

STAFF REPORT

October 26, 2000

UOR #00UR035 - Use on Review to allow a water monitoring device in the Flood Hazard Zoning District

ITEM 9

GENERAL INFORMATION:

PETITIONER	Scott J. Kenner for South Dakota School of Mines and Technology
REQUEST	UOR #00UR035 - Use on Review to allow a water monitoring device in the Flood Hazard Zoning District
LEGAL DESCRIPTION	Tracts 1-3, Thompson Tract, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.14 Acres
LOCATION	On Rapid Creek downstream of East Saint Patrick Street bridge
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	General Commercial District (PCD)
West:	Flood Hazard District
PUBLIC UTILITIES	None
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Use on Review to allow a water monitoring device in the Flood Hazard Zoning District be approved with the following stipulations:

Engineering Division Recommendations:

1. That a Special Exception to the Flood Area Construction Regulations is granted;
2. That any changes in the final location of the structure shall be allowed subject to review and approval of the Engineering Division;

Urban Planning Division Recommendations:

3. This Use on Review shall automatically expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years; and,
4. That all currently unpaid fees for mailing lists in the amount of \$120 associated with the current and previously approved Use on Reviews for water monitoring stations be paid prior to Planning Commission consideration of the current request.

STAFF REPORT

October 26, 2000

UOR #00UR035 - Use on Review to allow a water monitoring device in the Flood Hazard Zoning District

ITEM 9

GENERAL COMMENTS: This Use on Review request is to allow the placement of a water monitoring structures in the Flood Hazard Zoning District. The structure is being proposed as part of a cooperative project between the South Dakota Game, Fish and Parks Department, the South Dakota School of Mines and Technology, and the University of South Dakota. Federal grant funding has been secured by these agencies to undertake a three-year study aimed at developing a management plan to ensure the future existence of Rapid City's urban coldwater fishery. According to information provided by the petitioner, recent fish sampling done by the South Dakota Department of Game, Fish and Parks has indicated a decline in the quality of the fishery. The maintenance of South Dakota's only coldwater fishery has significant environmental, recreational and economic importance.

A major component of the three-year study is the installation of five water monitoring stations along Rapid Creek. These stations will consist of a steel box mounted on a wood post. The box will house the necessary water monitoring equipment. The width of the steel box will be four feet with the total height of the box and post being nine feet. According to the petitioner, the water monitoring stations will collect a variety of technical data which will be used to "...quantify the magnitude and the duration of the stormwater events as well as the background water quality conditions in the stream."

In August the City Council approved five separate Use on Reviews for water monitoring structures to be located at various locations along Rapid Creek. One of the approved locations was just west of Cambell Street on the south side of Rapid Creek. The petitioner has now indicated that an alternative site to the Cambell Street site has been found which is preferable. This new site is on the south side of Saint Patrick Street and on the east side of Rapid Creek. The current Use on Review request reflects this new location for the water monitoring structure.

STAFF REVIEW: Staff has reviewed this Use on Review request and is recommending approval. According to Chapter 17.28 of the Rapid City Municipal Code, the Flood Hazard Zoning District "...is established for those uses having a low flood damage potential, and not obstructing floodflows." In order to ensure that these requirements are met, the Ordinance requires that any structures receive approval of a Special Exception to the flood area construction regulations. Staff believes that the installation of the water monitoring station will serve a vital public function and is therefore recommending approval provided that the accompanying Special Exception is also granted.

Unpaid Fees: Staff has noted that the petitioner has failed to pay for the costs of the mailing lists for the five previous Uses on Review in addition to the current Use on Review request. These mailing list charges are necessary to reimburse Pennington County for the cost of putting together the property owner mailing lists used by the petitioner to complete the certified mailing for the Use on Reviews. The total cost of outstanding charges is \$120. Staff

STAFF REPORT

October 26, 2000

UOR #00UR035 - Use on Review to allow a water monitoring device in the Flood Hazard Zoning District

ITEM 9

is recommending that this sum be paid by the petitioner prior to Planning Commission consideration of this request.

As of this writing the required signs have not been posted on the property nor have the receipts from the certified mailing been returned by the petitioner. Staff will notify the Planning Commission in the event these requirements are not met. Staff has not received any objections or inquiries regarding this Use on Review request.