

STAFF REPORT
January 5, 2006

No. 05SR065 - SDCL 11-6-19 Review to allow temporary structures on public property **ITEM 13**

GENERAL INFORMATION:

PETITIONER	Tom Woodden, Jim Hardesty and Jamie Brezina
REQUEST	No. 05SR065 - SDCL 11-6-19 Review to allow temporary structures on public property
EXISTING LEGAL DESCRIPTION	A portion of S1/2 of the SW1/4 of the NE1/4, less Lot H2 and Less Right-of-Way; and the S1/2 of the SE1/4 of the NW1/4, less H-1; the balance of the NE1/4 of the SW1/4; the balance of the W1/2 of the SE1/4, all located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5 acres
LOCATION	3511 East Highway 44
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Agriculture District
East:	Suburban Residential District (Pennington County)
West:	General Agriculture District
PUBLIC UTILITIES	none
DATE OF APPLICATION	12/8/2005
REVIEWED BY	Mike Maxwell / Bob Dominicak

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow temporary structures on public property be continued to the January 26, 2006 Planning Commission.

GENERAL COMMENTS: A request for a SDCL 11-6-19 review to use the vacant City property at S1/2 SW1/4 NE1/4 Less H-1 and ROW 1, S1/2 SE1/4 NW1/4 Less H-1, Bal NE1/4 SW1/4 Bal W1/2 SE1/4 all Located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, also known as 3511 East Highway 44 has been submitted. In particular the applicant has requested the use of the property be allowed for the purpose of the "Second Annual Rapid City Fairburn Agate and Rock Swap Meet".

The applicant requests the use of the City property located at 3511 East Highway 44 from Friday, May 19, 2006 at 3 p.m. to Sunday May 21, 2006 at 8 p.m. for the purpose of the

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“Fairburn Agate and Rock Swap Meet”. The lot will be used for the display of rocks and for vehicle parking. Swappers may display their rocks on tables, from tailgates on pickups or out of recreational vehicles.

The applicant estimates that approximately 60 swappers will attend the event. The applicant has also stated that this event is open to the public and is unsure of the number of outside people who will attend the show.

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”. As previously indicated, the proposed use will be located on publicly owned land requiring that the Planning Commission review and approve the proposed construction.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Parking: Parking for the swap meet must be on a paved surface with striped parking spaces. The exact number of spaces needed for this event is not known as the applicant does not have an exact count of swappers or attendees from the public. Staff would recommend that the SDCL 11-6-19 be continued until the applicant can provide sufficient numbers of proposed attendees and provide information for the paving of the parking area. In addition, the applicant must receive approval from the City Council for the event.

Camping: The applicant requests that overnight camping be allowed on site. At present there are no facilities (electrical, water, showers or restrooms) on the site to accommodate camping. Staff would recommend that the applicant provide information on where they intend to have camping, how will they provide potable water for drinking, how waste water from campers will be handled, how many campers do they anticipate staying on the grounds, and what type of campers will be used (tents, pop-ups, recreational vehicles, travel trailers, etc). Staff recommends that no overnight camping be allowed without the approval of City Council.

Structures: The applicant has stated that temporary structures may be used in conjunction with the event for the display of rocks and concessions. All structures must be inspected and approved by the Fire Department prior to use.

Concessions: The Rapid City Department of Parks and Recreation has expressed that they would like to provide concessions for the event. Staff would recommend that prior to concession sales, a detailed plan of where the concession will be set up, how they will provide potable water for cleaning, drinking, etc. be submitted for review and approval. Prior to concession sales, an inspection by the fire department shall be conducted. In addition, prior to the start of the event, the Parks and Recreation Department shall obtain approval

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from City Council.

Restroom Facilities: The applicant has stated that they will provide portable restrooms on site for use by the attendees. The amount of portable restrooms needed on site will be determined by the Building Inspectors prior to the start of the event.

Staff recommends the SDCL 11-6-19 Review be continued to the January 26, 2005 Planning Commission meeting to allow the applicant time to provide the requested information.