

STAFF REPORT  
August 5, 2010

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**No. 10UR020 - Conditional Use Permit to allow a structure in the Flood Hazard Zoning District** **ITEM 23**

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GENERAL INFORMATION:

APPLICANT	City of Rapid City
AGENT	HDR Engineering
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 10UR020 - Conditional Use Permit to allow a structure in the Flood Hazard Zoning District</b>
EXISTING LEGAL DESCRIPTION	Floodway Tract of Lombardy Industrial Park, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 12.69 acres
LOCATION	South of East St. Patrick Street and east of Creek Drive
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Light Industrial District - Flood Hazard District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/9/2010
REVIEWED BY	Jim Flaaen / Karley Halstad

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to allow a structure in the Flood Hazard Zoning District be approved with the following stipulations:

1. A Building Permit shall be obtained prior to the start of construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. Prior to issuance of a Building Permit, all redline comments on the site plan shall be addressed and the original redlined plans shall be returned to the Growth Management Department;
3. Prior to issuance of a Building Permit, a grading and drainage plan shall be submitted for review and approval;
4. The structure shall be used to house odor control equipment for the sanitary sewer

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- system on the property. Any change in use will require a Major Amendment to the Conditional Use Permit;
5. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorists; and,
  6. The Conditional Use Permit shall expire if the use as approved is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: The applicant has submitted a Conditional Use Permit request to allow a structure in the Flood Hazard Zoning District. In particular, the applicant has proposed to construct a 16 foot by 24 foot structure to house odor control equipment from the sanitary sewer siphon which passes through the property. The property is zoned Flood Hazard District. Structures are a Conditional Use within the Flood Hazard Zoning District.

The property is located on the south side of East Saint Patrick Street, east of Creek Drive and west of Sedivy Lane. The property is owned by the City of Rapid City and is currently undeveloped.

STAFF REVIEW: Staff has reviewed the Conditional Use Permit request to allow a structure in the Flood Hazard Zoning District and has noted the following issues:

Design Features: The applicant has submitted building elevations for the proposed structure. The proposed structure will have a footprint of 16 feet by 24 feet with a wall height of 16 feet. The applicant has indicated that the exterior will be hardboard siding and the rooftop will be covered with asphalt shingles. The structure will include one standard 3 foot wide doorway and one 10 foot wide by 10 foot tall overhead door. All lighting must be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorists as per Chapter 17.50.310 Rapid City Municipal Code.

Use: The structure shall be used to house odor control equipment for the sanitary sewer system on the property. Any change in use will require a Major Amendment to the Conditional Use Permit.

Parking: The proposed structure requires that parking be provided on the property. In particular, a minimum of two paved off-street parking spaces must be provided on the property with one space being "van" handicap accessible. The applicant has submitted a site plan that includes the required off-street parking spaces. Staff recommends that the parking be installed as per the approved parking plan and continually maintained as per the Off-Street Parking Ordinance.

Access: The applicant has indicated that access to the property will be taken off of an existing driveway approach. The submitted site plan identifies that access to the property would be taken from a 16 foot wide driveway off of East Saint Patrick Street. A staff inspection of the site on July 20, 2010 identified that the driveway was not paved. The submitted site plan

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identifies that the proposed driveway would be paved using asphalt.

Sidewalk: A 4 foot wide curb side sidewalk has been previously installed along East Saint Patrick Street. The applicant has indicated that the sidewalk will remain.

Landscaping: The property consists of 12.69 acres of grassed and wooded terrain. Based on the submitted plans, a minimum of 552,392 landscape points would be required on the property. The existing landscaping on the property exceeds the required minimum number of points. Staff recommends that the landscaping be kept free of refuse and debris and continually maintained in a live vegetative state.

Grading and Drainage: The submitted application did not include any grading or drainage information. Prior to issuance of a Building Permit, a grading and drainage plan must be submitted for review and approval.

Red line Comments: Staff made several red line comments on the submitted site plans regarding the location of utility lines on the property. Prior to issuance of a Building Permit, the plans must be revised, and the redlined plans shall be returned to the Growth Management Department.

Floodplain Development Permit: The proposed structure is located with the Federally Designated Floodplain. As such, a Floodplain Development Permit must be obtained prior to the onset of construction. A Floodplain Development Permit was obtained on July 12, 2010.

Building Permit: A Building Permit must be obtained prior to the onset of construction and a Certificate of Occupancy must be obtained prior to occupancy.

Notification Requirement: As of this writing, the receipts from the certified mailing have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the August 5, 2010 Planning Commission meeting if these requirements have not been met.

Staff recommends that the Conditional Use Permit to allow a structure in the Flood Hazard Zoning District be approved with the stipulations as identified above.