

STAFF REPORT

June 9, 2005

No. 05SR023 - SDCL 11-6-19 Review to allow the construction of a public utility transformer and a switchgear building on private property

ITEM 19

GENERAL INFORMATION:

PETITIONER	Ron Dahlinger for Black Hills Power, Inc.
REQUEST	No. 05SR023 - SDCL 11-6-19 Review to allow the construction of a public utility transformer and a switchgear building on private property
EXISTING LEGAL DESCRIPTION	Lots 16 through 18, Block 15, Schnasse Subdivision, Section 31, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .35 acres
LOCATION	120 East Denver Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	General Commercial District
South:	Medium Density Residential District
East:	General Commercial District
West:	General Commercial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	5/10/2005
REVIEWED BY	Todd Tucker / Michelle Horkey

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a public utility transformer and a switchgear building on private property be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the building;
2. A variance is hereby granted to reduce the required rear yard setback from 25 feet to 17 feet;
3. The proposed utility transformer substation and accessory switchgear building shall comply with all other setback requirements of the Medium Density Residential Zoning District;
4. A variance is hereby granted to waive the requirement to provide two off-street parking stalls on site with one stall being a van accessible handicapped stall; and,

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5. The landscaping plan shall continually comply with all applicable provisions of the Landscaping Ordinance and the approved landscaping plan.

GENERAL COMMENTS: The subject property is located on the north side of East Denver Street between North Maple Avenue and Herman Street. There is an existing utility transformer substation and associated switchgear building located on the subject property. A Conditional Use Permit to allow the existing utility substation in the Medium Density Residential Zoning District was approved by the City Council on January 21, 1991. The applicant is now requesting approval of an SDCL 11-6-19 Review to allow the construction of a second utility transformer substation and associated switchgear building in the Medium Density Residential Zoning District.

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

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

Design Features: The proposed utility transformer substation will have a maximum height of 38 feet. The proposed switchgear building is 304 square feet in size and will have a height of approximately 12 feet. The proposed structure will be similar to the existing switchgear building in color and design. The proposed structure appears to be in compliance with the Rapid City Municipal Code.

Setbacks: Section 17.12.050 of the Rapid City Municipal Code requires that a minimum 25 foot front yard setback be provided for all buildings in the Medium Density Residential Zoning District. The applicant's site plan shows the proposed utility transformer substation to be located approximately 39 feet from the front property line. The Medium Density Residential Zoning District also requires that a minimum 35 feet side yard setback be provided for accessory buildings other than dwellings. The applicant's site plan shows the proposed structure to be located 47 feet from the east side property line and the existing building located 39 feet from the west side lot line. The Medium Density Residential Zoning District also requires that a minimum 25 foot rear yard setback be provided for main structures. The submitted site plan shows the proposed structure to be located 17 feet from the rear property line. The proposed structure will be set back from the rear property line the same distance as the existing structure. Due to the fact that the proposed structure is not encroaching further than the existing structure, staff is recommending that a variance be granted to reduce the rear yard setback from the required 25 feet to 17 feet. If the variance is granted, the proposed and existing utility transformer substations and switchgear buildings will be in compliance with the setback requirements of Section 17.12.050 of the Rapid City Municipal Code.

Parking: The Zoning Ordinance requires that two off-street parking stalls with one being a van accessible handicapped stall be provided for utility substations. Currently, no paved parking

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stalls are located on the subject property. However, two 20 foot wide paved driveway and parking areas are provided on the subject property. As the proposed development will not increase the number of vehicles or trips to the subject property by workers, staff supports waiving the requirement to provide two paved off-street parking stalls on the subject property as per Section 17.50.270 of the Rapid City Municipal Code. Staff noted that the Planning Commission has approved similar requests for utility substations where the proposed development would not produce additional trips to the site by workers.

Landscaping: Section 17.50.300 of the Rapid City Municipal Code requires that 14,836 landscaping points be provided for the subject property. The applicant's site plan shows that 18,580 landscaping points are currently located on the subject property. The existing landscaping provides an adequate screening buffer from the existing and proposed structural development on the subject property from the adjacent properties and public rights-of-way.

Staff is recommending approval of the proposed SDCL 11-6-19 Review with the previously stated stipulations.