



Rapid City Planning Commission

Conditional Use Permit Project Report

May 4, 2017

Item #15
Applicant Request(s)
Case # 17UR008 – Conditional Use Permit to allow structures in the Flood Hazard District in conjunction with a festival
Companion Case(s) # N/A

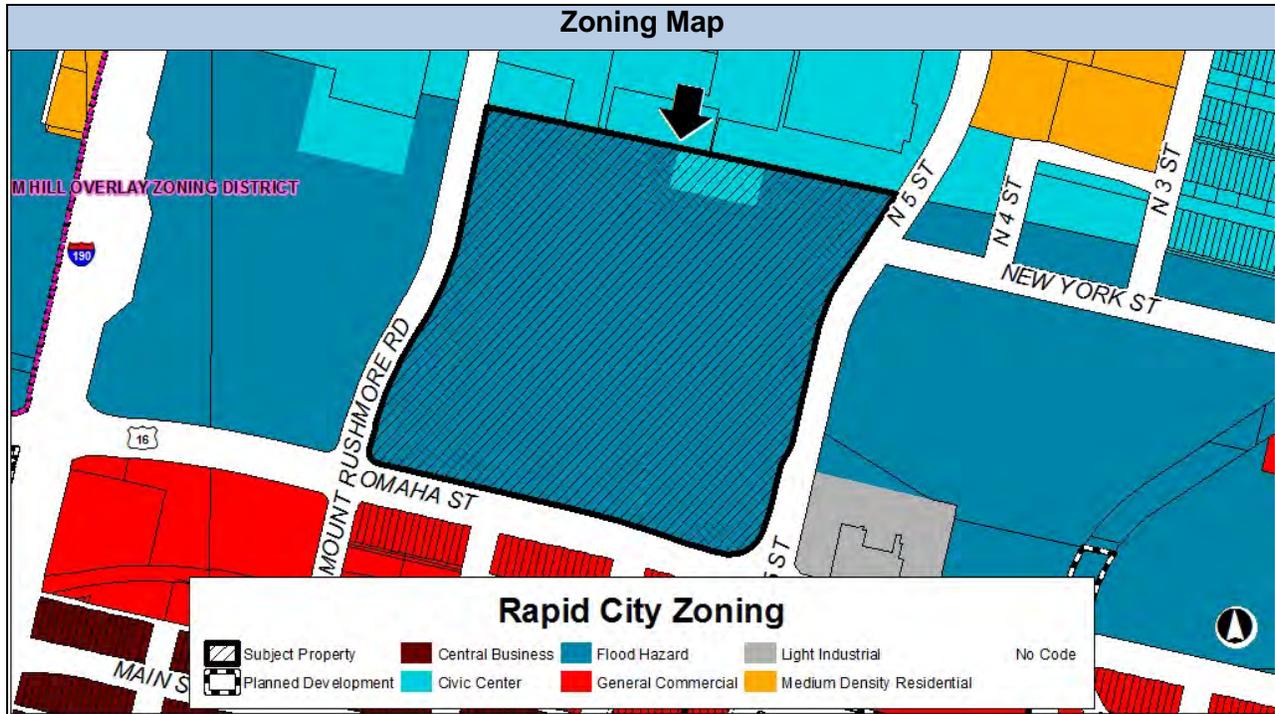
Development Review Team Recommendation(s)
The Development Review Team recommends that the Conditional Use Permit be approved with the stipulation(s) noted below

Project Summary Brief
The applicant has submitted a Conditional Use Permit to allow structures in the Flood Hazard District in conjunction with the Black Hills Pride Festival. In particular, the applicant is proposing to hold a one day event on July 8, 2017 at Memorial Park with entertainment, vendors, and up to 1,500 attendees. A total of 60 vendor tents are proposed and three foodtruck spaces. The bandshell will be used for the entertainment. The event will take place from 10:00 a.m. to 4:00 p.m.

