

STAFF REPORT

April 6, 2006

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**No. 06SR012 - 11-6-19 SDCL Review to allow the installation of self-service fuel station on public property**

**ITEM 13**

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GENERAL INFORMATION:

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|----------------------------|--|
| PETITIONER                 | EnVision Design, Inc. for Rapid Fuel, LLC  |
| REQUEST                    | <b>No. 06SR012 - 11-6-19 SDCL Review to allow the installation of self-service fuel station on public property</b>             |
| EXISTING LEGAL DESCRIPTION | On Rapid City Regional Airport property located in the SW1/4 NW1/4, Section 17, T1N, R9E, BHM, Pennington County, South Dakota |
| PARCEL ACREAGE             | Approximately 0.022 acres  |
| LOCATION                   | 4200 Airport Road  |
| EXISTING ZONING            | Airport District   |
| SURROUNDING ZONING         |  |
| North:                     | Airport District   |
| South:                     | Airport District   |
| East:                      | Airport District   |
| West:                      | Airport District   |
| PUBLIC UTILITIES           | City water, sewer  |
| DATE OF APPLICATION        | 2/9/2006   |
| REVIEWED BY                | Mike Maxwell / Emily Fisher  |

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the installation of self-service fuel station on public property be continued to the **April 20, 2006** Planning Commission.

GENERAL COMMENTS: **(Update, March 29, 2006. All revised and/or added text is shown in bold print.) On March 23, 2006 the 11-6-19 Review was continued to the April 6, 2006 Planning Commission at the applicants request. The applicant has requested that the application for the 11-6-19 Review be continued to the April 20, 2006 Planning Commission to allow the applicant time to provide copies of the approvals from the Federal Aviation Administration, State Department of Environmental and Natural Resources, the State Fire Marshal and the revised drainage plan.**

(Update, March 15, 2006. All revised and/or added text is shown in bold print.) On March 9, 2006 the 11-6-19 Review was continued to the March 23, 2006 Planning Commission at the applicants request. The applicant has requested that the application for the 11-6-19 Review

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be continued to the April 6, 2006 Planning Commission to allow the applicant time to provide the additional requested information.

The applicant has submitted a request for an 11-6 19 SDCL review to place two 12,000 gallons above ground fuel tanks on the tarmac in front of the General Aviation area at the Rapid City Regional Airport. The applicant is proposing to provide a self-service fuel station for small airplanes at the Regional Airport.

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 will be located on publicly owned land requiring that the Planning Commission review and approve the proposed construction.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Design Features: The applicant submitted general information on the proposed fuel tanks. The proposed fuel tanks will hold 12,000 gallons of fuel each and will be located above ground in the General Aviation area at the Rapid City Regional Airport. The applicant submitted general information on the tank's construction and design. The designs submitted do not match the proposed site plan. As such, prior to Planning Commission approval, the complete design features of the proposed tanks and a revised site plan showing the tank placement shall be submitted for review and approval. On March 3, 2006 the applicant submitted tank configuration and specifications for review and approval.

Plans: South Dakota State Law requires that all plans be signed and sealed by a Registered Engineer. Prior to Planning Commission approval, a set of signed and sealed plans by a Registered Engineer shall be submitted for review and approval. As of this date no revised site plans signed and sealed by a Registered Engineer have been submitted for review and approval. **On March 30, 2006 a revised site plan signed and sealed by a Registered Engineer were submitted for review and approval.**

Approvals: The use of above ground fuel tanks at the Rapid City Regional Airport requires that the Local Fire Marshal at the Direction of the State Fire Marshal review the site for all fire safety issues. The State Department of Environmental and Natural Resources review the site to insure that the site complies with all environmental regulations and the Federal Aviation Administration review the site to ensure compliance with all FAA regulations. Prior to issuance of a building permit approvals from all agencies shall be submitted to the Growth Management Department. As of this date, staff has not received approvals from the Federal Aviation Administration, State Department of Environmental and Natural Resources or the Fire Marshal.

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Grading: The applicant submitted grading plans for the proposed site. The plans did not show flow directions or protection for the existing storm drainage system. As such, prior to Planning Commission approval, a revised drainage plan shall be submitted showing directional flow arrows and the plan shall identify protections for the existing storm drainage system which is in close proximity to the fuel tanks site. As of this date no additional grading information has been submitted for review and approval.

Letter of Intent: On December 23, 2005 Multiple Services Specialized Aeronautical Services submitted to the Rapid City regional Airport Executive Director an Application and Letter of Intent to Lease for the purpose of Operating a Self-Service Fueling Facility and Specialized Commercial Service Station in the General Aviation area of the Rapid City Regional Airport. Prior to the construction of any improvements or the issuance of a building permit, copies of an approved lease agreement will need to be submitted to the Growth Management Staff.

Staff recommends the SDCL 11-6-19 Review be continued to the **April 20, 2006 Planning Commission** to allow the applicant time to submit additional information.