

STAFF REPORT  
March 9, 2010

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**No. 10FV001 - Fence Height Exception to allow a six foot fence in the front yard setback**      **ITEM**

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GENERAL INFORMATION:

APPLICANT	ATTA
AGENT	Wyss Associates, Inc.
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 10FV001 - Fence Height Exception to allow a six foot fence in the front yard set back</b>
EXISTING LEGAL DESCRIPTION	Lots 1 thru 16 and the west half of the vacated Second Street abutting Lot 1 and the east half of that portion of the vacated Third Street abutting Lot 16 and the north half of the vacated alley, The north half of the Lots 17 thru 20 and the half of the alley abutting said Lots 17 thru 20, The south half of Lots 17 thru 20 and the north half of the vacated Denver Street adjacent to said Lots 17 thru 20, Lots 21 thru 22, the south half of the vacated alley and the north half of the vacated Denver Street adjacent to said Lots 21 thru 22, Lots 23 thru 24, the south half of the vacated alley and the north half of the vacated Denver Street adjacent to said Lots 23 thru 24, Lots 25 thru 32, the west half of the vacated Second Street adjacent to said Lot 32, the south half of the vacated alley and the north half of vacated Denver Street adjacent to said Lots 25 thru 32, all of Block 8 of the Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.73 acres
LOCATION	South of North Street between North Third Street and North Second Street
EXISTING ZONING	Civic Center District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Civic Center District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/4/2010

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REVIEWED BY

Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff recommends that the Fence Height Exception to allow a six foot fence be approved with the following stipulation:

1. The fence(s) shall be constructed in conformance with the architectural plans and elevations and color palette submitted as part of this Fence Height Exception.
2. Prior to the approval of the SDCL 11-6-19 application and prior to the construction of the fence, a drainage plan shall be submitted for review and approval.

GENERAL COMMENTS:

The Alliance of Tribal Tourism Advocates (ATTA) is proposing to construct the Powwow Gardens and Indian Art Market on the property. A six foot high fence is proposed along the perimeter of the project. As such, the applicant has submitted a Fence Height Exception request to allow a six foot high fence to be constructed in the front yard setback along the adjacent streets. In particular, the applicant is proposing to construct a six foot high decorative steel fence along the south lot line as it abuts Denver Street. The decorative fence is designed to resemble wild turkey grass with silhouetted bear(s). A six foot high galvanized mesh fence is proposed around the balance of the property, including within the front yard setback along North Street, North 3<sup>rd</sup> Street and North 2<sup>nd</sup> Street.

On February 23, 2010, the Public Works Committee considered a parking determination request to determine the number of off-street parking spaces required for the use within the Civic Center District. The Public Works Committee recommended that the City Council determine that 232 off-street parking spaces be required for the Powwow Gardens and Indian Art Market. The City Council will consider the request at their March 1, 2010 City Council meeting.

The property is located south of North Street and north of Denver Street. A parking lot currently exists on a portion of the property.

STAFF REVIEW:

Staff has reviewed the Fence Height Exception and has noted the following considerations:

Fence: As noted above, a six foot high decorative steel fence is being proposed along the south lot line as it abuts Denver Street. The decorative fence is designed to resemble wild turkey grass with silhouetted bear(s). A six foot high galvanized mesh fence is proposed around the balance of the property, including within the front yard setback along North Street, North 3<sup>rd</sup> Street and North 2<sup>nd</sup> Street. The applicant has submitted sight triangle information demonstrating that the proposed fence is located outside of sight triangles.

Staff recommends that the fence be constructed in conformance with the architectural plans and elevations submitted as part of this Fence Height Exception.

Notification Requirement: As of this writing, the receipts for the certified mailing requirement have not been returned.

STAFF REPORT  
March 4, 2010

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**No. 10FV001 - Fence Height Exception to allow a six foot fence in the front, side and rear yard set backs**      **ITEM**

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Staff is recommending that the Fence Height Exception be approved with the stipulations of approval as identified above.