

STAFF REPORT

August 9, 2001

No. 01UR032 - Use On Review to allow a utility substation in the Low Density Residential Zoning District ITEM 17

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 01UR032 - Use On Review to allow a utility substation in the Low Density Residential Zoning District
LEGAL DESCRIPTION	A parcel of land located in the N1/2 SW1/4 and S1/2 NW1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: Beginning at the W1/4 corner of Section 29, T1N, R7E, BHM, thence S00°20'05"E along the westerly section line of said Section 29, 47.21 feet to the true point of beginning; thence N74°32'13"E, 185.48 feet to a point lying on a curve concave to the southwest and whose chord bears S25°53'50"E, 154.30 feet; thence southeasterly along the arc of said curve to the left whose radius is 426.00 feet, delta angle of 20°52'06", an arc length of 155.16 feet to a point on said curve; thence departing said curve S57°41'02"W, 289.59 feet to a point lying on said westerly section line; thence N00°20'05"W along said westerly section line, 244.17 feet to the true point of beginning containing 0.995 acres more or less
PARCEL ACREAGE	Approximately .995 Acres
LOCATION	Approximately 1,200 feet north of the northern most terminus of Muirfield Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Suburban Residential District (County)
PUBLIC UTILITIES	City sewer and water
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Use On Review to allow a utility substation in the Low Density Residential Zoning District be **approved with the following stipulations:**

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Engineering Division Recommendations:

1. Prior to City Council approval, a letter of understanding shall be submitted from the applicant allowing the proposed graveled road to serve as temporary access to the lift station and identifying a schedule for completion for the permanent surfacing for the future street. The letter shall also identify that the applicant is aware that approval of the temporary driveway entrance does not preclude the possibility of changes to alignment or grades of the future improved street upon submittal of design plans for the finished or final improvements for the future street;
2. Prior to City Council approval, the applicant shall either construct the permanent paved future street or bond for the improvement to insure completion of the paving requirement no later than November 1, 2002;
3. Prior to City Council approval, an access easement shall be recorded at the Register of Deed's Office granting the City legal access to the proposed lift station and a utility easement shall be recorded at the Register of Deed's Office to allow for the location and maintenance of the lift station;

Urban Planning Division Recommendations:

4. Prior to City Council approval, the site plan shall be revised to comply with all provisions of the Off-Street Parking Ordinance; and,
5. The Use on Review shall expire if the use for which it was granted has ceased for a period of two years or more. In addition, any other use of the property other than a utility substation shall require a Major Amendment to the Use on Review.

GENERAL COMMENTS: The applicant is requesting approval of a Use on Review to allow a utility substation to be constructed on the above legally described property. The utility substation will consist of a sewer lift station with an 8 foot X 10 foot accessory structure, enclosed in a six foot high redwood fence. The proposed sewer lift station will be located in the northern portion of the Red Rock Estates Subdivision, approximately 1,200 feet north of the northern most terminus of Muirfield Drive.

The applicant has obtained approval of an Infrastructure Development Partnership Fund loan from the City for the extension of City sewer and water to the Red Rock Estates Subdivision. The utility substation is being constructed as a part of the sewer extension project to extend City sewer down Sheridan Lake Road to serve the property.

Currently, 64 lots have been platted within the Red Rock Estates Subdivision. The applicant has entered into an agreement with the City that precludes the issuance of a building permit until such time as a Contractor's Bid has been awarded and a Notice to Proceed has been granted for the extension of the water and sewer to the property. In addition, the agreement stipulates that a Certificate of Occupancy shall not be issued until such time as the water and sewer lines are extended to the individual lot(s).

STAFF REVIEW: This item has been continued since the June 21, Planning Commission meeting to allow the applicant to submit a site plan and revised construction plans. On July 3, 2001, the applicant submitted the necessary information.

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Staff has reviewed this request and has noted the following issues:

Road Alignment: The Engineering Division has indicated that the road currently being constructed to the sewer lift station is not in the same location as that shown on the construction plans but instead in the location of the proposed permanent road to serve the location of the future golf course clubhouse. As such, the Engineering Division has indicated that the applicant must submit a letter of understanding stating that the proposed graveled road will be allowed to serve as temporary access to the lift station and identifying a schedule for completion and bonding for the permanent surfacing for the future street. The Engineering Division has indicated that the final plans for the permanent road must be submitted no later than September 28, 2001. The letter must also identify that the applicant is aware that approval of the temporary driveway entrance does not preclude the possibility of changes to alignment or grades of the future improved street upon submittal of design plans for the finished or final improvements for the future street.

Access and Utility Easement: To date, a Final Plat has not been recorded for this portion of the Red Rock Estates. In particular, right-of-way and/or an access easement has not been secured for the proposed access road to the lift station. As such, the Engineering Division has indicated that an access easement must be recorded at the Register of Deed's Office granting the City legal access to the proposed lift station. In addition, a utility easement must be recorded at the Register of Deed's Office to allow for the location and maintenance of the lift station. Staff is recommending that the access and utility easements be granted and recorded accordingly, prior to City Council approval.

Parking: A minimum of one parking space is required in order to provide sufficient parking for maintenance of the lift station. The parking space must be van handicap accessible. Staff is recommending that all provisions of the Off-Street Parking Ordinance be met.

Notification: The receipts from the certified mailing have been returned and the sign has been posted on the property. Staff has not received any calls of inquiry regarding this request.