

STAFF REPORT
September 23, 2010

No. 10UR028 - Conditional Use Permit to Construct a Utility

ITEM 24

GENERAL INFORMATION:

APPLICANT	Rapid City Engineering Services
PROPERTY OWNER	South Dakota Game, Fish and Parks
REQUEST	No. 10UR028 - Conditional Use Permit to Construct a Utility
EXISTING LEGAL DESCRIPTION	<p>A parcel of land located in the S1/2 of Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota and being more particularly described as follows: beginning at the C-S1/16th corner of Section 8, T1N, R7E, BHM, being an iron pipe; thence, N01°58'33"E a distance of 156.69 feet to a rebar w/ cap marked "LS 1019" on the 1/4 Section line; thence, N02°21'38"E a distance of 47.78 feet to a rebar w/ cap marked "LS 5086" on the 1/4 Section line; thence, N01°54'33"E a distance of 6.64 feet to a point on the 1/4 Section line, the true point of beginning; thence, N01°54'33"E a distance of 53.90 feet to a rebar w/ cap marked "LS 1019" on the 1/4 Section line; thence, 279.46 feet along a curve, said curve having a radius of 913.38 feet, chord bearing of S61°50'58"W and chord distance of 278.37 feet, to a point of tangency; thence, S54°50'01"W a distance of 115.49 feet to a point; thence, N77°12'14"W a distance of 135.98 feet to a point; thence, N32°07'39"E a distance of 231.57 feet to an iron pin, a point of curvature; thence, 479.02 feet along a curve, said curve having a radius of 775.18 feet, chord bearing of N49°51'54"E and chord distance of 471.44, to a point on the 1/4 Section line; thence, N01°55'02"E a distance of 12.54 feet to a point on the ¼ SECTION line; thence, 169.50 feet along a curve, said curve having a radius of 779.95 feet, chord bearing of N74°14'54"E and chord distance of 169.16 feet, to a point of tangency; thence, N80°12'51"E a distance of 105.46 feet to a point; thence, S09°59'32"E a distance of 94.64 feet to a point; thence, S65°52'53"W a distance of 254.45 feet to a point; thence, S12°58'47"E a distance of 186.50 feet to a point; thence, 21.33 feet along a curve, said curve having a radius of 1027.79 feet, chord bearing of N77°42'54"E and chord distance of 21.33 feet, to a rebar w/ cap marked "LS 1019", a point of tangency; thence, N79°18'40"E a distance of 139.79 feet to a point; thence, S11°57'47"E a distance of 50.01 feet to a point; thence, S79°18'22"W a distance of 16.46 feet to a point; thence, S79°18'22"W a</p>

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	distance of 121.53 feet to a rebar w/ cap marked "LS 5086", a point of curvature; thence, 144.80 feet along a curve, said curve having a radius of 858.85 feet, chord bearing of S74°07'59"W and chord distance of 144.63 feet, to the true point of beginning
PARCEL ACREAGE	Approximately 4.27 acres
LOCATION	On the south side of Jackson Boulevard, west of Cleghorn Springs State Fish Hatchery
EXISTING ZONING	Flood Hazard District
SURROUNDING ZONING	
North:	Park Forest District
South:	Flood Hazard District
East:	Flood Hazard District
West:	Flood Hazard District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/27/2010
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the Conditional Use Permit to construct a utility be approved with the following stipulations:

1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
2. A Floodplain Development Permit shall be obtained prior to any disturbance of soil or the start of construction within the area of the property located within the 100 year Federally Designated Floodplain;
3. Prior to the start of construction a 404 permit shall be obtained from the Corp of Engineers as needed;
4. Prior to the start of construction, a South Dakota Department of Environment and Natural Resource Permit shall be obtained as needed;
5. Prior to the start of construction an Erosion and Sediment Control Permit shall be obtained;
6. An Air Quality Permit shall be obtained prior to the disturbance of one acre or more;
7. The currently adopted International Fire Code shall be continually met;
8. The proposed building shall conform architecturally to the plans and elevations and color palette submitted as part of this Conditional Use Permit application. Revisions to the structure which the Growth Management Director determines to be consistent with the original approved elevations shall be allowed as a Minimal Amendment to the Conditional Use Permit. In addition, the expansion of the structure shall meet all requirements of the Rapid City Municipal Code or a Major Amendment shall be required;

