

STAFF REPORT
May 26, 2005

No. 05SR020 - SDCL 11-6-19 Review to allow the construction of a utility substation **ITEM 22**

GENERAL INFORMATION:

PETITIONER	Ross Johnson for West River Electric
REQUEST	No. 05SR020 - SDCL 11-6-19 Review to allow the construction of a utility substation
EXISTING LEGAL DESCRIPTION	Tract B, River Ranch Addition, NW1/4 NW1/4, Section 29, T1N, R9E also located in Section 20, T1N, R9E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.67 acres
LOCATION	Limited Agriculture District (Pennington County)
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Limited Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Limited Agriculture District (Pennington County)
DATE OF APPLICATION	4/27/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a utility substation be approved with the following stipulations:

1. Prior to initiation of construction, the applicant should review the Pennington County zoning requirements with County staff;
2. An Air Quality Permit shall be obtained;
3. The utility substation shall be addressed and that address shall be posted on the front gate, plainly visible from the street;
4. The proposed driveway approaches shall comply with the Pennington County approach requirements and standards; and,
5. The applicant shall coordinate with the ditch manager any runoff from the subject property into the adjacent irrigation ditch.

GENERAL COMMENTS: The subject property is located south of East Highway 44 along the east side of South Airport Road. The subject property is located outside of the Rapid City corporate limits but within the City of Rapid City's platting jurisdiction. The subject property is currently vacant of any structural development. The applicant is proposing to construct a public utility substation on the subject property. The applicant is requesting approval of an

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SDCL 11-6-19 review to allow the construction of a public utility substation.

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 public utility substation requires that the proposed construction be reviewed and approved by the Rapid City Planning Commission as a part of an SDCL 11-6-19 Review.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review and has noted the following concerns:

Design Features: The submitted construction plans for the electrical power substation show that the proposed substation will have a maximum height of 62 feet. The proposed substation is in compliance with all setback requirements.

Pennington County Review: As previously indicated, the subject property is located in Pennington County's zoning jurisdiction. Pennington County staff has indicated that the property is currently zoned General Agriculture and must be rezoned or a lot size variance must be obtained as the subject property does not meet the minimum lot size of the General Agriculture Zoning District. Pennington County staff also noted that the applicant must obtain a Conditional Use Permit from Pennington County prior to construction of the utility substation. As such, prior to initiation of construction, the applicant should review the Pennington County zoning requirements with County staff.

Air Quality Permit: Staff noted that the area of disturbance exceeds one acre in size. As such, an Air Quality Permit must be obtained.

Fire Safety: The Pennington County Fire Department staff noted that the substation must be addressed and that address must be posted on the front gate, plainly visible from the street.

Access: The applicant's site plan shows two approaches to the subject property. The Pennington County Highway Department staff noted that the proposed driveway approaches must comply with the Pennington County approach requirements and standards. The Pennington County Highway Department staff also noted that the proposed driveway approaches will be reviewed at the time an approach permit application is submitted.

Drainage: Staff noted that no drainage plan was submitted with the application. If runoff will be discharged into the adjacent irrigation ditch, the applicant must coordinate the drainage with the ditch manager.

Fencing: The applicant's site plan shows that 900 linear feet of fencing will surround the proposed utility substation. The submitted elevation drawings show that the proposed fence

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will be constructed of chain link and be seven feet in height with one foot of barb wire on top of it. The proposed fence will have two gates to provide vehicular access and one human access gate.

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