

STAFF REPORT
July 27, 2006

**No. 06SR056 - SDCL 11-6-19 Review to allow a temporary structure
on public property**

ITEM 26

GENERAL INFORMATION:

PETITIONER	Larry A. Olson
REQUEST	No. 06SR056 - SDCL 11-6-19 Review to allow a temporary structure on public property
EXISTING LEGAL DESCRIPTION	Tract 10; Tract 10A less Lot H1, Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 84.4 acres
LOCATION	1111 Mountain View Road
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District - Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/28/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the SDCL 11-6-19 Review to allow a temporary structure on public property be approved.

GENERAL COMMENTS: The subject property is located at 1111 Mountain View Road, south of Canyon Lake Drive and east of Sheridan Lake Road and is adjacent to the soccer fields. The subject property is currently zoned Flood Hazard and is owned by the City of Rapid City. The property is located adjacent to Flood Hazard properties to the north, south and east. The property located west of the subject property is zoned Flood Hazard and Park Forest District. The applicant is requesting approval of a SDCL 11-6-19 Review for a temporary structure to be located 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

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location and extent thereof shall have been submitted to and approved by the Planning Commission". As previously indicated, the subject property is publicly owned land requiring that the Planning Commission review and approve the proposed structure.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review request as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following considerations:

Structure: The South Dakota National Guard is proposing to hold a picnic on August 6, 2006 from 11 am to 2 pm within the Rapid City Greenway on or near the soccer fields. The Rapid City Parks Department has been contacted and has approved the request for this area to be used for a picnic. The temporary structure proposed for this location is an inflatable castle that allows children to jump and play. The structure is 15 feet by 15 feet and will hold five children at one time. The structure will be located within the 100 year hydraulic floodplain but outside the floodway. As such, a Flood Plain Development Permit shall be obtained prior to allowing the temporary structure on this site. A building permit is not required for playground equipment.

Staff is recommending that the SDCL 11-6-19 Review to allow a temporary structure on public property be approved.