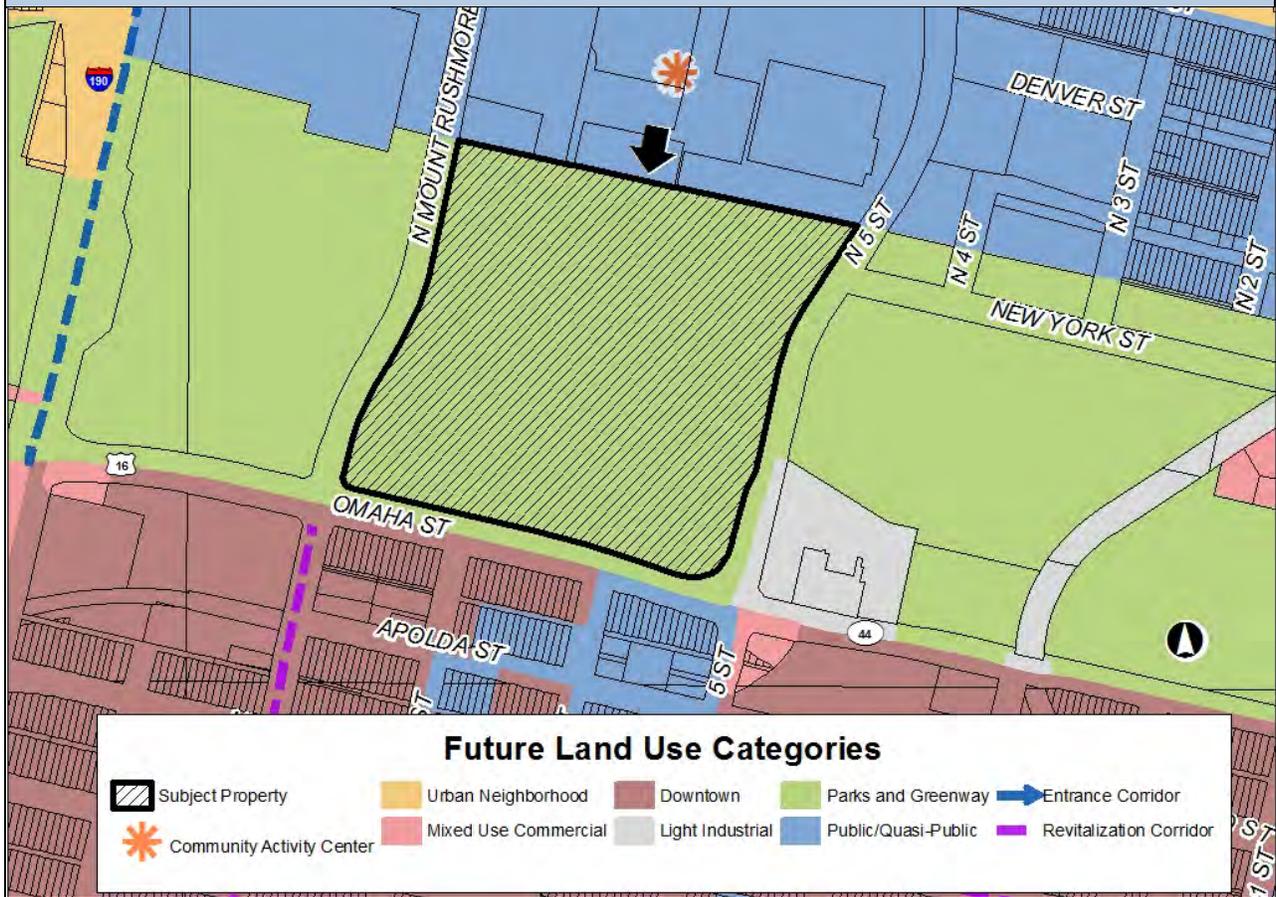
Applicant Information	Development Review Team Contacts
Applicant: Black Hills Pride Festival	Planner: Fletcher Lacock
Property Owner: City of Rapid City	Engineer: Dan Kools
Architect: N/A	Fire District: Tim Behlings
Engineer: N/A	School District: N/A
Surveyor: N/A	Water/Sewer: Dan Kools
Other: N/A	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	301 North 5 th Street
Neighborhood	North Rapid
Subdivision	Rapid City Greenway Tract
Land Area	39.96 acres
Existing Buildings	Band shell / Promenade / playground
Topography	Relatively flat
Access	Bike path runs along Rapid Creek / Parking lot is accessed from North 5 th Street
Water Provider	Rapid City
Sewer Provider	Rapid City
Electric/Gas Provider	Black Hills Power / MDU
Floodplain	Federally designated 100 year floodplain and Floodway located on portions of the property

