

STAFF REPORT

April 24, 2003

No. 03SR029 - 11-6-19 SDCL Review to allow for the construction of a public utility and to construct a street in a public right-of-way **ITEM 44**

GENERAL INFORMATION:

PETITIONER	Steven Donnelly for Williston Basin Interstate Pipeline Company
REQUEST	No. 03SR029 - 11-6-19 SDCL Review to allow for the construction of a public utility and to construct a street in a public right-of-way
EXISTING LEGAL DESCRIPTION	The right-of-way in the N1/2 SW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.57 acres
LOCATION	1820 West Boulevard North
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	County
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	03/27/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow for the construction of a public utility and to construct a street in a public right-of-way be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a building permit, the street located within the West Boulevard right-of-way extending north of Explorer Street shall be constructed with a minimum twenty foot wide paved surface or surety shall be posted for the improvement;
2. Prior to issuance of a building permit, the existing barbed wire fence located along the perimeter of the property shall either be removed or repaired;

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Fire Department Recommendations:

3. Prior to issuance of a building permit, the site plan shall be revised to show an on-site all weather turnaround located at the end of the access road to accommodate fire apparatus or surety shall be posted for the improvement;

Air Quality Division Recommendation:

4. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;

Building Inspection Recommendation:

5. A building permit shall be obtained for the proposed utility monitoring building;

Urban Planning Division Recommendations:

6. A seven foot tall by five foot long by seven foot wide natural gas flow and pressure monitoring building shall be allowed;
7. A security fence shall be constructed around the proposed monitoring building. In addition, the fence shall be gated and locked; and,
8. Prior to issuance of a building permit, the site plan shall be revised to show a minimum of two paved parking spaces. One of the spaces shall be van handicap accessible.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to allow the construction of a five foot long by seven foot wide by seven foot high natural gas flow and pressure monitoring building on the above legally described property. In addition, the applicant is requesting to allow an existing 8 to 12 foot wide dirt road located within public right-of-way to serve as access to the site. Currently, an 8 foot by 28 foot utility building is located on the property and is used by the Williston Basin Interstate Pipeline Company to regulate and monitor natural gas flows to the company's control center located in Bismarck, North Dakota.

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". The access road is located within public right-of-way and Williston Basin Interstate Pipeline Company is a public utility. In addition, the property is identified as a part of the Rapid City Comprehensive Plan requiring that the proposed use be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

Staff has reviewed the request and has noted the following concerns:

Access: Currently, an approximate eight foot to ten foot wide dirt road located within the West

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Boulevard right-of-way serves as access to the subject property. The Parking Regulations require that the access road be paved to City street design standards as a part of the building permit review and approval. As such, staff is recommending that West Boulevard, extending north of Explorer Street, be constructed with a minimum 20 foot wide paved surface. The Air Quality Division has indicated that an Air Quality Permit must be obtained prior to any disturbance of soil in excess of one acre. In addition, the Fire Department has indicated that the site plan must be revised to show an on-site all weather turnaround located at the end of the access road to accommodate fire apparatus. Staff is recommending that the access road be improved as identified or surety posted for the improvement prior to issuance of a building permit.

Fencing: Currently, a barb wire fence is located along the perimeter of the subject property. The property is zoned General Agriculture District which allows the use of barb wire fences. The Engineering Division has indicated that a portion of the barb wire fence is currently lying on the ground. As such, staff is recommending that the fence be repaired or that portion lying on the ground be removed prior to issuance of a building permit.

The applicant's site plan also shows a chain length fence with three security strands of barb wire to be located within the core of the site exclusively around the existing and proposed monitoring equipment. Staff is recommending that the fence be constructed as proposed and that it be gated and locked to provide further security measures.

Parking: The Parking Regulations requires that a minimum of two off-street parking spaces be provided. One of the spaces must be "van" handicap accessible. Staff is recommending that the site plan be revised to provide the two spaces as identified prior to issuance of a building permit.

Staff recommends that the SDCL 11-6-19 Review be approved with the stipulations as stated.