

STAFF REPORT
April 21, 2005

No. 05SR014 - SDCL 11-6-19 Review to allow a bicycle rally on public property **ITEM 18**

GENERAL INFORMATION:

PETITIONER	Girl Scouts of the Black Hills
REQUEST	No. 05SR014 - SDCL 11-6-19 Review to allow a bicycle rally on public property
EXISTING LEGAL DESCRIPTION	Tract 20 less Lot H-1, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.96 Acres
LOCATION	Memorial Park
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Public District - Civic Center District
South:	General Commercial District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/24/2005
REVIEWED BY	Renee Catron-Blair / Michelle Horkey

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow a bicycle rally on public property be approved with the following stipulations:

1. Prior to initiation of the event, a copy of the evacuation plan shall be submitted to the City and Pennington County Emergency Management Department for review and approval;
2. No camping shall be permitted within the floodway or floodplain at any time;
3. All requirements of Section 17.28 of the Zoning Ordinance regarding the Flood Hazard Zoning District shall be continually met including the requirements for temporary structures set forth in Section 17.28.040;
4. All requirements of the Floodplain Development Ordinance shall be met at all times;
5. No banners shall be allowed within the public right-of-way or on fences;
6. A Temporary Use Permit shall be obtained prior to initiation of the event;
7. All electrical wiring shall comply with the applicable Uniform Building and Electrical Codes;
8. The park grounds shall be cleaned and shall be continually kept clear of debris and trash;
9. The total number of restrooms (including handicapped accessible restrooms) to be

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- provided shall be determined by the Building Inspections Division at the time a Temporary Use Permit is requested;
10. The proposed event shall be allowed to operate for no more than one day; and,
 11. The SDCL 11-6-19 Review for a Bicycle Rally for Fitness shall be valid for May 21, 2005.

GENERAL COMMENTS:

This SDCL 11-6-19 Review request has been submitted to allow the Girl Scouts of the Black Hills Council a Bicycle Rally for Fitness to be held in the Flood Hazard Zoning District in Memorial Park. The proposed rally will be located at the park on Saturday, May 21, 2005 with setup and take down to be accomplished between 10 am and 5 p.m.

The rally will include entertainment on the band shell stage, a climbing wall, display tables, a first aid station and grilled food. The submitted site plan shows the location of the various outdoor activities. The applicant has stated that the expected attendance for the rally as approximately 100 people.

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 proposed site is publicly owned property and the applicant has proposed the location of a temporary structure, the climbing wall. In addition, the property is located within the area covered by the Rapid City Comprehensive Plan requiring that the proposed expansion be reviewed and approved by the Rapid City Planning Commission as a part of a SDCL 11-6-19 Review.

STAFF REVIEW:

Staff has reviewed the proposed SDCL 11-6-19 Review and has noted the following major issues:

Fire Code: The Fire Department has stated that the petitioner must provide adequate access for Fire Department apparatus to be continually maintained for the duration of the special event.

Evacuation Plan: The standards for review for a SDCL 11-6-19 Review located within the Flood Hazard Zoning District (Section 17.28.040 (D) of the Rapid City Municipal Code) require that an evacuation plan be developed and posted when structures are proposed within the Flood Hazard Zoning District. Staff is recommending that prior to issuance of a Temporary Use Permit for the rally, a copy of this plan be submitted for review and approval.

Hydraulic Floodway: The submitted site plan indicates that all proposed structures will be located outside of the hydraulic floodway. Staff is recommending that all requirements of the Floodplain Development Ordinance be met at all times.

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Restroom Facilities: As previously noted, the applicant has indicated that approximately 100 people are estimated to attend the event. Staff noted that adequate restroom facilities must be provided for the event.

Staff is recommending that the SDCL 11-6-19 Review request be approved with the previously stated stipulations.