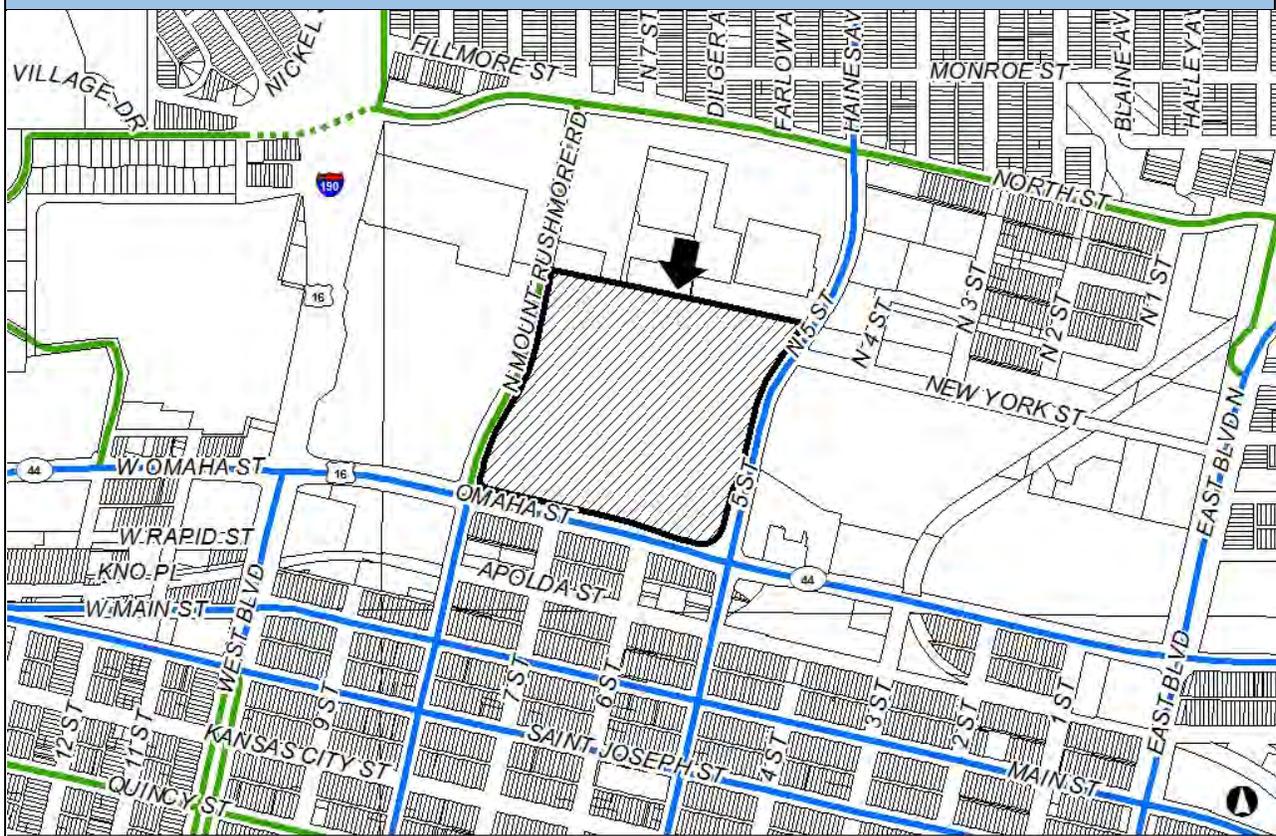
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	FH and CC	PG	Memorial Park
Adjacent North	CC	P/QP	Civic Center
Adjacent South	GC	DT and P/QP	Commercial buildings and CSAC
Adjacent East	FH	PG and LI	Parking and Dakota Mill and Grain
Adjacent West	FH	PG	Memorial Park



