

STAFF REPORT

June 10, 2004

No. 04SR027 - 11-6-19 SDCL Review to allow construction of a secondary oil containment structure **ITEM 9**

GENERAL INFORMATION:

PETITIONER	U.S. Department of Energy - Western Area Power Administration (WAPA)
REQUEST	No. 04SR027 - 11-6-19 SDCL Review to allow construction of a secondary oil containment structure
EXISTING LEGAL DESCRIPTION	Lot K-2S of Lot 4 of NW1/4 NW1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.77 acres
LOCATION	1402 East Highway 44
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Commercial District w/Planned Commercial District
South:	Light Industrial District
East:	Light Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	05/06/2004
REVIEWED BY	Todd Tucker / Dave Johnson

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow construction of a secondary oil containment structure be approved with the following stipulations:

1. Prior to construction, site plans and drawings of containment construction shall be submitted to Fire Prevention for review; and,
2. All applicable provisions of the Uniform Fire Codes shall be continually met.

GENERAL COMMENTS: The subject property is located at the northwest corner of Creek Drive and East Highway 44. Currently the U.S. Department of Energy, Western Area Power Administration (WAPA) Rapid City Substation is located on the subject property. The applicant is seeking an 11-6-19 Review approval to construct a secondary oil containment structure and a Transformer KY2A oil containment berm on public property.

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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 the proposed construction is on publicly 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 the property is owned by the Federal Government which is exempt from the requirement to obtain a City Building Permit.

Parking and Landscaping: Staff noted that the proposed construction is a minor addition to an existing substation. Staff noted that the existing site may not comply with the off-street parking requirements and does not comply with the Landscaping Ordinance. Because this is a minimal expansion and no additional traffic will be generated to the site by this expansion, staff is recommending that the existing parking and landscaping be allowed to remain in it's current condition; however, any future expansion of the site may require compliance with the off-street parking requirements found in Section 17.50.270 and the landscaping requirements of 17.50.300 of the Rapid City Municipal Code.

Access: As previously indicated the subject property is located at the northwest corner of Creek Drive and East Highway 44. Staff noted that the applicant's site plan shows access to the property is obtained from East Highway 44. Staff encourages the applicant to relocate the access on East Highway 44 to Creek Drive to reduce conflict points on East Highway 44. Staff also noted that a pedestrian trail is evident along the East Highway 44 frontage and encourages the applicant to construct a sidewalk along the East Highway 44 frontage along the subject property.

Fire Safety: Staff noted that site plans and drawings of containment construction shall be submitted to Fire Prevention for review prior to construction. Staff also noted that all applicable requirements of the Uniform Fire Code shall be continually met.

Pipe Discharge: Staff noted that the discharge pipe from the west containment should be into the storm sewer and not an overland discharge into public right-of-way.

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