

STAFF REPORT

March 4, 2004

No. 04SR003 - 11-6-19 SDCL Review to allow a substation control house to be enlarged **ITEM 5**

GENERAL INFORMATION:

PETITIONER	Ross Johnson for West River Electric Association
REQUEST	No. 04SR003 - 11-6-19 SDCL Review to allow a substation control house to be enlarged
EXISTING LEGAL DESCRIPTION	Lot 1 of Neff's Subdivision #3, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.0 acres
LOCATION	400 Elk Vale Road
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	No Use District
South:	No Use District
East:	No Use District
West:	No Use District
PUBLIC UTILITIES	none
DATE OF APPLICATION	02/06/2004
REPORT BY	Todd Tucker

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow a substation control house to be enlarged be approved with the following stipulations:

1. Prior to initiation of construction, a building permit must be obtained, and a Certificate of Occupancy must be obtained prior to occupancy of the building; and,
2. Prior to issuance of a Certificate of Occupancy, each structure on the property must be either addressed or lettered to plainly identify each separate structure.

GENERAL COMMENTS: The applicant is seeking an 11-6-19 Review approval to enlarge an unmanned existing substation control house for West River Electric. The applicant is proposing to enlarge the existing 63 square foot control house to 240 square feet.

The subject property was annexed into the City of Rapid City in June 2003. The property is currently zoned No Use; however, the Elk Vale Neighborhood Area Future Land Use Plan identifies this portion of the property as being zoned General Commercial with a Planned

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Commercial Development. Utility substations are a permitted use in the General Commercial Zoning District. The Growth Management Department has initiated a request to rezone the south 200 feet of the property from No Use to General Commercial. That request will be considered by the Planning Commission at the March 25, 2004 meeting.

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". As previously indicated, this is a public utility located on privately owned land requiring that the Planning Commission review and approve of the proposed construction.

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 has noted the following issues:

Building Permit: Staff noted that a Building Permit must be obtained prior to any construction, and a Certificate of Occupancy must be obtained prior to occupancy of the building.

Fire Safety: Staff noted that adequate access must be provided for Fire Department apparatus. Staff also noted that each structure on the property must be either addressed or lettered to plainly identify each separate structure.

Parking and Access: Staff noted that the proposed construction is a minor expansion of an existing structure. Staff noted that the existing site has no paved parking or paved access to the site. Because no additional traffic will be generated to the site by this expansion the existing parking and access may remain; however, any future expansion of the site may require compliance with the off-street parking requirements found in Section 17.50.270 of the Rapid City Municipal Code.

Staff recommends approval of the 11-6-19 SDCL Review with the above stated stipulations.