

STAFF REPORT

June 6, 2002

No. 02PD022 - Planned Commercial Development - Initial and Final Development Plan **ITEM 40**

GENERAL INFORMATION:

PETITIONER	Five T Motorcycle Partnership
REQUEST	No. 02PD022 - Planned Commercial Development - Initial and Final Development Plan
EXISTING LEGAL DESCRIPTION	Lot 1, Lot 2, Lot 3, R&L Subdivision, Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 14.83 acres
LOCATION	3030 Lange Road
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Heavy Industrial District (County)/General Agriculture District (County)
South:	Light Industrial District (County)/ROW (City)
East:	General Agriculture District (County)
West:	ROW (City)
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	05/09/2002
REPORT BY	Karen Bulman

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan be approved with the following stipulations:

Engineering Division Recommendations:

1. Access or inspection ports for the septic system shall be structurally capable of holding any anticipated traffic load;

Fire Department Recommendations:

2. Fire Department must approve Tent Inspection Checklists and Tent Inspection Plan Reviews prior to the event;
3. All current fire codes must be continually met;

Building Inspection Division Recommendations:

4. A Temporary Use Permit shall be obtained prior to the initiation of the event each year;

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5. The applicant shall obtain a Sign Permit for any additional signs posted in conjunction with this event;

Police Department Recommendations:

6. The area serving on-sale liquor must be double-fenced with a minimum of eight feet between the fences;
7. Two exits with security must be provided for the fenced area;
8. Portable toilets must be provided within the fenced area;
9. A revised site plan showing the requested double-fenced area, secured exits, and portable toilets must be provided prior to Planning Commission;

Urban Planning Division Recommendations:

10. The Temporary On-sale Liquor Establishment use shall be approved for July 25, 2002 to August 15, 2002 to coincide with the Sturgis Rally and Races;
11. A site plan indicating the location of signs to be posted in conjunction with the event must be provided prior to Planning Commission;
12. The event shall begin at 11am and cease at 11pm;
13. The Temporary Use Permit with the Planned Commercial Development request shall be subject to review in one year; and,
14. The Planned Commercial Development will be in effect in conjunction with the companion rezoning request and Comprehensive Plan Amendment request.

GENERAL COMMENTS: This property is located at 3030 Lange Road, north of U.S. Interstate 90 and east of Deadwood Avenue. The property was annexed into the City of Rapid City on October 15, 1984 and was zoned Light Industrial District on December 3, 1984. An amendment to the Comprehensive Plan for the subject property to change the use from Agriculture land use to Light Industrial land use was completed March 4, 2002. The applicant has submitted an application for a Planned Commercial Development to allow an on-sale liquor establishment on the subject property. On-sale liquor establishments are not allowed in a Light Industrial Zoning District; therefore, an application to rezone the property from Light Industrial District to General Commercial District with a Planned Commercial Development and an application to amend the Comprehensive Plan from Light Industrial land use to General Commercial land use has been submitted in conjunction with the Planned Commercial Development application. Motorcycle sales and services is a permitted use in both the Light Industrial and General Commercial Zoning Districts. Approval and effective date of this Planned Commercial Development is in conjunction with the companion rezoning request and Comprehensive Plan Amendment request.

The applicant plans to operate the on-sale liquor establishment during the Sturgis Motorcycle Rally and Races each year. There will be security officers available during the day and night. Wristbands will be used to identify the customers who are old enough to consume alcohol. The applicant plans to have approximately 100 vendors and 30 to 40 tents for the vendors.

STAFF REVIEW: The Rapid City Municipal Code Section 5.12.04 states that "No on-sale

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licensee shall permit any person less than twenty-one years old to loiter on the licensed premises or to sell, serve, dispense or consume alcoholic beverages on such premises.” Based on this Rapid City Municipal Code, the Police Department has some concerns regarding the fencing of the area serving alcohol and has stipulated that a double fence with two exits and security at the exits must be provided. A revised site plan showing the double-fenced area with the two security exits must be provided prior to the Planning Commission.

Prior to the initiation of the event, a site plan with the number of tents showing the appropriate aisle widths and the required portable toilets must be submitted to the Fire Department for review and approval along with the Tent Inspection Checklist and Tent Inspection Plan Review.

A site plan showing the location and description of the signs to be used during the event must be provided prior to Planning Commission. The applicant shall obtain a Sign Permit for any additional signs posted in conjunction with this event.

The Transportation Planning Division states that Lange Road is identified as a minor arterial on the Major Street Plan. Any future platting will require the dedication of additional right-of-way.

The Planned Development Designation provides a mechanism to insure that any possible adverse impacts are mitigated. Staff has reviewed this application for a Planned Commercial Development on the subject property to allow the on-sale liquor establishment and recommends approval with stipulations subject to review in one year. If there are no complaints or violations in the first year, the recommendation will be made to continue the Conditional Use Permit for three years. After three years, if there are no complaints or violations, the recommendation will be made to continue the Conditional Use Permit and will be reviewed only on a complaint basis.