

STAFF REPORT
May 4, 2006

No. 06SR034 - SDCL 11-6-19 Review to allow a temporary use on public property **ITEM 16**

GENERAL INFORMATION:

PETITIONER	Mark Owen for Soccer Rapid City
REQUEST	No. 06SR034 - SDCL 11-6-19 Review to allow a temporary use on public property
EXISTING LEGAL DESCRIPTION	Robbinsdale Park, less Lot 1, Robbinsdale Park Addition, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 107.42 acres
LOCATION	626 East Fairmont Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District - Medium Density Residential District
East:	Low Density Residential District - Medium Density Residential District
West:	Low Density Residential District - Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/7/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

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

1. Prior to initiation of the event, the applicant shall submit all applicable plans to the Fire Department for approval and shall have received approval of an inspection for all tents and other facilities as required by the Fire Code;
2. Signs shall be on-premise signs only as per Section 15.28 of the Rapid City Municipal Code and a sign permit shall be obtained prior to installation of any signage;
3. No banners shall be allowed within the public rights-of-way or on fences;
4. A Temporary Use Permit shall be obtained prior to initiation of the events each year;
5. The park grounds shall be cleaned daily and shall be continually kept clear of debris and trash; and,
6. The temporary use on public property shall be authorized for the 2006 soccer season. A

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new 11-6-19 SDCL shall be submitted for review and approval prior to the use of this site in 2007.

GENERAL COMMENTS: This SDCL 11-6-19 Review request has been submitted to allow soccer tournaments to be held at Fairmont Field. The proposed tournaments will be located at the park on various dates during the soccer season which runs from approximately April 1st to October 30th each year.

During tournaments a temporary concession stand will be located near the northwest corner of the soccer field and portable bleachers will be placed in various locations around the soccer field.

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. 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 issues:

Building Permits: Staff noted a Temporary Use Permit shall be received prior to initiation of the events each year.

Signage: Staff noted that signs shall be on-premise signs only as per Section 15.28 of the Rapid City Municipal Code and a sign permit shall be obtained prior to installation of any signage. Staff also noted that no banners shall be allowed within the public right-of-way or on fences.

Fire Code: The Fire Department has stated that the petitioner must submit complete plans for all proposed tents at the time a Temporary Use Permit application is submitted. Additionally, a tent checklist form and a tent inspection must be completed prior to initiation of the event and adequate access for Fire Department apparatus must be continually maintained for the duration of the tournaments.

Ongoing Security/Maintenance: The safety of the special event participants and the maintenance of the public park are a significant concern. Staff is recommending that a stipulation of approval requires that special event staff be responsible to ensure that the park grounds will be kept free of trash and debris.

Staff is recommending that the SDCL 11-6-19 Review request be approved with the

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previously stated stipulations.