

STAFF REPORT
September 25, 2008

No. 08SR077 - SDCL 11-6-19 Review to allow temporary structures on public property **ITEM 56**

GENERAL INFORMATION:

APPLICANT/AGENT	Tyler Rachetto for Stevens High School
PROPERTY OWNER	City of Rapid City
REQUEST	No. 08SR077 - SDCL 11-6-19 Review to allow temporary structures on public property
EXISTING LEGAL DESCRIPTION	Tract 4 and the north 27 feet of the vacated Flormann Street (also in Section 10, T1N, R7E) of the Rapid City Greenway Tract, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.0 acres
LOCATION	2330 Arrowhead Drive
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Medium Density Residential District - Canyon Lake Overlay District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	9/10/2008
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to allow temporary structures on public property be approved if the following additional information is submitted prior to Planning Commission approval:

1. A revised site plan shall be submitted for review and approval demonstrating that the structures are located outside of the floodway and a Floodplain Development Permit shall be obtained for structures located within the federally designated 100 year floodplain or the structures shall be relocated out of the floodplain.

GENERAL COMMENTS: The applicant is requesting approval of a SDCL 11-6-19 Review to allow temporary structures on public property. The applicant is proposing to install three

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tents at the Meadowbrook Golf Course for the State AA High School Golf Tournament from October 5, 2008 through October 7, 2008.

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 proposed site is on publicly owned land requiring that the Planning Commission review and approve the proposed event.

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 issues:

Building Permits: Staff noted a Temporary Use Permit must be obtained prior to initiation of the event.

Fire Safety: The applicant submitted a plan showing the location of tents, canopies, and other structures. Staff noted that prior to initiation of the event the applicant must obtain approval of an inspection for all tents and other facilities as required by the Fire Code.

Floodplain Development Permit: Staff noted that the proposed tents appear to be located within the federally designated 100 year floodplain or floodway. Staff recommends that prior to Planning Commission approval, a revised site plan must be submitted for review and approval demonstrating that the structures are located outside of the flood way and a Floodplain Development Permit must be obtained for structures located within the federally designated 100 year floodplain or the structures must be relocated out of the floodplain.