

STAFF REPORT
May 26, 2005

No. 05SR021 - SDCL 11-6-19 Review to allow temporary structures on public property **ITEM 57**

GENERAL INFORMATION:

PETITIONER	City of Rapid City Parks and Recreation Department 125 Waterloo Street Rapid City, SD 57701
REQUEST	No. 05SR021 - SDCL 11-6-19 Review to allow temporary structures on public property
EXISTING LEGAL DESCRIPTION	Tract 10 and Tract 10A, Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 84.44 acres
LOCATION	1000 Sheridan Lake Road
EXISTING ZONING	Flood Hazard District - Park Forest District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Low Density Residential District
East:	Park Forest - Flood Hazard District
West:	Park Forest - Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	4/15/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow temporary structures on public property be approved with the following stipulations:

1. A Temporary Use Permit shall be obtained prior to initiation of the event;
2. Prior to initiation of the event, the applicant shall submit all applicable plans to the Fire Department for approval and 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. A Flood Plain Development Permit shall be obtained for all structures located within the 100 Year Federally Designated Flood plain; and,
5. The SDCL 11-6-19 Review to allow temporary structures in association with the State Hershey Track Meet held at Sioux Park shall be valid for two years.

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GENERAL COMMENTS: The subject property is located at the southeast corner of Sheridan Lake Road and Canyon Lake Drive and is the location of Sioux Park. This SDCL 11-6-19 Review request has been submitted to allow the placement of temporary structures in association with the State Hershey Track Meet to be held at Sioux Park. The proposed track meet will be on June 18, 2005. The applicant has indicated that setup and take down of the temporary structures will be on the same day. The proposed temporary structures include shade tents, an inflatable jump room, dunk tank and vendor booths. The applicant is requesting approval of an SDCL 11-6-19 Review to allow the placement of temporary structures on public property.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then no street, park or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its subdivision jurisdiction until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed site is publicly owned property. In addition, the property is located within the area covered by the Rapid City Comprehensive Plan requiring that the proposed expansion be reviewed and approved by the Rapid City Planning Commission as a part of an SDCL 11-6-19 Review.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review and has noted the following concerns:

Temporary Use Permit: Staff noted that a Temporary Use Permit must be obtained for all temporary structures located on the subject property.

Fire Code: The Fire Department has stated that the applicant must submit complete plans for all proposed tents at the time a Temporary Use Permit application is submitted. Additionally, a tent checklist form and a tent inspection must be completed prior to initiation of the event and adequate access for Fire Department apparatus must be continually maintained for the duration of the special event.

100 Year Flood Plain: Staff noted that from a flood plain management standpoint, it is not advised to allow even temporary structure in the hydraulic floodway. The applicant's site plan does not show any temporary structures located within the hydraulic floodway. However, the proposed shade tents, inflatable jump room and dunk tank are located within the 100 Year Federally Designated Flood Plain. As such, staff is recommending that an evacuation plan including methods for removing structures or securing them so that they do not float downstream, as well as evacuating people be submitted for review and approval be submitted prior to issuance of a temporary structure permit. Staff noted that the applicant must obtain a Flood Plain Development Permit for all structures located within the 100 Year Federally Designated Flood plain.

Staff is recommending that the SDCL 11-6-19 Review request be approved with the previously stated stipulations.