

STAFF REPORT

June 24, 2004

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**No. 04SR034 - 11-6-19 SDCL Review to allow construction of a sand/salt storage building and associated paving and lighting in a public place** **ITEM 7**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 04SR034 - 11-6-19 SDCL Review to allow construction of a sand/salt storage building and associated paving and lighting in a public place</b>
EXISTING LEGAL DESCRIPTION	Tract 31, Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 8.479 acres
LOCATION	Southwest of the intersection of East Main Street North and Steele Avenue
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Flood Hazard District
South:	General Commercial District/Park Forest District
East:	Flood Hazard District/Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	06/03/2004
REVIEWED BY	Todd Tucker / Curt Huus

RECOMMENDATION: Staff recommends that the 11-6-19 SDCL Review to allow construction of a sand/salt storage building and associated paving and lighting in a public place 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;
2. The proposed on-site hydrant shall conform with all applicable provisions of the Uniform Fire Code, and be in place prior to initiation of construction;
3. Prior to issuance of a Building Permit, a Floodplain Development Permit shall be obtained;
4. If any water or sewer service will be provided to the proposed structure, a revised site plan shall be submitted showing the location of the service lines;

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5. The existing driveway approach on East Main Street shall be eliminated, and the proposed driveway approach shall be the only access provided to the subject property from East Main Street;
6. Prior to Planning Commission approval, scaled elevation drawings of the proposed structure shall be submitted for review and approval;
7. The maximum height of the structure shall be 40 feet;
8. The proposed structure shall have a minimum setback from East Main Street of 25 feet;
9. Prior to Planning Commission approval, a site plan showing compliance with all applicable landscape regulations shall be submitted including any proposed changes in location of the landscaping;
10. Prior to issuance of a Building Permit, all required landscaping shall be installed. The landscaping shall be irrigated or a plan for providing water shall be submitted for review and approval prior to issuance of a Building Permit. All landscaping shall be maintained in a live condition at all times;
11. All requirements of Section 17.28 of the Zoning Ordinance regarding the Flood Hazard Zoning District shall be continually met including the requirements for temporary structures set forth in Section 17.28.040; and,
12. Any additional construction on the subject property will require additional review and approval through the SDCL 11-6-19 Review process.

**GENERAL COMMENTS:** The subject property is located at the southwest corner of East Main Street and Steele Avenue. Currently the City of Rapid City's Public Works Department operates facilities on the subject property. On August 5, 1991 the City Council approved a Conditional Use Permit, with stipulations, to allow structures in the Floodway Zoning District on the subject property. The name of the zoning district was subsequently revised to Flood Hazard Zoning District. The stipulations approved in 1991 are as follows:

1. That the requirements of the Floodplain Development Ordinance be continually met;
2. That all areas used for traffic circulation or parking be paved;
3. That landscaping shall be installed in accordance with the approved landscaping plan;

On September 18, 1995 the City Council approved a Conditional Use Permit to allow a salt and sand storage building on the subject property with the stipulation that all circulation areas around the storage building be paved.

The applicant is now seeking an SDCL 11-6-19 Review approval to construct an approximate 8,800 square foot sand and salt storage building on public property.

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

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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 there is one existing hydrant on the site and one additional hydrant is proposed to be constructed on site. Staff noted that the proposed on site hydrant must conform with all applicable provisions of the Uniform Fire Code, and be in place prior to initiation of construction.

Floodplain Development Permit: The applicant's site plan indicates that the proposed structure is not located within the hydraulic floodway. However, it is located within the 100-year floodplain. Prior to issuance of a Building Permit, a Floodplain Development Permit shall be obtained.

Water and Sewer: Staff noted that the applicant's site plan does not show any water or sewer service being provided to the proposed structure. If any water or sewer service will be provided to the proposed structure, a revised site plan shall be submitted showing the location of the service lines.

Access: The applicant's site plan shows five driveway accesses to the subject property. Three existing driveway approaches are located on Steele Street. One existing driveway approach is located on East Main Street, with another approach proposed with this request. The Street Design Criteria Manual provides that not more than two driveways will be allowed to any business establishment. The Street Design Criteria Manual also provides that access be permitted only on the less traveled street frontage when a property has frontage on more than one street. However, the Street Design Criteria Manual allows the City Engineer to designate access points based on traffic safety and operational needs of the property. As previously noted there are three existing driveways to the subject property located on Steele Street, and one located on East Main Street. Staff noted that the amount and size of the vehicles accessing and traveling through the subject property may justify additional driveways. Staff noted that the proposed driveway location is preferred to the existing driveway approach because it aligns with the existing driveway across the street on East Main Street. Staff recommends that the existing driveway approach on East Main Street be eliminated, and that the proposed driveway approach be the only access provided to the subject property from East Main Street. This would result in no net increase in the number of approaches provided to the site.

Building Height: Staff noted that elevation drawings of the proposed structure have not been submitted. Prior to Planning Commission approval, scaled elevation drawings of the proposed structure shall be submitted for review and approval. In addition, staff noted that the maximum height of the structure shall be 40 feet.

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Setbacks: The subject property is located in an area generally developed to the standards of the Light Industrial Zoning District. The principal use of land in the area is for processing, storage, warehousing, and distribution.

The applicant's site plan shows the proposed structure being located 15 feet from the front property line abutting East Main Street. The subject property is zoned Flood Hazard District, which does not require a minimum building setback. The existing structures located on the subject property along Steele Street have a minimum front yard setback of 30 feet and 35 feet. The existing salt and sand storage building on the subject property along East Main Street has a minimum front yard setback of 22 feet. The properties located to the north and east of the subject property are also zoned Flood Hazard District. The building on the adjacent property to the north is setback approximately 80 feet from the front property line along East Main Street. The buildings located on the adjacent property to the east are setback 23 and 42 feet from the front property line along to Steele Street.

The properties located to the south, west, and southeast of the subject property are zoned Light Industrial. The Light Industrial Zoning District requires a minimum setback of 25 feet from all property lines. The buildings located on the adjacent properties to the south and southeast of the subject property are setback 20 feet from Steele Street and East Saint Joseph Street. The height, size, and location of the proposed structure in close proximity to public right-of-way may cause safety issues with regards to icing on East Main Street. For these reasons, Staff recommended that the proposed structure shall have a minimum setback from East Main Street of 25 feet.

Landscaping: As previously indicated, the original Conditional Use Permit was approved with three stipulations. One of the stipulations required that landscaping be installed in accordance with the approved landscape plan. The approved landscape plan is in compliance with the Non-irrigated Landscape Design requirements of Section 17.50.300 of the Rapid City Municipal Code. However, the current development does not comply with an approved landscape plan. The approved landscape plan showed 17 trees located along East Main Street. The applicant's site plan for this request shows three trees located along East Main Street. Previously the Public Works staff has suggested that salt in the soil has inhibited plant growth. Prior to Planning Commission approval, a revised site plan showing compliance with all applicable landscaping regulations including any requested changes in the location of the landscaping from the 1991 plan. Additionally, prior to issuance of any building permits, all required landscaping shall be installed to assure compliance with City ordinance.

Future Construction: The applicant's site plan shows four structures to be constructed in the future. Staff noted that this SDCL 11-6-19 Review is only for the sand and salt storage building proposed with this request. Any additional construction on the subject property will require additional review and approval through the SDCL 11-6-19 Review process.

Staff is recommending that the SDCL 11-6-19 Review request be approved with the previously stated stipulations.