

STAFF REPORT
December 10, 2009

No. 09SR090 - SDCL 11-6-19 Review to construct a public pedestrian access ITEM 32

GENERAL INFORMATION:

APPLICANT/AGENT	Randy Lyons for City of Rapid City Parks and Recreation Department
PROPERTY OWNER	City of Rapid City
REQUEST	No. 09SR090 - SDCL 11-6-19 Review to construct a public pedestrian access
EXISTING LEGAL DESCRIPTION	Lots 5 and 6 of Block 1, Lots 3 thru 19 of Block 2, Lots 1A, 1B, 2A, 2B, 3A, 3B, P, P-1, 4-11, 12A, 12B, 13A, 13B, 13C, 14A, 14B, and 15-17 of Block 3, Block 4 and right of way located within Blocks 2, 3 and 4, all located in Jackson Park Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 10.58 acres
LOCATION	Southwest of the intersection of Jackson Boulevard and Chapel Lane
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Park Forest District - Office Commercial District (Planned Commercial Development)
South:	Flood Hazard District - Neighborhood Commercial District - Low Density Residential District
East:	Flood Hazard District - General Commercial District (Planned Commercial Development)
West:	Flood Hazard District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	10/9/2009
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to construct a public pedestrian access be **approved.**

GENERAL COMMENTS:

**(Update, November 25, 2009. All revised and/or added text is shown in bold print.)
This item was continued at the November 19, 2009 Planning Commission meeting to**

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allow the applicant to submit additional information. The applicant has subsequently submitted a copy of an approved Floodplain Development Permit, a revised site plan and revised construction plans.

(Update, November 6, 2009. All revised and/or added text is shown in bold print.) This item was continued at the November 5, 2009 Planning Commission meeting to allow the applicant to submit additional information. To date, the additional information has not been submitted for review and approval. As such, staff recommends that this item be continued to the December 10, 2009 Planning Commission meeting to allow the applicant to submit the additional information.

The applicant has submitted a SDCL 11-6-19 Review to construct a public pedestrian walkway starting at the west side of Canyon Lake Park, extending under the bridge along Chapel Lane and looping west approximately 1,500 feet across the above described properties. The walkway will include four destination points and two trailheads. In addition, the applicant has indicated that the walkway will be constructed with a six foot wide compacted aggregate surface consisting of crushed limestone.

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 request to construct a public pedestrian walkway is a public improvement on public property. In addition, the property is identified 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 to construct a public pedestrian walkway and has noted the following considerations:

Floodplain Development Permit: Portions of the property are located within the 100 year federally designated floodplain. As such, prior to Planning Commission approval, a Floodplain Development Permit must be obtained and a copy of the approved permit submitted to the Growth Management Department.

(Update: November 25, 2009) The applicant has submitted a copy of an approved Floodplain Development Permit as required.

Permit to Work in the Right-of-way: Prior to the start of construction, a Permit to Work in the Right-of-way must be obtained from the City’s Public Works Department.

Trailheads: The applicant has submitted a site plan identifying two trailheads at the northern leg and the southern leg of the pedestrian walkway. The northern trailhead is located in the

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western portion of Canyon Lake Park located directly east of Chapel Lane. The southern trailhead is located northwest of the intersection of Chapel Lane and Guest Road. The site plan notes that signage, benches, bike racks and landscaping will be provided at the trailheads. To date, the applicant has not submitted a site plan showing the location and design for these amenities. The applicant has also recently indicated that the southern trailhead will be eliminated from the plan.

Staff recommends that the SDCL 11-6-19 Review be continued to allow the applicant to submit a complete site plan showing the proposed signage, benches, bike racks and landscaping at the proposed trailhead(s). In addition, a parking plan in accordance with the City's adopted Parking Regulations must be submitted for review and approval for each of the trailheads. If it is the applicant's intent to remove the southern trailhead from the plan as indicated, then the plan must be revised accordingly.

(Update: November 25, 2009) The applicant has submitted a revised site plan showing 13 parking spaces on the east side of Chapel Lane within Canyon Lake Park to be used as parking for the pedestrian walkway. In addition, one of the parking spaces is "van" handicap accessible. The parking plan is in compliance with the City's adopted Parking Regulations.

The two trailheads have been removed from the site plan. In addition, the note referencing proposed signage, benches and bike racks at the two trailheads has been removed from the site plan. The applicant has indicated that these features will not be provided at this time. If in the future it is determined that trailheads will be provided with the proposed features as identified, a separate SDCL 11-6-19 Review must be submitted for review and approval.

Drainage: The site plan shows the pedestrian walkway crossing a major drainage way that extends through the property. Staff has indicated that the crossing must be constructed with concrete and at grade. Staff recommends that the SDCL 11-6-19 Review be continued to allow the applicant to submit construction plans for review and approval showing the drainage crossing constructed as identified.

(Update: November 25, 2009) The applicant has submitted construction plans showing the drainage crossing at grade and with gravel. Staff has reviewed and approved the plans.

Staff recommends that the SDCL 11-6-19 Review be approved.