

STAFF REPORT

February 19, 2004

---

**No. 04UR001 - Conditional Use Permit for a waste material dump**

**ITEM 22**

---

GENERAL INFORMATION:

PETITIONER	Centerline for Linweld, Inc.
REQUEST	<b>No. 04UR001 - Conditional Use Permit for a waste material dump</b>
EXISTING LEGAL DESCRIPTION	Being 1.348 acre of land situated in Lot A of Lot 5 of Nicholl's Subdivision, located in the NE1/4 NE1/4 of Section 7, Township 1 North, Range 8 East of the Black Hills Meridian, Rapid City, Pennington County, South Dakota; said 1.348 acre of land being more particularly described by metes and bounds as follows: BEGINNING at a 1-inch diameter iron pipe found in-place for the Northwest corner of said Lot A of Lot 5 of Nicholl's Subdivision; Thence South 89°53'47" East, along the North line of said Lot A, a distance of 196.90 feet to a point for corner from which a Mag Nail found in-place for the Northeast corner of said Lot A bears South 89°53'47" East a distance of 168.86 feet; Thence South 25°15'41" East a distance of 131.74 feet to a point for corner; Thence South 13°11'10" East a distance of 94.43 feet to a point for corner; Thence South 21°24'22" East a distance of 95.87 feet to a point for corner on the South line of said Lot A from which a 1-inch diameter iron pipe found in-place for the Southeast corner of said Lot A bears North 89°59'11" East a distance of 196.00 feet; Thence South 89°59'11" West, along the South line of said Lot A, a distance of 10.45 feet to a point for corner from which a 1-inch diameter iron pipe with cap found in-place for the Southwest corner of said Lot A bears South 89°59'11" West a distance of 298.45 feet; Thence North 73°30'32" West a distance of 117.09 feet to a point for corner; Thence North 59°23'11" West a distance of 216.75 feet to a point for corner on the West line of said Lot A; Thence North 00°08'41" West, along the West line of said Lot A, a distance of 157.08 feet to the POINT OF BEGINNING
PARCEL ACREAGE	Approximately 1.348 acres
LOCATION	1311 E. St. Joseph Street
EXISTING ZONING	Heavy Industrial District

# STAFF REPORT

February 19, 2004

---

**No. 04UR001 - Conditional Use Permit for a waste material dump**

**ITEM 22**

---

## SURROUNDING ZONING

North:	General Commercial District
South:	Light Industrial District
East:	Light Industrial District
West:	Medium Density Residential District

PUBLIC UTILITIES                      City water and sewer

DATE OF APPLICATION                01/22/2004

REPORT BY                                Todd Tucker

## RECOMMENDATION:

Staff recommends that the Conditional Use Permit for a waste material dump be approved with the following stipulations:

1. Prior to Planning Commission approval, a parking plan must be submitted to insure proper access, layout, circulation, and compliance with all other provisions of Section 17.50.270 of the Rapid City Municipal Code;
2. Prior to the initiation of the construction of the parking lot or access, a Building Permit must be obtained;
3. A Flood Plain Development Permit must be obtained for any development or grading subject to the provisions of Section 15.32 of the Rapid City Municipal Code;
4. An Air Quality Permit shall be obtained if one acre of land is disturbed due to any grading or construction; and,
5. Prior to initiation of any on-site grading, a Grading Permit must be obtained.

GENERAL COMMENTS: The property is located at 1311 East Saint Joseph Street, which is on the west side of East Saint Joseph Street in a Heavy Industrial Zoning District. Currently the applicant occupies an 8,190 square foot building on the property. A 4,771 square foot acetylene plant, which is closed, is also located on the property; however, the applicant is requesting the Conditional Use Permit for only the portion of the property as legally described above.

The applicant has indicated that additional space for storage and parking are needed for the property. The applicant has also indicated the need to provide emergency vehicle access along the west side of the existing buildings. To facilitate these improvements the applicant is proposing to reclaim an existing lime storage area. The reclamation will include the leveling the existing stockpiles and capping the area with approximately 12 inches of topsoil, with a seeded surface and parking lot. The South Dakota Department of Environment and Natural Resources requires that the applicant obtain a Solid Waste Permit for the reclamation activity. As such the applicant must first obtain a Conditional Use Permit for a waste material dump from the City of Rapid City.

## STAFF REPORT

February 19, 2004

---

**No. 04UR001 - Conditional Use Permit for a waste material dump**

**ITEM 22**

---

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for a Conditional Use Permit identified in Section 17.54.030 of the Rapid City Municipal Code.

Parking: The site plan submitted indicates an area north of the evaporation pond within the boundaries of the reclamation area as a future paved parking area. Staff noted that a parking plan must be submitted to insure proper access, layout, circulation, and compliance with all other provisions of Section 17.50.270 of the Rapid City Municipal Code. Staff also noted that a Building Permit must be obtained prior to initiation of construction of the parking lot or access.

Flood Plain: Staff noted that at least a portion of the property is located in the Zone A flood plain. A Flood Plain Development Permit must be obtained for any development or grading subject to the provisions of Section 15.32 of the Rapid City Municipal Code.

Air Quality: Staff noted that an Air Quality Permit will be required if one acre of land is disturbed due to any grading or construction.

Grading: The applicant has indicated the existing stockpiles of lime will be leveled and the reclamation area will be re-graded so water drains to the southeast. Staff noted that a Grading Permit must be obtained prior to any on-site grading.

Staff is recommending that this item be approved with the above stated stipulations.