

STAFF REPORT  
August 4, 2011

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**No. 11SE002 - Special Exception to the Flood Area Construction Regulations**      **ITEM 13**

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GENERAL INFORMATION:

APPLICANT	Convoy of Hope
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 11SE002 - Special Exception to the Flood Area Construction Regulations</b>
EXISTING LEGAL DESCRIPTION	Tract 20 less Lot H1 of the Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 39.96 acres
LOCATION	North of Omaha Street between North Mount Rushmore Road and Fifth Street in Memorial Park
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Civic Center District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City Water and Sewer.
DATE OF APPLICATION	7/1/2011
REVIEWED BY	Dale Tech

RECOMMENDATION:

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

GENERAL COMMENTS:

A Flood Plain Development Permit was submitted on July 1, 2011 for the Convoy of Hope event to be held in Memorial Park on August 20, 2011. 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 on July 1, 2011.

The property is located at 301 North Fifth Street north of Omaha, south of the Civic Center,

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east of Mount Rushmore Road and east of Fifth Street. The property is commonly known as Memorial Park. The property is currently zoned Flood Hazard District.

The applicant is proposing to use the property for a Convoy of Hope event on August 20, 2011. The applicant has indicated that set up for the event will begin on August 18<sup>th</sup> and 19<sup>th</sup>. The hours of operation of the event will be from 9 am to 3 pm and tear down of the event will begin immediately following the event.

A request for a Special Exception for another event (Hills Alive) to be held in 2011 at the same location was recommended for approval by the Planning Commission at the March 25, 2010 Planning Commission meeting with two stipulations. The stipulations were as follows:

1. That 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; and,
2. That the applicant have someone available on call 24 hours a day to take the event down should the need arise.

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 has commented that all provisions of the Outdoor Assembly Guide must be continually maintained and event vendor layout must be coordinated with the Fire Department and pre-approved if this special exception request is granted.