

STAFF REPORT
August 24, 2006

No. 06SR062 - SDCL 11-6-19 Review to allow temporary structures on public property

ITEM 13

GENERAL INFORMATION:

PETITIONER	Greg Erlandson for Pennington County Republicans
REQUEST	No. 06SR062 - SDCL 11-6-19 Review to allow temporary structures on public property
EXISTING LEGAL DESCRIPTION	Tract 1 thru 3 and Lots A and B, Tract 3, Rapid City Greenway Tract (also in Section 8, T1N, R7E), Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	2902 Park Drive
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/1/2006
REVIEWED BY	Karen Bulman / Emily Fisher

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

GENERAL COMMENTS: The subject property is located in Canyon Lake Park at 2902 Park Drive, south of Jackson Boulevard and east of Canyon Lake Drive. 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, east and west. 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 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

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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 Pennington County Republican Party is proposing to hold a picnic on August 27, 2006 from 12 pm to 6 pm at Canyon Lake Park. The Rapid City Parks Department has been contacted and has approved the request for this area to be used for a picnic. The temporary structures proposed for this location are an inflatable castle that allows children to jump and play and a balloon splash that is similar to a dunk tank. The inflatable castle is 15 feet by 15 feet in size and the balloon splash is approximately 10 feet by 5 feet in size. The structures will be located within the 500 year hydraulic floodplain outside the floodway. As such, a Flood Plain Development Permit is not required. A building permit is not required for the inflatable playground structure.

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