Comprehensive Plan Future Land Use



Parks or Transportation Plan



Major Street Plan



Relevant Case History			
Case/File#	Date	Request	Action
N/A			
Relevant Zoning District Regulations			
Flood Hazard District	Required	Proposed	
Lot Area	N/A	39.96 acres	
Lot Frontage	N/A	Approximately 3,972 feet	
Maximum Building Heights	N/A	N/A	
Maximum Density	N/A	N/A	
Minimum Building Setback:			
• Front	N/A	N/A	
• Rear	N/A	N/A	
• Side	N/A	N/A	
• Street Side	N/A	N/A	
Minimum Landscape Requirements:			
• # of landscape points	N/A	N/A	
• # of landscape islands	N/A	N/A	
Minimum Parking Requirements:			
• # of parking spaces	N/A	N/A	
• # of ADA spaces	N/A	N/A	
Signage	As per Sign Code	None proposed	
Fencing	6 feet	None proposed	

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 17.54.030(E) of the Rapid City Municipal Code the Planning Commission shall consider the following criteria for a request to allow a cellular communication tower	
1. The location, character and natural features of the property:	The property is located at 301 North 5 th Street. The property is the location of Memorial Park. The bike path is located on the south side of Rapid Creek. The proposed event will be held on the north side of the creek adjacent to the bandshell. The property is zoned Flood Hazard District which identifies structures as a conditional use.
2. The location, character and design of adjacent buildings:	The Civic Center is located to the north of Memorial Park. Parking for the event is on the east side of 5 th Street. Park land is located south and west of the proposed event area. Commercial buildings and the City / School Administration Building are located to the south across Omaha Street.
3. Proposed fencing, screening and landscaping:	The property is zoned Flood Hazard District. The applicant is not proposing any fencing as the event is free to the public.
4. Proposed vegetation, topography and natural drainage:	The applicant is not proposing any new landscaping. The applicant should be aware that a Floodplain Development Permit, Temporary Use Permit, and a Special Event Permit must be obtained for the festival.
5. Proposed pedestrian and vehicular access, circulation and parking, including that related to bicycles and other unpowered vehicles and provisions for handicapped persons:	Vehicular access to the property is from North 5 th Street which is identified as a Principal Arterial Street on the City's Major Street Plan. Parking for the event is located on the east side of 5 th Street. Volunteers will assist with crossing 5 th Street. The bike path provides pedestrian and bicycle access.
6. Existing traffic and traffic to be generated by the proposed use:	The operation plan states that the event may have up to 1,500 attendees. The proposed event will be on a Saturday, July 8, 2017. The one-day event schedule and the available parking should minimize the impact of the

