

STAFF REPORT

March 8, 2001

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**No. 01UR005 - Major Amendment to a Use on Review to allow temporary structures (arts and crafts festival) in the Flood Hazard Zoning District**

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**ITEM 9**

GENERAL INFORMATION:

PETITIONER	Country Fair, LLC
REQUEST	<b>No. 01UR005 - Major Amendment to a Use on Review to allow temporary structures (arts and crafts festival) in the Flood Hazard Zoning District</b>
LEGAL DESCRIPTION	Tracts 1-3 and Lots A and B of Tract 3 of Rapid City Greenway Tracts located in Sections 8 and 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 75 Acres
LOCATION	Canyon Lake Park
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Park Forest District
South:	Low Density Residential District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City Water and Sewer
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Major Amendment to a Use on Review to allow temporary structures (arts and crafts festival) in the Flood Hazard Zoning District be approved with the following stipulations:

Fire Department Recommendations:

1. Prior to issuance of a temporary use permit, the Country Fair representatives shall submit all applicable plans to the Fire Department for review and approval;
2. Prior to initiation of the event, the County Fair shall have received approval of an inspection for all tents and other facilities as required by the Fire Code;

Engineering Division Recommendations:

3. 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;
4. No camping shall be permitted within the floodway or floodplain at any time;
5. All requirements of the Floodplain Development Ordinance shall be met at all times;

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#### Building Inspection Division Recommendations:

6. No banners shall be allowed within the public right-of-way or on fences;

#### Urban Planning Division Recommendations:

7. The total number of restrooms (including handicapped accessible restrooms) to be provided shall be determined by the Building Inspections Division at the time for which a Temporary Use Permit is applied;
8. A Temporary Use Permit shall be received prior to initiation of the event each year;
9. As identified in the application, the park grounds shall be cleaned daily and shall be continually kept clear of debris and trash;
10. As identified in the application, twenty-four hour security shall be provided for the festival;
11. 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;
12. **The Use On Review shall be effective for a period of one year from date of approval subject to renewal;**
13. That no portion of the event shall occur on the bridge;
14. **That the event shall be limited to the hours as follows: Saturday from 9:00 a.m. to 5:00 p.m. and Sunday from 10:00 a.m. to 4:00 p.m.; and, entertainment provided on the island shall be limited to the hours of 12:00 p.m. to 5:00 p.m.;**
15. That all parking of vehicles shall be restricted to the developed parking lots in Canyon Lake Park and not on public streets or unpaved portions of the park, and that no parking signs to enforce this requirement shall be posted. Applicant shall work with the Police Department to determine the number of required signs and their placement;
16. That the applicant shall submit the date of the event six months before the start of the festival to the Parks Division for their review and approval;

#### Transportation Planning Division Recommendations:

17. That all booths along northern bike path shall maintain a minimum twenty foot setback from the bike path and a ten foot setback from all other paths;

#### Police Department Recommendation:

18. **Prior to issuance of a temporary use permit, the applicant shall provide a traffic control plan for the parking at the Blessed Sacrament Church for review and approval;**

#### Parks Department Recommendations:

19. Final vendor locations will require verification in the field due to topographic considerations and other park amenities; and,

#### Public Works Division Recommendations:

20. That the activity be limited to a maximum of 90 booths and that the location of the booths shall be in the areas identified on the site plan.

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GENERAL COMMENTS: **At the February 22, 2001 Planning Commission meeting, this item was continued to allow the applicant time to discuss parking issues with the Blessed Sacrament Church. The applicant has met with the church to discuss the parking issues. The Church has agreed to allow parking at their facility. They will be charging for the use of the parking lot. One of the conditions the church has required is that the festival be hours on Saturday be limited to 9:00 a.m. to 5:00 p.m. The church youth group will be collecting fees for the parking. The church also indicated that they will reevaluate the parking situation after the event.**

The Country Fair Summer Festival organization is applying for a Major Amendment to the Use On Review to allow temporary structures in the Flood Hazard Zoning District in Canyon Lake Park. The site plan indicates eighty (80) arts booths and ten food booths for a total of ninety (90) booths for the three day arts and crafts fair. The event will be located on the north side of Canyon Lake in the area west and east of the bridge to the island. Locations for entertainment have been identified on the stage area and also at the gazebo.

