

STAFF REPORT
April 7, 2005

No. 05SR007 – SDCL 11-6-19 Review to allow the construction of a lift station **ITEM 15**

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	No. 05SR007 – SDCL 11-6-19 Review to allow the construction of a lift station
EXISTING LEGAL DESCRIPTION	The unplatted portion of the NW1/4 NW1/4 of Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 40 acres
LOCATION	North of Sheridan Lake Road and east of Red Rock Estates
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/28/2005
REVIEWED BY	Vicki L. Fisher / David L. Johnson

RECOMMENDATION:

Staff recommends that the Planning Commission acknowledge the applicant's request to withdraw the SDCL 11-6-19 Review.

GENERAL COMMENTS:

(This Staff Report has been updated on March 28, 2005. All revised and/or added text is shown in bold print.) This item was continued at the March 24, 2005 Planning Commission meeting to allow the applicant to submit additional information. On March 28, 2005, the applicant requested that this item be withdrawn. As such, staff is recommending that the Planning Commission acknowledge the applicant's request to withdraw the SDCL 11-6-19 Review. Please note that no other part of this Staff Report has been revised.

(This Staff Report has been updated on March 12, 2005. All revised and/or added text is shown in bold print.) This item was continued at the March 10, 2005 Planning Commission

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meeting to allow the applicant to submit additional information. To date, the additional information has not been submitted. As such, staff is recommending that it be continued to the April 7, 2005 Planning Commission meeting. Please note that no other part of this Staff Report has been revised.

(This Staff Report has been updated on February 27, 2005. All revised and or/added text is shown in bold print.) This item was continued at the February 24, 2005 Planning Commission meeting to allow the applicant to submit additional information. To date, the additional information has not been submitted. As such, staff is recommending that it be continued to the March 24, 2005 Planning Commission meeting. Please note that no other part of this Staff Report has been revised.

On January 28, 2005, the applicant submitted a Conditional Use Permit to allow for the construction of a lift station to be located in the northwest corner of the Red Rock Meadows Subdivision. However, on February 7, 2005, the City Council determined that the lift station would be constructed, maintained and owned by the City. As such, the applicant has submitted a SDCL 11-6-19 Review to allow for the construction of the lift station in lieu of a Conditional Use Permit.

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". The proposed lift station will be a public utility and the property is identified as a part of the Rapid City Comprehensive Plan requiring that the proposed lift station be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

Staff has reviewed the SDCL 11-6-19 Review and has noted the following considerations:

Site Plan: The applicant has submitted elevations identifying that an eight foot by ten foot equipment building will be constructed on the property. In addition, the elevations identify that a six foot high red cedar fence will be located on the property. However, the site plan does not clearly identify the location of the equipment building or the fence. In addition, the site plan must be revised to show a minimum of two off-street parking spaces with one of the spaces being handicap accessible. The site plan must also be revised to show proposed landscaping and lighting. Staff is recommending that the SDCL 11-6-19 Review be continued to the March 10, 2005 Planning Commission meeting to allow the applicant additional time to revise the site plan as identified.

Black Hills Power: A representative from Black Hills Power has indicated that the location of the proposed lift station conflicts with the proposed location of an electrical substation within this area of the subject property. As such, staff is recommending that the SDCL 11-6-19 Review be continued to the March 10, 2005 Planning Commission meeting to allow the applicant to

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resolve the issue with Black Hills Power.

Staff is recommending that the SDCL 11-6-19 Review be continued to the March 10, 2005 Planning Commission meeting to allow the applicant to resolve the issues as identified above.