noted that geotechnical information addressing slope stability and grading recommendations and an erosion control plan prepared by a Registered Professional Engineer demonstrating repair and stabilization of the graded areas shall be submitted for review and approval. Prior to Planning Commission approval, a grading plan, geotechnical information and an erosion control plan shall be submitted for review and approval. **Staff met with the applicant on February 25, 2008 and discussed drainage, geotechnical information and erosion control. During the discussion it was determined that the inclusion of the requirement for geotechnical information was a staff error and is not required. The applicant has indicated that a revised site plan will be submitted showing adequate drainage and erosion control for the site. As such, staff recommends that a revised site plan showing adequate drainage and erosion control for the site be submitted for review and approval prior to Planning Commission approval.**

Grading Plan Evaluation: The proposed borrow area located north of the proposed intermediate roller tables and south of the proposed moto table tops needs to be graded in order to drain water and not create a pond. Prior to planning Commission approval, a revised site plan shall be submitted showing adequate drainage for the proposed borrow area.

Parking: Staff researched parking requirements for similar uses in Rapid City including the BMX track located in Robbinsdale Park. A review of the plans indicated that 68 off-street parking spaces were developed to serve the Robbinsdale BMX track. Staff also spoke with the applicant and discussed the number of anticipated participants and spectators during an event. The applicant stated that between 50 and 60 participants and spectators will be present during jump park competitions. The applicant also indicated to staff that around 20 participants per day would use the bike park during the week and around 40 participants per day would use the park during the weekend. After reviewing the similar facilities and speaking with the applicant, it appears that twenty-five to fifty off street parking spaces may be needed to serve the bike park. The applicant's site plan identifies approximately ten off-street parking spaces that are currently developed on park land adjacent to the west side of the Abourezk Law Firm pursuant to an agreement between the City of Rapid City and the property owner. It should be noted that that a complete drawing of the area must be submitted to allow complete review of the parking area. Some additional off-street parking may also be available on the east side of the Abourezk Law Firm, also developed as part of the agreement. That parking may also be available to serve the Bike Park. A complete drawing of the tract area would allow staff to review that parking and determine how many additional off-street parking spaces may be available at that location. Staff is recommending that this item be continued to allow the applicant to address the items identified in the report. In addition staff will continue to review the parking needs for the proposed use. **Staff met**

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with the applicant on February 25, 2008 and discussed several options for providing the required parking. The applicant has indicated they will be submitting revised plans for the required off-street parking for the proposed use.

Staff recommends that the SDCL 11-6-19 Review to construct a bike park on public land be continued until the March 27, 2008 Planning Commission meeting at the applicant's request.