	event.
7. Proposed signs and lighting:	The applicant is not proposing any signage or lighting.
8. The availability of public utilities and services:	The property is currently served by public utilities including Rapid City sewer and water.
9. The objectives of the adopted comprehensive plan and the purpose of the ordinance codified herein:	The property is zoned Flood Hazard District. Structures in the Flood Hazard District require a Conditional Use Permit. As noted above, the applicant must obtain a Floodplain Development Permit, Temporary Use Permit, and a Special Event Permit for the festival.
10. The overall density, yard, height and other requirements of the zone in which it is located:	The proposed special event is in compliance with the requirements of the Zoning Ordinance.
11. The effects of noise, odor, smoke, dust, air, and water pollution and the degree of control through the use of clarifiers, screening, setbacks and orientation:	The event will take place on July 8, 2017 from 10:00 a.m. to 4:00 p.m. Portions of the property are located in the Federal Emergency Management Agency designated floodway and 100-year floodplain. A Floodplain Development Permit must be obtained for the event.
12. The degree to which conditions imposed will mitigate any probable adverse impacts of the proposed use on existing adjacent uses:	The applicant should be aware that a Temporary Use Permit, a Floodplain Development Permit, and a Special Event Permit must be obtained for the event on July 8, 2017, as necessary.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial	
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:	
Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
	N/A
	A Vibrant, Livable Community
	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
	N/A
	Efficient Transportation and Infrastructure Systems
TI-2.1A	Major Street Plan Integration: The property abuts West Omaha Street and North 5 th Street which are identified as Principal Arterial Streets on the City's Major Street Plan.
	Economic Stability and Growth
	N/A
	Outstanding Recreational and Cultural Opportunities
RC-3.1B	Variety of Art Forms and Cultural Opportunities: The proposed special event is the Black Hills Pride Festival.



Responsive, Accessible, and Effective Governance

GOV-2.1A	Public Input Opportunities: The proposed Conditional Use Permit requires that public notice be advertized in the newspaper and that mailings are sent to property owners within 250 feet of the proposed development. The requested Conditional Use Permit is before the Planning Commission for review and approval. The public has an opportunity to provide input at this meeting.
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Comprehensive Plan Conformance – Growth and Reinvestment Chapter

Future Land Use Plan Designation(s):	Parks and Greenway
Design Standards:	
N/A	The principal use of the property is as a Greenway Tract which is intended for passive and active parks and recreational needs of the community.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter

Neighborhood:	North Rapid
Neighborhood Goal/Policy:	
NR-NA1.1E	Parks and Greenways: The North Rapid Neighborhood Area identifies maintaining parks and greenways as a goal. The proposed special event will use existing parks facilities for a one-time event.

Findings

Staff has reviewed the Conditional Use Permit to allow structures in the Flood Hazard District in conjunction with a festival pursuant to Chapter 17.28, and Chapter 17.54.030 of the Rapid City Municipal Code and the goals, policies, and objectives of the adopted Comprehensive Plan. The applicant is proposing to hold a one-day special event. The event supports the goal of maintaining the park for passive and active uses that serve the community as well as supporting cultural opportunities. The applicant should be aware that a Floodplain Development Permit, a Temporary Use Permit, and a Special Event Permit must be obtained.	
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Planning Commission Recommendation and Stipulations of Approval

Staff recommends that the Conditional Use Permit to allow structures in the Flood Hazard District in conjunction with a special event be approved with the following stipulation(s):	
1.	A Temporary Use Permit shall be obtained;
2.	A Floodplain Development Permit shall be obtained;
3.	A Special Event Permit shall be obtained; and,
4.	The Conditional Use Permit shall allow structures in the Flood Hazard District in conjunction with a festival. Changes to the proposed special event shall require an amendment to the Conditional Use Permit.



Rapid City Community Planning & Development Services

Development Review Advisories

*Disclosure: The Development Review Team has created this list of Advisories as a courtesy for your specific application. **This is not a complete list.** All City, District, State, and Federal requirements must be continually met.*

Applicant Request(s)	
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ADVISORIES: Please read carefully!	
1.	All requirements of the Infrastructure Design Criteria Manual and the Rapid City Standard Specifications shall be met;
2.	Any area of the facility required to be ADA accessible shall be made ADA accessible;
3.	All requirements of the currently adopted Building Code shall be met; and,
4.	All requirements of the International Fire Code shall be met.