

STAFF REPORT
July 22, 2010

No. 10SE006 - Special Exception to the Flood Area Construction Regulations to allow temporary structures in the flood plain **ITEM 31**

GENERAL INFORMATION:

APPLICANT	Ups of Downs Family Support Group
AGENT	Mona Drolc
PROPERTY OWNER	City of Rapid City
REQUEST	No. 10SE006 - Special Exception to the Flood Area Construction Regulations to allow temporary structures in the flood plain
EXISTING LEGAL DESCRIPTION	Tract 20 of the Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.96 Acres
LOCATION	Memorial Park Bandshell
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Civic Center District
South:	General Commercial District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	6/18/2010
REVIEWED BY	Dale Tech / Not Assigned

RECOMMENDATION:

Staff recommends that the Special Exception to the Flood Area Construction Regulations to allow temporary structures in the floodplain be denied.

GENERAL COMMENTS:

The Planning Commission and City Council approved a Special Exception request for the Buddy Walk event held on September 12, 2009. The applicant is requesting that a Special Exception for the Buddy Walk event be approved for 2010 and 2011. The site plan submitted for the event in 2010 and 2011 is shown to be the same as 2009. The applicant is proposing a tent as well as a number of booths and activity areas in the immediate vicinity of the Bandshell in Memorial Park. The applicant has indicated that the setup and teardown

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of the event will occur on the day of the event. The Flood Plain Development Permit that was submitted did not include certification from a registered professional engineer that the proposed temporary structures could be adequately flood proofed or anchored to comply with Section 15.32 of the Rapid City Municipal Code. Therefore the Flood Plain Development Permit was denied.

The property is located at 301 North Fifth Street north of Omaha, south of the Civic Center, east of Mount Rushmore Road and west of Fifth Street. The property is commonly known as Memorial Park. The property is currently zoned Flood Hazard District.

If the Planning Commission recommends approval of this special exception request, the following stipulations should be included as part of the approval to be consistent with the Special Exception that was approved in 2009.

1. The event will be stopped and the structures removed if ordered by the Police Chief, Fire Chief, Mayor, Emergency Management Director or the Public Works Director.
2. That the structures for the event be removed that evening after the event has ceased.

STAFF REVIEW: Staff has reviewed the proposed Special Exception to the Flood Area Construction Regulations and has noted the following issues:

Flood plain: The proposed site for the event is located within the 100 Year Federally Designated Flood Plain. The applicant has submitted a site plan that shows that the proposed structures for the event are located within the boundary of the Federally Designated Flood Plain. The City of Rapid City participates in the National Flood Insurance Program (NFIP). As a member of the NFIP, the City of Rapid City must manage Federally designated Flood Plains and Flood Ways per FEMA standards. Approval of the Flood Plain Development Permit as submitted was not possible due to the temporary structures not being able to be certified as adequately anchored or flood proofed to withstand the hydrodynamic forces of a 100 Year Flood.

Fire Department: The Fire Department does not have any objections to the configuration for this event. Ensure that the Rapid City Fire Department Public Assembly guide is reviewed for specific temporary tent structure criteria, regarding limited combustible tent materials and fire extinguisher requirements.

Engineer: No complaints or concerns were voiced or communicated regarding the event held in 2009.