

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota  
March 19, 2001

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, March 19, 2001 at 7:00 P.M.

Mayor Jim Shaw, Finance Officer James Preston, and the following Alderpersons were present: Tom Johnson, Alan Hanks, Babe Steinburg, Tom Murphy, Jerry Munson, Steve Rolinger, Ron Kroeger, Ray Hadley, Rick Kriebel and Mel Dreyer; the following arrived during the course of the meeting: None; and the following were absent: None.

***Planning Department – Hearings***

The Mayor presented No. 01UR005, a request by Country Fair, LLC for a **Major Amendment to a Use on Review to allow temporary structures (arts and crafts festival) in the Flood Hazard Zoning District** on 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, located Canyon Lake Park. Motion was made by Kroeger and seconded by Hanks to approve the request with the following stipulations: 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; 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; 6) No banners shall be allowed within the public right-of-way or on fences; 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; 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; 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; 19) Final vendor locations will require verification in the field due to topographic considerations and other park amenities; and, 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. Substitute motion was made by Hadley and seconded by Rolinger to approve the Major Amendment to the Use on Review with the stipulations listed above, except Nos. 12, 14, 15, 16, 17 and 18. He explained that this is a fairness issue and the Country Fair should be

treated the same as the Heritage Festival. Hanks suggested that this issue be referred to the Public Works Committee for continued discussion. This is the first year for the Country Fair to be operated in Canyon Lake Park and that is probably the reason for the longer list of stipulations. Second substitute motion was made by Hanks and seconded by Rolinger to refer this issue to the Public Works Committee for review. Bjerke stated that he would check into the availability and cost of temporary flashing lights which could be used for a pedestrian crossing on Jackson Boulevard during this event. Kroeger asked that staff also check into the cost of providing power at the Canyon Lake location for this event. Roll call vote was taken on the substitute motion to refer to Committee: AYE: Steinburg, Hanks, Munson, Johnson and Murphy; NO: Dreyer, Kriebel, Kroeger, Rolinger and Hadley. Shaw declared the motion failed and discussion continued on the substitute motion. Blaise Emerson from the Planning Department explained that the stipulations on parking were added to ensure that the applicants work with Blessed Sacrament Church on the parking issues. The hours of operation are the same as those submitted by the applicant. The request to schedule events at least 6 months in advance will allow administration to coordinate events in the park system. The setback from the bike path was added as a stipulation because this is the only trail going through the park in this area. The request for a traffic control plan was made because there is no traffic control signal in this area as there is on 5th Street for the Heritage Festival. Emerson explained that staff reviews each case based on use and where it is located. That is the reason for different stipulations. Connie Hall indicated that this show will not use a lot of power because they don't have a lot of food booths and only light entertainment. Hall added that her biggest concern is having to go through the use on review process again next year. This is a very time consuming and costly process and no one objected to the proposal during the first hearing process. Hall added that she has absolutely no problem working with City staff on any problems that arise. Discussion continued on the differences between the Heritage Festival and the Country Fair, the two locations and the stipulations that are being deleted. Roll call vote was taken on the substitute motion to approve with the revised stipulation list: AYE: Steinburg, Dreyer, Kriebel, Kroeger, Munson and Hadley; NO: Hanks, Johnson, Rolinger and Murphy. Substitute motion carried, 6-4.