

STAFF REPORT
March 22, 2007

No. 07SR015 - SDCL 11-6-19 Review to allow the construction of a public water storage reservoir **ITEM 42**

GENERAL INFORMATION:

PETITIONER	enVision Design, Inc. for City of Rapid City, Public Works Department
REQUEST	No. 07SR015 - SDCL 11-6-19 Review to allow the construction of a public water storage reservoir
EXISTING LEGAL DESCRIPTION	Plat of Lot H2, located in the SE1/4 of Section 30, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.51 acres
LOCATION	Southwest of the intersection of Prestwick Road and Meadowlark Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	Suburban Residential District (Pennington County)
East:	Planned Unit Development (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/23/2007
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a public water storage reservoir be approved with the following stipulations:

1. Prior to Planning Commission approval, a revised site plan showing all access to and around the reservoir being paved shall be submitted; and,
2. Prior to Planning Commission approval, a revised site plan showing two paved parking stalls, one being a van accessible handicapped stall, shall be submitted.

GENERAL COMMENTS: The applicant is seeking an 11-6-19 Review approval to construct an underground water storage reservoir. The subject property was annexed into the City of Rapid City in 2003. The subject property is located southwest of Prestwick Road and is currently void of structural development

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On April 22, 2004 Planning Commission approved an 11-6-19 Review (04SR016) to construct an underground water storage reservoir with the follow 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. Prior to issuance of a Building Permit, a revised site plan showing all access to and around the reservoir being paved shall be submitted;
3. Prior to issuance of a Building Permit, a revised site plan showing two paved parking stalls, one being a van accessible handicapped stall, shall be submitted;
4. All applicable Uniform Fire Codes shall be continually met;
5. Prior to the construction of any fencing in excess of six feet in height, a fence height exception shall be obtained;
6. Prior to issuance of a Building Permit, drainage and grading plans must be submitted showing any increase runoff calculations and drainage routes; and,
7. Prior to issuance of a Building Permit, the City of Rapid City must acquire an utility easement for the subject property or ownership of the subject property.

The applicant is now requesting not to pave the access to the reservoir or provide the required parking stalls. The revised plans require Planning Commission approval.

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, this is a public utility located on publicly owned land 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.

Access: Section 17.50.290 of the Rapid City Municipal Code states that maneuvering areas shall be paved. Staff noted that the applicant's site plan does not show the access to the reservoir or the access around the reservoir being paved. Prior to Planning Commission approval, a revised site plan showing all access to and around the reservoir being paved must be submitted.

Parking: It is the duty of the owner or occupant of any real property outside the central business district to provide off-street parking in accordance with the standards established by Section 17.50.270 of the Rapid City Municipal Code. Staff noted that the applicant's site plan does not show any paved parking for the facility. Prior to Planning Commission approval, a revised site plan showing two paved parking stalls, one being a van accessible handicapped stall, must be submitted.

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Fire Safety: Staff noted that the road providing access to the reservoir must be a minimum of 20 feet in width to accommodate fire apparatus. Staff also noted that the facility's address must be made with 12 inch high numbers.

Drainage and Grading: Staff noted that drainage and grading plans were reviewed and approved as part of the building permit process.

Staff recommends approval of the 11-6-19 SDCL Review with the above stated stipulations.