

STAFF REPORT
April 23, 2009

No. 09SR013 - SDCL 11-6-19 Review to construct a sidewalk in a public park **ITEM 16**

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 approved.

GENERAL COMMENTS: (Updated April 13, 2009. All revised and/or added text is shown in bold print.) This item was continued at the April 9, 2009 Planning Commission meeting at the applicant's request. On April 8, 2009 the applicant submitted a complete site plan and a complete set of construction plans for review. Staff has reviewed the plans that were submitted and noted that all of the requirements have been met.

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(Updated March 27, 2009. All revised and/or added text is shown in bold print.) This item was continued at the March 26, 2009 Planning Commission meeting because the applicant had not submitted a complete site plan or a complete set of construction plans. On March 27, 2009 staff met with the applicant to discuss the construction plans. During that meeting, the applicant requested that the SDCL 11-6-19 review to construct a sidewalk in a public park be continued to the April 23, 2009 Planning Commission meeting to allow them to submit a complete site plan and construction plans.

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 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: **(updated April 13, 2009.) On April 8, 2008 the applicant submitted a complete site plan for review and approval. Staff reviewed the plans that were submitted and noted that the site plan includes the boundaries for the park and meets all the requirements.**

(Updated March 27, 2009.) On March 27, 2009 staff met with the applicant to discuss the outstanding issues with the project. During that meeting, the applicant requested that the SDCL 11-6-19 Review be continued to the April 23, 2009 Planning Commission meeting to allow them to complete the site plan for the project.

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.

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Construction Plans: (updated April 13, 2009.) On April 8, 2009 the applicant submitted a complete set of construction plans. The plans included standard details and specification references for material, joint spacing and expansion joints. The plans also included materials, grades and the related data that is needed to evaluate the construction improvements. Staff has reviewed the plans and noted that all of the requirements have been met.

(Updated March 27, 2009.) On March 27, 2009 staff met with the applicant to discuss the outstanding issues with the project. During that meeting, the applicant requested that the SDCL 11-6-19 Review be continued to the April 23, 2009 Planning Commission meeting to allow them to complete the construction plans for the project.

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.

(Updated March 27, 2009.) Staff recommends that the SDCL 11-6-19 Review to construct a sidewalk in a public park be continued to the April 23, 2009 Planning Commission meeting at the applicants request.

The location and extent of the proposed sidewalk improvements are consistent with the adopted Comprehensive Plan and the related regulations. As such, staff recommends that the SDCL 11-6-19 Review to construct a sidewalk in a public park be approved.