

STAFF REPORT
August 4, 2011

No. 11UR017 - Conditional Use Permit to allow temporary structures in the Flood Hazard Zoning District **ITEM 8**

GENERAL INFORMATION:

APPLICANT	Convoy of Hope
PROPERTY OWNER	City of Rapid City
REQUEST	No. 11UR017 - Conditional Use Permit to allow temporary structures in the Flood Hazard Zoning District
EXISTING LEGAL DESCRIPTION	Tract 20 less Lot H1 of the Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.96 acres
LOCATION	North of Omaha Street between North Mount Rushmore Road and Fifth Street in Memorial Park
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Civic Center District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/1/2011
REVIEWED BY	Robert Laroco / Karley Halsted

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow temporary structures in the Flood Hazard Zoning District be approved with the following stipulations:

1. A Temporary Use Permit shall be obtained prior to initiation of the event;
2. Prior to issuance of a Temporary Use Permit, a copy of the evacuation plan shall be submitted to the City and Pennington County Emergency Management Department for review and approval;
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;

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5. A Special Exception to the Floodplain Development Ordinance shall be obtained to allow structures to be located in the hydraulic floodway or the site plan shall be revised to eliminate the structures from this area of the property;
6. Prior to initiation of the event, the applicant shall coordinate with the Rapid City Fire Department Assembly guide to ensure compliance with the International Fire Code and to ensure Emergency Vehicle access is maintained for the event and for all neighboring facilities;
7. Prior to the initiation of the event, a traffic and pedestrian plan shall be submitted to the Rapid City Police Department and implemented as required to provide safe pedestrian travel to and from the event;
8. No banners shall be allowed within the public right-of-way or on fences. In addition, all signs shall be on-premise signs and a sign permit shall be obtained pursuant to Section 15.28 of the Rapid City Municipal Code;
9. The total number of restrooms (including handicapped accessible restrooms) to be provided shall be determined by the Building Inspections Division at the time a Temporary Use Permit is requested;
10. All electrical wiring shall comply with the applicable Uniform Building and Electrical Codes;
11. The park grounds shall be cleaned continually and kept clear of debris and trash;
12. No camping shall be permitted within the 100 Year Federally Designated Floodplain;
13. Security shall be provided for the duration of the special event. Fencing shall be erected and maintained at all boundaries of the outreach event as outlined in the applicant's site plan. A weather radio shall be on-site and monitored continually; and,
14. This Conditional Use Permit shall allow for the construction of temporary tents in a Flood Hazard District for use by Convoy of Hope on August 20, 2011. Set up shall be allowed on August 18 and 19 prior to the event. Tear down shall commence immediately following the event.

GENERAL COMMENTS: The applicant has submitted a Conditional Use Permit to allow structures in the Flood Hazard District for the "Convoy of Hope" outreach day. In particular, the applicant is requesting to locate tents, booths, inflatable activity centers, fencing, and portable restrooms on the south lawn and the east parking lot of the Rushmore Plaza Civic Center for an outreach day including food, music, and a variety of other activities. The request is for an event scheduled for August 20, 2011.

The applicant has indicated that the festival will set up on August 18 and 19 prior to the festival. The hours of operation for this event will be from 9 am to 3 pm. Teardown will begin immediately following the event. Event organizers are expecting between 4,000 and 5,000 attendees.

The applicant has also submitted a Special Exception (File # 11SE002) to the Flood Area Construction Regulations to allow temporary structures in the floodway.

The property is located at Memorial Park, north of Omaha Street, south of the Civic Center, east of Mount Rushmore Road, and west of 5th Street. The property is zoned Flood Hazard District and Civic Center District.

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STAFF REVIEW:

Staff has reviewed the Conditional Use Permit and has noted the following considerations:

Floodplain: The proposed site for the outreach day is located within the 100 Year Federally Designated Floodplain requiring that a Floodplain Development Permit be obtained. In addition, a Special Exception to the Floodplain Development Ordinance must be obtained to allow structures to be located in the hydraulic floodway or the site plan must be revised to eliminate the structures from this area of the property.

Fifth Street Crossing: The letter of intent submitted with this application identifies the potential for up to 5,000 attendees. Parking for attendees will be located on the east side of 5th Street. As such, prior to initiation of the event, a traffic plan must be submitted to the Rapid City Police Department and implemented as required to provide safe pedestrian travel to and from the event.

Building Permit: Staff noted a Temporary Use Permit must be obtained prior to initiation of the event. Staff also noted that all electrical wiring shall comply with all applicable Building and Electrical Codes.

Signage: Section 15.28 of the Rapid City Municipal Code states that all signs must be on-premise and a sign permit must be obtained prior to installation of any signage. Additionally, the location of any signage must be identified on the site plan. No banners are to be allowed within the public right-of-way or on fences.

Fire Code: The Rapid City Fire Department requires that organizers for events in Rapid City review the Rapid City Fire Department Assembly guide, in order to provide guidance for flame retardant tents, cooking requirements, fire extinguishers, and emergency access. As such, the applicant must coordinate with the Rapid City Fire Department to ensure all applicable aspects of the International Fire Code are being met, and that Emergency Vehicle access is maintained at the event and for all neighboring facilities.

Evacuation Plan: Staff recommends that prior to issuance of a Temporary Use Permit, a copy of an Evacuation Plan must be submitted for review and approval.

Event Security: The applicant has indicated that event coordinators will be working with the Rapid City Police Department to provide event security. Due to concerns associated with the proximity of Rapid Creek and Memorial Pond, staff recommends that fencing be maintained as shown in the applicant's site plan and that a weather radio be located on-site and monitored continually during the event.

Refuse Collection and Maintenance: The applicant has indicated that garbage service is being arranged to accommodate expected crowd sizes. Staff recommends that event staff be responsible to ensure the park grounds are kept free of trash and debris.

Public Restrooms: The applicant has indicated that 15 portable restrooms, including 3 ADA

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accessible restrooms, will be provided for this event. The required amount of public restrooms will be determined at the time of application for a Temporary Use Permit with Rapid City Building Inspections and Permits.

Camping: The proposed event will be located within the 100 Year Federally Designated Floodplain. The applicant should be aware that no camping is permitted within the 100 Year Federally Designated Floodplain.

Staff recommends that the Conditional Use Permit be approved with the stipulations outlined above.