

STAFF REPORT

June 7, 2007

No. 07SR034 - SDCL 11-6-19 Review to allow a temporary structure on public property

ITEM 11

GENERAL INFORMATION:

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| PETITIONER | Lisbeth Ellis |
| REQUEST | No. 07SR034 - SDCL 11-6-19 Review to allow a temporary structure on public property |
| EXISTING LEGAL DESCRIPTION | Tract 1 thru 3 and Lot A-B of Tract 3 (Also in Section 8, T1N, R7E) of Rapid City Greenway Tract, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 31 Acres |
| LOCATION | Southwest of the intersection of Park Drive and Jackson Boulevard |
| EXISTING ZONING | Flood Hazard District |
| SURROUNDING ZONING | |
| North: | General Commercial District - Low Density Residential District |
| South: | Low Density Residential District |
| East: | Flood Hazard District |
| West: | Flood Hazard District |
| PUBLIC UTILITIES | Public Water and Sewer |
| DATE OF APPLICATION | 5/11/2007 |
| REVIEWED BY | Jonathan Smith / Emily Fisher |

RECOMMENDATION:

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

1. Prior to Planning Commission approval, a copy of the evacuation plan shall be submitted to the City for review and approval.
2. Prior to Planning Commission approval, a Flood Plain Development Permit must be obtained, and,
3. A Temporary Use Permit shall be obtained prior to initiation of the event.

GENERAL COMMENTS:

The applicant is proposing to place a 20 foot by 40 foot, tent temporarily on public property. The applicant has proposed to place a tent at Canyon Lake Park on July 7, 2007 from 12:00pm to 5:00pm. The applicant has indicated that the tent shall be used for a wedding ceremony. The

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subject property is Canyon Lake Park located southwest of the intersection of Park Drive and Jackson Boulevard. Currently three small shelter facilities that are associated with recreational use are located on the subject property. The subject property is currently zoned Flood Hazard District.

STAFF REVIEW:

Staff has reviewed the 11-6-19 review to allow a temporary structure on public property and noted the following considerations:

FLOOD PLAIN:

The applicant has submitted a site plan identifying the location of the tent. The site plan shows the tent to be located within the 100 year flood plain, but not located within the floodway. Prior to Planning Commission approval the applicant is required to obtain a Flood Plain Development Permit from the Public Works Department. Staff has noted that the applicant has obtained a reservation from the Rapid City Parks and Recreation Department, and is required to locate all utility and sprinkler system lines prior to installation of a tent.

EVACUATION PLAN:

The standards for review for a SDCL 11-6-19 review located within the Flood Hazard District (Section 17.28.040 of the Rapid City Municipal Code) requires that an evacuation plan be developed and posted when structures are proposed within the Flood Hazard Zoning District. Staff is recommending that prior to issuance of a temporary use permit for a structure, a copy of this plan be submitted for review and approval.

BUILDING PERMITS:

Staff has noted a Temporary Use Permit shall be obtained prior to initiation of the event.

TENT PERMIT:

Staff has noted that the applicant is required to obtain a tent permit from the Rapid City Building Inspection Department prior to Planning Commission approval, and that the tent is to be made of a fire resistant material.

Staff recommends that the 11-6-19 review to allow a temporary structure on public property be approved with the above stipulations.