

STAFF REPORT
March 4, 2010

No. 10SE002 - Special Exception to the Flood Area Construction Regulations **ITEM 29**

GENERAL INFORMATION:

APPLICANT/AGENT	Jerry Cole for City of Rapid City Parks and Recreation
PROPERTY OWNER	City of Rapid City
REQUEST	No. 10SE002 - Special Exception to the Flood Area Construction Regulations
EXISTING LEGAL DESCRIPTION	Tract 17 less Lot H1 (Also in Section 34, T2N, R7E), of the Rapid City Greenway Tract, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 75.0 acres
LOCATION	1520 West Omaha Street
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Park Forest District
South:	General Commercial District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	None
DATE OF APPLICATION	2/16/2010
REVIEWED BY	Dale Tech / Not Assigned

RECOMMENDATION:

Staff recommends that the Special Exception to the Flood Area Construction Regulations to allow temporary structures in the floodplain be denied.

GENERAL COMMENTS:

A Flood Plain Development Permit application was submitted on February 10, 2010 for the Fat Tire Festival to be held May 28-31, 2010. The applicant is proposing a number of temporary structures, primarily canopies and tents, to be located immediately east of the parking area and south of the Fish sculptures in Founders Park. The Flood Plain Development Permit that was submitted did not include certification from a registered professional engineer that the proposed temporary structures could be adequately flood proofed or anchored to comply with Section 15.32 of the Rapid City Municipal Code. Therefore the Flood Plain Development Permit was denied on February 10, 2010.

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The property is located north of Omaha Street, at the intersection of Omaha Street and Canal Street. The property is commonly known as Founders Park. The property is currently zoned Flood Hazard District.

If the Planning Commission recommends approval of this special exception request, the following stipulations should be included as part of the approval to be consistent with other special exceptions that have been approved.

1. The event will be stopped and the structures removed if ordered by the Police Chief, Fire Chief, Mayor, Emergency Management Director or the Public Works Director.
2. That the structures for the event be removed that evening after the event has ceased.

STAFF REVIEW: Staff has reviewed the proposed Special Exception to the Flood Area Construction Regulations and has noted the following issues:

Flood plain: The proposed site for the event is located within the 100 Year Federally Designated Flood Plain. The applicant has submitted a site plan that shows that the proposed structures for the event are located within the boundary of the Federally Designated Flood Plain. The City of Rapid City participates in the National Flood Insurance Program (NFIP). As a member of the NFIP, the City of Rapid City must manage Federally designated Flood Plains and Flood Ways per FEMA standards. Approval of the Flood Plain Development Permit as submitted was not possible due to the temporary structures not being able to be certified as adequately anchored or flood proofed to withstand the hydrodynamic forces of a 100 Year Flood.

Building Inspection: It has been identified that the event must obtain a Temporary Use Permit prior to the event and also obtain a Temporary Use permit for last year's event which will be a double fee. Banner signs are also prohibited.