

STAFF REPORT

June 29, 2000

**UOR #00UR008 - Use On Review to allow a recreational
fad in the General Commercial Zoning District**

ITEM 7

GENERAL INFORMATION:

PETITIONER	Donavan Broberg for Todd Tobin
REQUEST	UOR #00UR008 - Use On Review to allow a recreational fad in the General Commercial Zoning District
LEGAL DESCRIPTION	<p>A portion of the NW1/4 NE1/4, and SW1/4 NE1/4, Section 30, T2N, R8E, B.H.M. Rapid City, Pennington County, South Dakota More fully described as follows: Commencing at the one-quarter section corner common to Sections 19 and 30 of T2N, R8E, B.H.M.; Thence, S83 32'20"E, a distance of 305.69 feet to a point on the southern edge of section line right-of-way in said Section 30, and the Point of Beginning; Thence, first course: S89 44'11"E, along the southerly edge of said section line right-of-way in said Section 30, a distance of 675.65 feet; Thence, second course: S00 00'00"E, a distance of 1404.23 feet, to the northerly edge of Lot H1 of the NE1/4 of said Section 30 (also known as Mall Drive right-of-way); Thence, third course: northwesterly, along the northerly edge of said Lot H1 of the NE1/4 of said Section 30, curving to the right on a curve with a radius of 2216.83 feet, a delta angle of 13 32'37", a length of 524.02 feet, a chord bearing of N68 15'01"W, and a chord distance of 522.80 feet, to the point of tangency; Thence, fourth course: N61 28'42"W, along the northerly edge of said Lot H1 of the NE1/4 of said Section 30, a distance of 562.83 feet, to the center one-quarter section line of Section 30, common with the centerline of March Avenue right-of-way; Thence, fifth course: N00 02'32"E, along the center one-quarter section line of Section 30, common with the centerline of March Avenue right-of-way, a distance of 309.06 feet, to the southerly tip of Lot H1 of the NE1/4 of said Section 30; Thence, sixth course: N21 23'41"E, along the easterly edge of said Lot H1 of the NE1/4 of said Section 30, a distance of 319.49 feet; Thence, seventh course: N09 05'30"E, along the easterly edge of said Lot H1 of the NE1/4 of said Section 30, a distance of 185.70 feet; Thence, eighth course: N33 46'50"E, along the easterly edge of said Lot H1 of the NE1/4 of said Section 30, a distance of 152.07 feet; Thence, ninth course: easterly, along the southeasterly edge of said Lot H1 of the NE1/4 of said Section 30, curving to the right on a curve with a radius of 236.50 feet, a delta angle of 18 09'10", a length of 74.93 feet, a chord bearing of N81</p>

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05'10"E, and chord distance of 74.62 feet; Thence, tenth course: N00 15'49"E, along the easterly edge of said Lot H1 of the NE1/4 of said Section 30, to a point on the southern edge of section line right-of-way in said Section 30, a distance of 17.00 feet, to the Point of Beginning; Said Parcel contains 1,100,927 square feet or 25.274 acres more or less

PARCEL ACREAGE	Approximately 25.274 Acres
LOCATION	at the northeast corner of the intersection LaCrosse Street and Mall Drive
EXISTING ZONING	General Commercial
SURROUNDING ZONING	
North:	General Agriculture (County)
South:	General Commercial
East:	General Commercial
West:	General Commercial
PUBLIC UTILITIES	To Be Extended
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Use On Review to allow a recreational fad in the General Commercial Zoning District be denied without prejudice.

GENERAL COMMENTS: (Note: This Staff Report has been revised as of June 17, 2000. New or updated text is identified in bold lettering.) This request was originally heard by the Planning Commission on March 23, 2000 but was continued at that time and on successive dates to allow the petitioner to submit additional information. **On May 25, 2000 the Planning Commission recommended that this request be continued one final time with the understanding that the request would be denied without prejudice at the June 29, 2000 Planning Commission meeting if the petitioner had not submitted the required information by June 2. This information has not yet been provided and therefore Staff is recommending that this request be Denied Without Prejudice at this time.**

The petitioner had submitted this Use on Review application to construct a recreation center in the General Commercial Zoning District. A plat for the twenty-five acre parcel on which the center would be constructed was approved by the Planning Commission **last winter** but has been continued by the City Council at the petitioner's request. The proposed recreation center would be a two-level building with a 93,200 square foot building footprint. Two stadiums would

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be located in the structure. The two stadiums will be two stories in height. Of the remaining floor space not included in the stadiums, the lower level area would consist of stadium seating, locker rooms, office space, concessions area, pro-shop, arcade and café. The upper level of the recreation center was to consist of stadium seating for 4,000 spectators, a concessions area, and 15,000 square feet of floor space that could be sublet to various tenants.

STAFF REVIEW: Staff review of this Use on Review application identified the following additional information that was needed from the petitioner: complete landscape plan identifying specific plant varieties and locations, building elevation drawings, locations and type of outdoor lighting, general types and locations of outdoor signage, information regarding the proposed patterns of use (i.e. – hours of operation, number of expected patrons, etc.), and a grading plan and drainage analysis.

Staff had requested the additional information because the proposed 93,200 square foot recreation center would have had a profound impact upon the neighborhood and the community in general. The facility would act as a regional destination for numerous sports enthusiasts and the general public. In order to fully evaluate the facility and the potential impacts upon the community, Staff believed it was essential to review the additional requested information. **The petitioner has had approximately three months to submit the additional information but nothing yet has been received by Staff. Staff is, therefore, recommending that this request now be Denied Without Prejudice. If the request is Denied Without Prejudice and should the petitioner wish to pursue the Use on Review again in the future, a new application would need to be submitted but no application fees would be required. The certified mailing and required signage would again be required as part of a future request. It should be noted that the petitioner contacted Staff and asked if there was any means of continuing the Use on Review for a longer period of time. Staff indicated to the petitioner that the petitioner could appear before the Planning Commission or the City Council to request a longer continuance.**

The receipts from the certified mailing have been returned by the petitioner. The required Use on Review sign has been posted on the property. Staff has not received any objections or inquiries regarding this request.

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April 20, 2000

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