

STAFF REPORT

January 4, 2001

UOR #00UR037 - Major Amendment to a Use On Review to allow public recreational structures, including: a softball field, an expanded parking lot, restrooms, a concession stand, a skateboard park, basketball courts, exercise stations, bike paths and lighting, as well as allowing transient amusement enterprises, including carnivals and festivals

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GENERAL INFORMATION:

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| PETITIONER | City of Rapid City |
| REQUEST | UOR #00UR037 - Major Amendment to a Use On Review to allow public recreational structures, including: a softball field, an expanded parking lot, restrooms, a concession stand, a skateboard park, basketball courts, exercise stations, bike paths and lighting, as well as allowing transient amusement enterprises, including carnivals and festivals |
| LEGAL DESCRIPTION | Tract 24 of Rapid City Greenway Tracts, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 21.67 Acres |
| LOCATION | At the intersection of 3rd Street and New York Street |
| EXISTING ZONING | Flood Hazard District |
| SURROUNDING ZONING | |
| North: | Flood Hazard District |
| South: | Flood Hazard District |
| East: | Flood Hazard District |
| West: | Flood Hazard District |
| PUBLIC UTILITIES | City Sewer and Water |
| REPORT BY | Bill Lass |

RECOMMENDATION: **Staff recommends that the Major Amendment to a Use On Review be approved with the following stipulations:**

Engineering Division Recommendations:

- 1. A parking lot pavement section shall be submitted for approval prior to the issuance of any grading or building permits for the parking lot expansion;**

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2. A grading plan shall be submitted prior to construction of any facilities identified in the site plan;
3. All grading and structures shall be kept out of the floodway;
4. All requirements of the Floodplain Development Ordinance shall be met for any construction occurring in the 100 year floodplain;
5. The applicable Morningside Drainage Basin fees shall be paid upon issuance of any building permits;
6. No buildings, structures or landscaping shall be located within fifteen feet of the existing sanitary sewer main which crosses the subject property;

Urban Planning Division Recommendations:

7. Prior to issuance of any temporary use permits for carnivals or festivals, a site plan shall be submitted for Staff review to ensure that all requirements including off-street parking requirements are being met. All carnivals or festivals shall be located outside of the floodway with the final location subject to approval of the City;
8. Approval of this Use on Review shall expire if the use for which it was granted has ceased for a period of two years or more, or if the use as approved has not been completed within two years of approval of the Use on Review;
9. This Use on Review is approved with the understanding that the skateboard park will initially be unfenced and open at all times. However, should it become necessary, the skateboard park may be fenced, gated and locked for certain times as set forth by the Parks Department;
10. The parking lot expansion shall comply with all provisions of the Off-Street Parking Ordinance including accessible parking requirements;

Transportation Planning Division Recommendations:

11. All parking lot lighting shall be directed so as not to conflict with vehicle traffic; and,

Fire Department Recommendations:

12. Prior to issuance of any permits for development of the softball fields, a revised site plan shall be submitted identifying an eight foot wide sidewalk connecting the fields with the parking lot.

GENERAL COMMENTS: This Staff Report has been revised as of December 26, 2000. New or revised text is shown in bold print. The Planning Commission first considered this request at their October 26, 2000 meeting but has continued action on the request

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since then to allow the petitioner to submit additional information. A revised site plan has now been submitted and reviewed by Staff. This request for a Major Amendment to a Use on Review to allow public recreational structures has been submitted by the Rapid City Public Works Department. The subject property is Tract 24 of the Rapid City Greenway Tracts located north of Rapid Creek, south of New York Street and east of Haines Avenue. The immediate impetus behind this Use on Review is the proposal to establish a public skateboard park on the property. However, the master plan also proposes other future improvements including: a parking lot expansion, restroom/concessions building, basketball courts, softball field, exercise course, sidewalks, and relocated portions of the existing bike path. **The application would allow transient amusement facilities such as carnivals.**

STAFF REVIEW: Staff has reviewed the **revised** site plan submitted by the Public Works Department and has identified **the following major issues. A complete compilation of all stipulations is found in the Staff Recommendation portion of this Staff Report.**

Engineering Issues: The Engineering Division has noted several issues which must be addressed prior to any development occurring on the subject property including the provision of a parking lot pavement section, submittal of a grading plan, payment of applicable drainage basin fees, and confirmation that no structures shall be built within fifteen feet of the sanitary sewer main which crosses the subject property.

Carnival Use: The Public Works Department has requested approval to allow carnivals and festivals as part of this Use on Review. In accordance with the City's adopted Floodplain Development Policy, all structures associated with such events must be kept outside of the floodway. In order to ensure that this requirement is met, Staff is recommending that an event site plan be submitted for City Staff review prior to the issuance of any temporary use permits for such events. As part of this review, the Planning Department will also determine the appropriate parking requirements for the carnival or festival being proposed.

Skateboard Park Use Policy: The original Staff Report for this item noted that information was needed regarding proposed use policies for the skateboard park. Staff thought it was appropriate to know whether this facility would be fenced and/or gated and/or locked. The Public Works Department has indicated that it is the intent of the City to construct an unfenced facility that would be open at all times. However, the Public Works Department Staff has indicated that fencing, gating, and locking will be pursued in the future if security or vandalism becomes an issue. Staff is

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recommending that this Use on Review be approved with the flexibility to allow these security measures in the future should they become necessary.

The required Use on Review sign has been posted on the property. The receipts from the required certified mailing have been returned. Staff has received one letter in support of the proposed project (see attached).