The western portion of the area being proposed is located outside of the 100-year floodplain and the eastern portion of the area is located in the Rapid Creek 100-year flood plain but is located outside of the 100-year flood way. The proposed use complies the Rapid City Floodplain Policy.

The applicant has met with the Public Works Department to identify an area in Canyon Lake Park that would comply with the Floodplain Policy and also would have adequate facilities for the event. The area that the event was proposed was identified in the approved Canyon Lake Master Plan as area for community/ special events in the Canyon Lake Park. New parking lot and restroom facilities have been constructed in this area.

STAFF REVIEW: Staff has reviewed the Major Amendment to the Use On Review and has noted the following consideration:

Festival Uses - The applicant has proposed areas for the craft and art booths, an area for food booths, and an area for entertainment. One of the areas the applicant has identified as for entertainment was the gazebo. Staff does have a concern with the use of the gazebo for entertainment. The location of the island places the entertainment closer to the residences on the south side of the lake. This could negatively impact the residences located on the south side of the lake. **Based on the concerns expressed by the Blessed Sacrament Church, Staff is recommending that the event shall be limited to the hours as follows: Saturday from 9:00 a.m. to 5:00 p.m. and Sunday from 10:00 a.m. to 4:00 p.m.; and, entertainment provided on the island shall be limited to hours 12:00 p.m. to 5:00 p.m** Also, Staff is recommending that no festival events are located on the bridge to the island. There is limited room on the bridge for circulation and any activity would impair circulation over the bridge.

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The applicant's site plan identifies a ten foot set back for all the booths from the bike path/sidewalks. This setback should be sufficient for the interior paths; however, Staff has identified that a larger setback should be established for the booths located along the northern bike path. This bike path is the main bike path through the park and is used for people traveling through the park. Staff is recommending that a twenty foot setback be provided along this path to insure that adequate circulation can be maintained.

Parking - The specific parking demands for the Country Fair Summer Festival were not used in design of the parking for Canyon Lake Park. The specific parking impacts of the festival are unknown at this time. Fair organizers informed staff that last year there were between 4000-5000 visitors to the Fair. There are concerns with how this increase in vehicular traffic may impact other park users and escalate traffic congestion in the area.

With the new parking lot and the existing parking in the park, Staff can support the festival use with a number of considerations. First, no parking shall be allowed along the internal park road system. The roads through Canyon Lake Park are narrow and can not handle any on-street parking. This is even more of a concern now that the traffic in Canyon Lake Park is two way due to the closure of the through road. The applicant will need to work with the Police Department and the Park Division to insure that parking does not block access in the park. **The church has agreed to allow parking at their facility. They will be charging for the use of the parking lot. With the use of the church parking, pedestrians will be likely to j-walk across Jackson Boulevard. This could be a dangerous situation as there is no traffic controls that would allow for safe pedestrian crossing Jackson Boulevard except at the intersection of Canyon Lake Drive and Jackson Boulevard. The applicant needs to work with the Police Department to provide a traffic control plan for a temporary pedestrian crossing of Jackson Boulevard.**

Fire Code: The petitioner has indicated that the Country Fair will work with the Fire Department to ensure that all requirements are being met. Toward this goal, the Fire Department has stated that the petitioner must submit complete plans regarding all proposed tents at the time for which a Temporary Use Permit is applied. Additionally, a tent checklist form and a tent inspection must be completed prior to initiation of the event.

Evacuation Plan: The petitioner has indicated that the applicant will work with Parks Division staff and with the Pennington County Emergency Management staff to develop an evacuation plan. Staff is recommending that prior to issuance of a Temporary Use Permit for the festival, a copy of this plan be submitted for review and approval.

Ongoing Security/Maintenance: As noted in the letter received from the petitioner, the Country Fair will ensure that continual clean-up of the park occurs during the festival and that twenty-four hour security is in place.

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Vendor Locations: The Parks Department has been involved in the development of the placement of the festival in the park. Parks Department staff has noted that the specific final locations of each vendor booth will need to be verified in the field due to topographic differences or location of other park amenities. This means that the precise location of the vendor booths may vary slightly from the site plan.

**Due to the concerns that have been expressed by the Planning Commission and the Blessed Sacrament Church, Staff is recommending that the Use On Review be reviewed in one year. This will allow staff and all parties to evaluate the impact of the festival on the park and surrounding neighborhood.**