

STAFF REPORT
January 7, 2010

No. 09SR113 - SDCL 11-6-19 Review to construct a public utility ITEM 44

GENERAL INFORMATION:

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| APPLICANT | Colonial Pine Hills Sanitary District |
| AGENT | Ted Schultz for CETEC Engineering Services, Inc. |
| PROPERTY OWNER | Colonial Pine Hills Sanitary District |
| REQUEST | No. 09SR113 - SDCL 11-6-19 Review to construct a public utility |
| EXISTING LEGAL DESCRIPTION | Lot 1 of the SE¼ SE¼ less Lot A & Lot B of the SE¼ SE¼, less Flannery Subdivision, less Lot H1 and less Lot P1 of Colonial Pine Hills Sanitary District Well Lot of Lot 1 all located in the SE¼ SE¼, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, Lots 1 & 9, Block 1 of Whispering Pines Subdivision, Section 32, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, Croyle Avenue right-of-way located adjacent to Lots A & B of Lot 1 of Rohrer Subdivision, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, Croyle Avenue right-of-way located adjacent to Lots 1 thru 9 of Block 1 of Whispering Pines Subdivision, Section 32, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, and, Nonanna Street right-of-way located adjacent to Lot 1 of Block 1 of Colonial Village Estates No. 3, Section 32, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 1.35 acres |
| LOCATION | Adjacent to Croyle Avenue south of Sheridan Lake Road and north of Nonanna Street |
| EXISTING ZONING | Highway Services District - Suburban Residential District (Pennington County) |
| SURROUNDING ZONING | |
| North: | Highway Services District - Suburban Residential District (Pennington County) |
| South: | Suburban Residential District (Pennington County) |
| East: | Suburban Residential District (Pennington County) |
| West: | Highway Services District - Suburban Residential District (Pennington County) |

STAFF REPORT
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| PUBLIC UTILITIES | Public well |
| DATE OF APPLICATION | 11/20/2009 |
| REVIEWED BY | Ali DeMersseman / Karley Halsted |

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to construct a public utility be approved if the following additional information is submitted prior to Planning Commission approval:

1. All red line comments shall be addressed;
2. Revised well house elevations shall be submitted for review and approval demonstrating the proposed lighting;
3. Revised site plans shall be submitted showing the proposed 5 foot wide aisle; and
4. A copy of the Colonial Hills Sanitary District easement shall be submitted.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to construct a well, well house and an associated 2,400 foot long, 8 inch water main at the Colonial Pine Hills Sanitary District.

On October 26, 2009, the Pennington County Planning Commission approved a Conditional Use Permit (CU 09-33) to allow a utility well house in a Suburban Residential District.

The property is located south of Sheridan Lake Road, north of Nonanna Street and east of Croyle Avenue. Currently, the site upon which the well house is proposed is void of any structural development. The general area is developed with single family homes; however, a Black Hills Electric utility station is located directly northwest of the proposed well house site.

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 property is identified as being located within the area covered by the Rapid City Comprehensive Plan and the proposed utility is a public utility requiring that the improvements 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:

Zoning: The well house site is currently zoned Suburban Residential District by Pennington County, and the area is identified as a Planned Residential Development District with 1.5 dwelling units per acre in the Rapid City Future Land Use Plan.

STAFF REPORT
January 7, 2010

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The use of the property as a well house site is in compliance with the existing zoning and the City's adopted Future Land Use Plan.

Design: The proposed 720 square foot well house is approximately 17 feet tall, and is designed with a side-gabled roof. The building will be clad in lap board siding and will be painted tan with brown asphalt shingles. According to the lighting plan, exterior wall mounted light fixtures are proposed at each building elevation. However, the well house elevations do not show any exterior light fixtures. As such, staff recommends that prior to Planning Commission approval, revised well house elevations be submitted for review and approval demonstrating the proposed lighting.

The applicant should be aware that the proposed structure must conform architecturally to the plans, elevations and color palette reviewed and approved as part of this SDCL 11-6-19 Review.

Parking: The applicant is proposing two 9 foot wide by 25 foot long parking stalls within an asphalt parking area west of the proposed well house. In addition, one stall will be handicap accessible and the applicant is proposing a 5 foot access aisle on the east side of the parking stalls. While the "Parking and Landscaping Plan" submitted shows this 5 foot aisle adjacent to the parking stalls, the 5 foot aisle is absent from the "Site Layout and Well Location" plan and the "Well House Site Plan." As such, staff recommends that prior to Planning Commission approval, the applicant submit revised plans that show this proposed aisle.

Prior to issuance of a Certificate of Occupancy, the parking spaces must be constructed as proposed.

Landscaping: The applicant has submitted a landscape plan showing 18 large pine trees and 3,467 square yards of grass on the well house site. In addition, the well house will be surrounded by an approximate 6 foot tall chain link security fence.

Prior to issuance of a Certificate of Occupancy, the landscaping must be planted as required. In addition, all landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Easements: The applicant has indicated that all proposed work will occur upon property owned by the Colonial Hills Sanitary District, within the public right-of-way, and within an existing easement. As such, staff recommends that prior to Planning Commission approval, the applicant submit a copy of the existing Colonial Hills Sanitary District easement.

Fire Flows: The Rapid City Fire Department has indicated that fire flows in the area of the new well house appear to be less than 50 percent of the required fire flow, and because this well and well house are critical infrastructure, fire sprinkler protection for the building should be provided.

STAFF REPORT
January 7, 2010

No. 09SR113 - SDCL 11-6-19 Review to construct a public utility ITEM 44

Permits: A Building Permit must be obtained from the County prior to construction of the project. In addition, an Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres. An Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual must also be obtained from the City prior to the start of construction. A Permit to Work the Right-of-way must also be obtained from Pennington County Highway prior to construction.

Staff will recommend that the SDCL 11-6-19 Review be approved if the additional required information as noted above is submitted prior to Planning Commission approval.