

STAFF REPORT

June 6, 2002

No. 02SR007 - 11-6-19 SDCL Review to allow the expansion of an On-Sale Liquor establishment **ITEM 20**

GENERAL INFORMATION:

PETITIONER	Brian Maliske for the Rushmore Plaza Civic Center
REQUEST	No. 02SR007 - 11-6-19 SDCL Review to allow the expansion of an On-Sale Liquor Establishment
EXISTING LEGAL DESCRIPTION	A portion of Tract 20, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; a portion of Lot B of Block 4 and of Block 14 and of Block 24 (which includes Lots 17 thru 32 of Block 4, Lots 1 thru 32 of Block 14, Lots 1 thru 16 of Block 24, a vacated portion of Philadelphia Street, a vacated portion of Denver Street and the vacated alleys in Block 14 and 24) all located in SW1/4 of Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; a portion of Lot ER formerly Lot C and Lot E of portions of Blocks 3, 4, 5, 6, 13, 14, 15, 16, 24, 25, 26 and adjacent vacated alleys and streets, all in the Original Townsite of Rapid City, Pennington County, South Dakota, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; and a portion of Lot F, formerly Lot C and Lot E of portions of Blocks 3, 4, 5, 6, 13, 14, 15, 16, 24, 25, 26 and adjacent vacated alleys and streets, all in the Original Townsite of Rapid City, Pennington County, South Dakota, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	444 North Mt. Rushmore Road
EXISTING ZONING	Civic Center District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Flood Hazard District
East:	Civic Center District/Medium Density Residential District
West:	Civic Center District
PUBLIC UTILITIES	City Sewer and Water
DATE OF APPLICATION	05/09/2002
REPORT BY	Karen Bulman

STAFF REPORT

June 6, 2002

No. 02SR007 - 11-6-19 SDCL Review to allow the expansion of an On-Sale Liquor establishment **ITEM 20**

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the expansion of an On-Sale Liquor establishment be approved with the following stipulations:

Fire Department Recommendations:

1. Fire lanes or fire hydrants must not be blocked at any time;
2. All tents shall comply with Article 32 of the Uniformed Fire Code and the Assembly Manual;

Police Department Recommendations:

3. That two exits with security personnel at each exit must be maintained;
4. The area serving alcohol must be double-fenced with a minimum of eight feet between the fences;

Urban Planning Division Recommendations:

5. Prior to the initiation of any event, parking shall be provided as required by the City Council;
5. Prior to any future events, the Civic Center must notify the Police and Fire Departments;
6. Prior to any future events, a Temporary Use Permit must be obtained from the Building Inspection Department;
7. The Temporary Use Permit will be subject to review in one year;
8. The applicant shall obtain a Sign Permit for any additional signs posted in conjunction with this event; and,
9. A site plan indicating the location of any signs to be posted in conjunction with the event must be provided prior to Planning Commission.

GENERAL COMMENTS: The Rushmore Plaza Civic Center staff is proposing to utilize the area southeast of the Civic Center structure for special events. Currently they are planning a Twenty-Fifth Anniversary Celebration on June 22, 2002 from 5pm to midnight. This event includes concerts, and food and drink vendors within an enclosed fenced area. Other similar events may be held in the same area. The subject property is located within the North Rapid Neighborhood Future Land Use Plan, adopted December 6, 1999, with a Public land use designation.

STAFF REVIEW: South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then 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 until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission".

The Police Department has reviewed this application and requested that the area that will be serving alcohol be double fenced with two exits and have security at each exit. Civic Center

STAFF REPORT

June 6, 2002

No. 02SR007 - 11-6-19 SDCL Review to allow the expansion of an On-Sale Liquor establishment **ITEM 20**

personnel stated all those who are of legal age to consume alcohol will be issued a blue wrist band similar to the practice used when serving alcohol at concerts. The Civic Center will provide portable toilets within and outside the fenced area. For future events, the Civic Center must notify the Police and Fire Departments prior to the event.

The parking requirements within the Civic Center District are determined by the City Council. The proposed temporary use will be located within an area of the parking lot eliminating approximately 130 parking spaces. As such, the number of required parking spaces for the Civic Center must be reviewed and approved by the City Council prior to initiation of any event.

A Temporary Use Permit must be obtained from the Building Inspection Department prior to any future event. If there are no complaints received during the previous year, the request for a Temporary Use Permit will be recommended for approval for three years. If during that time, there are no complaints, the request for a Temporary Use Permit will be recommended for approval and will be reviewed only on a complaint basis.

Staff recommends that the 11-6-19 Review be approved to allow for the expansion of the On-Sale Liquor Establishment.