

STAFF REPORT
April 23, 2009

No. 09SR023 - SDCL 11-6-19 Review to construct structures on public property **ITEM 33**

GENERAL INFORMATION:

APPLICANT/AGENT	Public Works Department for City of Rapid City
PROPERTY OWNER	Rapid City Area School District 51-4
REQUEST	No. 09SR023 - SDCL 11-6-19 Review to construct structures on public property
EXISTING LEGAL DESCRIPTION	Lot 2 less Lot H1, Lot H2, Lot H3 and right-of-way of Block 10 of Robbinsdale Addition No. 10, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 71.29 acres
LOCATION	4415 Parkview Drive
EXISTING ZONING	Public District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Public District
West:	Medium Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/13/2009
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to construct structures on public property be approved if the following additional information is submitted prior to Planning Commission approval of this item:

1. All necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. An addendum to the drainage report shall be provided addressing how this facility is impacting the South Robbinsdale Drainage Basin Design Plan. In particular, the drainage report shall address the impact from the proposed park improvements on the elements of the Drainage Basin Plan, as well as identifying whether the elements are existing to accommodate drainage from the proposed development. The drainage report

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- shall also be sealed and signed by a Professional Engineer;
3. A Fence Height Exception shall be obtained for the proposed 10 foot high fence in lieu of a maximum six foot high fence in the Public District or the proposed fence shall not exceed six feet in height;
 4. A revised site plan and construction plans shall be submitted for review and approval showing a pedestrian walkway along the access road to the proposed parking lot addition.

GENERAL COMMENTS:

(Update, 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 to allow the applicant to submit additional information. As of this writing, the information as listed above has not been submitted for review and approval. Staff will notify the Planning Commission at their April 23, 2009, Planning Commission if these requirements have not been met.

The applicant has submitted a SDCL 11-6-19 Review application to construct 12 tennis courts with fencing as a part of the Parkview Park complex. The applicant has indicated that additional parking, lighting, rest rooms and associated utilities will also be completed as additional funding becomes available. The applicant has also submitted a Fence Height Exception (File# 09FV002) to allow a ten foot high fence in the Public Zoning District.

The property is located approximately 900 feet south of the intersection of E. Minnesota Street and Parkview Drive on the west side of Parkview Drive. Currently, the Parkview Pool and the Parkview Softball Complex are located on the 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 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 request to construct structures on public property is a public improvement. In addition, the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvement be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

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

Drainage: Staff has noted that an addendum to the drainage report must be provided addressing how this facility is impacting the South Robbinsdale Drainage Basin Design Plan. In particular, the drainage report must address the impact from the proposed park improvements on the elements of the Drainage Basin Plan, as well as identifying whether the elements are existing to accommodate drainage from the proposed development. The drainage report must also be sealed and signed by a Professional Engineer. Staff

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recommends that the SDCL 11-6-19 Review be continued to allow the applicant to submit the additional drainage information as identified.

Chapter 8.46.020 of the Rapid City Code of Ordinances states that “all new development, or any redevelopment, which causes an increase in the impervious percentage for that site, with connected impervious area of greater than 15% shall be required to provide stormwater treatment of the runoff generated by the first 0.5 inches of rainfall”. As such, prior to issuance of a building permit, a stormwater treatment plan must be submitted for review and approval.

Fence: The applicant is proposing to construct a ten foot high fence around the tennis courts. However, a maximum six foot high fence is allowed in the Public Zoning District. As previously, indicated, the applicant has submitted a Fence Height Exception to allow the ten foot high fence as proposed. The Fence Height Exception request will be considered at the April 14, 2009 Public Works Committee meeting and the April 20, 2009 City Council meeting. As such, staff recommends that this item be continued to the April 23, 2009 Planning Commission meeting to allow the Fence Height Exception to be acted upon.

Redline Comments: Staff has reviewed the construction plans and has noted several redline comments that must be addressed. In addition, the redline comments have been returned to the applicant. Staff recommends that prior to Planning Commission approval all necessary changes be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings must be returned to the Growth Management Department.

Design Features: The applicant has submitted an elevation of the proposed restroom structure identifying a one story building with a peaked shingled roof. The applicant has indicated that the restroom will be constructed with concrete block. The building color will be tan with brown trim and a brown roof to match the existing structures on the property. The overall design of the building appears to be consistent with the established design standards for the Parkview Park and is appropriate for the site.

Parking: The Parking Regulations do not identify specific parking calculations for the existing and proposed uses of the park. As such, a parking determination for the uses at Parkview Park has been approved by the Growth Management Director as follows:

Pool:	58 parking spaces
Ball Fields:	160 parking spaces
<u>Tennis Courts</u>	<u>84 parking spaces</u>
Total:	302 parking spaces

The applicant has submitted a parking plan identifying 373 existing parking spaces. In addition, 11 of the parking spaces are handicap accessible with six of the handicap spaces being “van” accessible.

The applicant has also submitted a parking plan showing the future construction of 46

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parking spaces located directly north of the proposed tennis courts. Three of the parking spaces are handicap accessible with two of the handicap spaces being "van" accessible. The applicant has indicated that these parking spaces will not be constructed initially as a part of the construction of the tennis courts but will be completed as additional funding becomes available. Even though the existing parking exceeds the minimum requirements for the proposed recreational uses, it is suggested that based on programming at the facility, the Parks and Recreation Director should determine if additional parking is needed for the park.

Sidewalks: The applicant's site plan shows a pedestrian walkway extending from the existing parking lot along the east side of the tennis courts, connecting with the southeast corner of the proposed parking lot. However, a pedestrian walkway is not being provided along the access road that connects the existing parking lot with the proposed parking lot. It is anticipated that users of the park complex may park in either parking lot to enjoy any one of the use(s) within the facility. As such, a pedestrian walkway must be provided along the access road to insure that pedestrians have a safe place to walk outside of the road. Staff recommends that the SDCL 11-6-19 Review be continued to allow the applicant to revise the site plan and construction plans to provide a pedestrian walkway along the access road as identified.

Landscaping: A minimum of 315,000 landscape points are needed within the tennis court area. The applicant has submitted a landscaping plan showing 319,667 landscape points. In particular, the landscape plan identifies a mix of evergreen and deciduous trees around the perimeter of the tennis courts and the proposed parking lot. In addition, one landscape island is proposed within the parking lot. The applicant's landscape plan is in compliance with the City's adopted Landscape Regulations.

Signage: The applicant has indicated that no signage is being proposed as a part of this SDCL 11-6-19 Review application. As such, the applicant should be aware that any future signage will require the review and approval of a subsequent SDCL 11-6-19 Review.

Permits: An Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres. A Stormwater Quality Management Plan in accordance with the adopted Stormwater Quality Manual must also be obtained prior to the start of construction. A Building Permit must be obtained prior to the start of construction and a Certificate of Occupancy must be obtained prior to occupying the structure.

Phasing: As noted above, the applicant is proposing to construct the twelve tennis courts with fencing as Phase One of the project. Phase Two will include the additional parking, lighting, rest rooms and associated utilities. The applicant has indicated that Phase Two will not be completed until additional funding becomes available. The applicant should be aware that building permit(s) must be obtained as needed for each phase of the development.

The location and extent of the proposed structures on public property is consistent with the adopted Comprehensive Plan and the related regulations. As such, staff will recommend that the SDCL 11-6-19 Review be approved if the above noted issues are addressed prior to

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Planning Commission approval of this item.