

STAFF REPORT
March 26, 2009

No. 09SR013 - SDCL 11-6-19 Review to construct a sidewalk in a public park **ITEM 23**

GENERAL INFORMATION:

APPLICANT/AGENT	Public Works Department for City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	No. 09SR013 - SDCL 11-6-19 Review to construct a sidewalk in a public park
EXISTING LEGAL DESCRIPTION	Robbinsdale Park less Lot 1 of Robbinsdale Park Addition, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 107.42 acres
LOCATION	626 East Fairmont Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District - Medium Density Residential District
East:	Low Density Residential District - Medium Density Residential District
West:	Low Density Residential District - Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/2/2009
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to construct a sidewalk in a public park be continued to the April 9, 2009 Panning Commission meeting.

GENERAL COMMENTS: Robbinsdale Park is located at 626 East Fairmont Boulevard west of South Dakota Highway 79 and north of East Fairmont Boulevard. The property is currently zoned Park Forrest District. The Adjacent property to the north is currently zoned Low Density Residential District. The adjacent properties to the south, east and west are currently zoned Low Density Residential District and Medium Density Residential District. The applicant is proposing to construct approximately 115 feet of sidewalk connecting the existing baseball fields with the existing concession stand that is located west of

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Robbinsdale Park Drive. Staff met with the applicant on March 17, 2009 and reviewed with him the additional information that is required.

South Dakota Codified Law 11-6-19 states that “whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission”. The proposed location for the sidewalk is within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW: Staff has reviewed the SDCL 11-6-19 Review to construct a sidewalk in a public park and noted the following considerations:

Site Plan: The application that was submitted for this project did not include a complete site plan. Prior to Planning Commission approval, the applicant must submit a complete site plan that includes the property boundaries of the park for review and approval.

Construction Plans: A complete set of construction plans were not submitted with this application. Prior to Planning Commission approval, the applicant must submit a complete set of construction plans for review and approval. The construction plans must include standard details and requirement specifications references for material, joint spacing and expansion joints. The plans must also include materials, grades and related data needed to evaluate construction improvements. In addition, the construction plans must be signed and sealed by a Registered Professional Engineer or Architect.

The applicant has not submitted a complete site plan or complete set of construction plans. As such, staff recommends that the SDCL 11-619 Review to construct a sidewalk in a public park be continued to the April 9, 2009 Planning Commission meeting to provide a complete application including a site plan, construction drawings and other required information.