

STAFF REPORT

December 4, 2003

No. 03SR047 - 11-6-19 SDCL Review to allow construction of a structure in a public place **ITEM 7**

GENERAL INFORMATION:

PETITIONER	City of Rapid City Landfill - Solid Waste Operations
REQUEST	No. 03SR047 - 11-6-19 SDCL Review to allow construction of a structure in a public place
EXISTING LEGAL DESCRIPTION	Tract A of Wasteland Subdivision, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 450 acres
LOCATION	5555 South Highway 79
EXISTING ZONING	Heavy Industrial District/General Agriculture District
SURROUNDING ZONING	
North:	Public District
South:	Limited Agriculture District
East:	General Commercial District/Limited Agriculture District/Light Industrial District
West:	General Commercial District/Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	11/07/2003
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow construction of a structure in a public place be approved with the following stipulations:

Building Inspection Division Recommendations:

1. A building permit shall be obtained prior to the initiation of construction;

Air Quality Division Recommendations:

2. Air Quality Permit shall be obtained if one acre of land is disturbed by either the fence installation or access road construction;

County Highway Department Recommendations:

3. Prior to issuance of a Building Permit, provisions to maintain local drainage paths should be included in the fence design if disruption to local drainage is anticipated;

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Urban Planning Division Recommendations:

4. Prior to Public Works Committee approval, a detailed landscaping plan shall be submitted, and;
5. Prior to issuance of a Building Permit, a Fence Height Exception must be approved by the Public Works Committee.

GENERAL COMMENTS:

The applicant is proposing to install a fence approximately 2,100 linear feet in length. The fence is proposed to be 20 feet high and constructed of a litter control fabric. The Rapid City Landfill is located at 5555 South Highway 79. The property is located in the Heavy Industrial Zoning District. Section 17.50.270 of the Rapid City Municipal Code does not allow fences over eight feet in height in the Heavy Industrial Zoning District, unless a fence height exception is obtained. The fence fabric is 20 feet high and 20 feet wide, and will be attached to 30 foot high telephone poles, with the poles being buried approximately six feet deep. This area of the landfill is not currently used as a disposal site, however it is anticipated that this area will be actively used in early 2004.

STAFF REVIEW:

Staff has reviewed the proposed 11-6-19 SDCL Review as it relates to the applicable provisions of the Rapid City Municipal Code and notes the following:

Building Inspection:

The Building Inspection Division noted that Section 15.40.060 requires a Building Permit to be obtained for all fences over six feet in height.

Air Quality:

The Air Quality Division noted that an Air Quality Permit will be required if one acre of land is disturbed by either the fence installation or access road construction.

County Highway:

The County Highway Department noted that provisions to maintain local drainage paths should be included in the fence design if disruption to local drainage is anticipated.

Urban Planning:

Staff has concerns that a 20 foot high fence strewn with litter will be visible from South Dakota Highway 79 and be a source of visual clutter in that area. South Dakota Highway 79 is a major entryway in the community. With the construction of the Heartland Expressway the importance of this entryway to the community will increase. For this reason Staff is recommending that evergreen vegetation be installed on the exterior of the fence to provide a natural barrier, and act as a screening buffer between the 20 foot high litter control fence and South Dakota Highway 79. Prior to consideration by the Public Works Committee, a detailed landscaping plan shall be submitted for review and approval.

Staff finds that based on the recommended stipulations of approval, the proposed exception to the fence height requirements is not contrary to the public interest and that the exception will not

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be injurious to the surrounding neighborhood. Staff recommends approval of the Fence Height Exception with the above stated stipulations.