

04RZ019

04CA016

April 15, 2004

To: Rapid City Planning Commission

From: Michael L. Whiting and Brenda S. Degen-Whiting

Regarding the April 8, rezoning request from Dream Design International on the property located in SW¹/₄ of Section 22, T2N, R8E, BHM Penn. Co, S.D.; located along W. Elk Vale Rd. (was item 32 and 33 on the Commission's agenda for that day.)

My property is located at 4000 Elk Vale Rd, adjoining the property referred to above.

Once again I believe it needs to be brought to the attention of the City that this entire 117 acres is in the flood plain. How can rezoning requests be granted and plans moved forth for the proposed building in this 117 acres when no flood analysis has been done.

Last May, I obtained a building permit from Pennington County to erect an ag building on my property. I was told I would have to bring the level of the building one foot above flood level. My maps from the County and the Engineering firm I hired also shows some (or a good portion) of the 117 acres beside me being addressed above.

My final elevation needed to be 3109 ft.
 On the maps I have, Dream Designer's property shows to be 3097, 3098 and so forth.

How can 10 feet of fill be allowed in the flood plain over a majority of 17 acres without "first" having a flood analysis done?

I have contacted the FEMA office in Denver, CO. Barb Fitzpatrick (the FEMA agent) is in the process of setting up a time to come to Rapid City and meet with Scott in the County already. She told me that she would meet with the City as well. She states that the County and City need to treat everyone equally. That as long as everything is done according to the rules, then OK.

I don't believe the rules are being followed. The information on the internet under Penn Co. Planning Dept Section 100 states that the purpose of this ordinance is to control filling, grading and other development and also prevent or regulate the construction of flood barriers which will unnaturally divert flood water or which may increase flood hazards in other areas. See Section 300, # 306 it's spelled out.

From what I can gather from the proposed rezoning, I suspect a large "unnatural" canal or channel may be intended so the rest of the

land can be filled to one foot above flood level.

I would ask the City to reconsider putting this rezoning and any building to be done on the land mentioned in the first page of this letter on hold till a proper flood analysis can be done.

A proposed minimum security prison is supposedly in the works to be located on this 117 acres, a portion of.

Do we want people sleeping in the flood plain again?

The U.S. Geological Survey Fact Sheet 037-02 states that the floodway's underlying concept is that no one should sleep within the flood plain.

Of the 238 people who died in the 1972 flood, my husband's parents were two of that number. He spent three days after the flood of 72 going to the different mortuaries to find their bodies. Please don't forget these people. We haven't.

Sincerely,

Brenda S. Segen-Whiting