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9. The proposed fence shall conform architecturally to the elevations and color palette submitted as part of this Conditional Use Permit application;
 11. The signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Conditional Use Permit. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be considered a Major Amendment to the Conditional Use Permit. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. The Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. A sign permit shall also be obtained;
 11. A minimum of 25,194 landscape points shall be provided as proposed. In addition, the landscaping shall be planted in compliance with the approved landscape plan and shall comply with all approved requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 12. A minimum of two parking spaces shall be provided. In addition, one of the parking spaces shall be "van" handicap accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
 13. All provisions of the Flood Hazard District shall be met;
 14. The property shall be used as a raw water pump station site. Any other use of the property shall require a Major Amendment to the Conditional Use Permit; and,
 15. The Conditional Use Permit shall expire if the use is not undertaken 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 to allow a raw water pump station to be constructed on the property as a part of the Jackson Springs water treatment plant project. The function of the raw water pump station will be to take water from Rapid Creek and/or the Jackson Springs Gallery and pump the water to the Jackson Springs water treatment plant.

On September 7, 2010, the City Council approved a Preliminary Plat (File #10PL055) to subdivide the property into three lots to be known as Lots 1 thru 3 of the Fish Hatchery Subdivision. To date, a Final Plat has not been submitted for review and approval. The proposed raw water pump station is proposed to be located on Lot 1.

The property is located on the south side of Jackson Boulevard, west of the Cleghorn Springs State Fish Hatchery. Currently, the property is void of any structural development.

STAFF REVIEW:

Staff has reviewed the Conditional Use Permit and has noted the following considerations:

Design: The applicant has submitted structural elevations identifying that the raw water pump station will be a one story structure with a peaked metal roof. The building is a 2,633 square foot structure and will be constructed with concrete masonry units, stucco, wood, glass and metal. The building will be constructed in shades of neutral brown(s).

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Staff recommends that the proposed structure conform architecturally to the plans and elevations and color palette reviewed and approved as part of this Conditional Use Permit. Revisions to the structure which the Growth Management Director determines to be consistent with the original approved elevations shall be allowed as a Minimal Amendment to the Conditional Use Permit. In addition, the expansion of the structure must meet all requirement of the Rapid City Municipal Code or a Major Amendment shall be required.

Fence: The site plan identifies a 6 foot high chain link fence with a 6 foot high ornamental wrought iron gate being constructed around the raw water pump station. The elevations for the fence indicate that the fence will be brown in color to match the raw water pump station. In addition, the site plan identifies that the fence is located outside of the front yard.

Staff recommends that the proposed fence conform architecturally to the elevations and color palette submitted as part of this Conditional Use Permit application.

Parking: The proposed use(s) require that a minimum of two parking spaces with one of the spaces being van handicap accessible be provided. The applicant has submitted a site plan identifying 6 handicap spaces with one of the spaces being van handicap accessible.

Staff recommends that a minimum of two parking spaces be provided. In addition, one of the parking spaces must be "van" handicap accessible. All provisions of the Off-Street Parking Ordinance must also be continually met.

Landscaping: A minimum of 24,869 landscape points are required. The applicant has submitted a landscape plan identifying that a total of 25,194 landscape points will be provided. In particular, deciduous and evergreen trees with shrubs are proposed along the perimeter of the project creating a visual buffer between Jackson Boulevard and the raw water pump station.

Staff recommends that a minimum of 25,194 landscape points be provided as proposed. In addition, the landscaping must be planted in compliance with the approved landscape plan and must comply with all approved requirements of the Zoning Ordinance. In addition, all landscaping must be continually maintained in a live vegetative state and replaced as necessary.

Signage: The applicant has submitted a sign package identifying a wall sign with 8 inch tall cast aluminum lettering along the west elevation of the building. The sign will read: RAW WATER PUMP STATION, (insert address) JACKSON BOULEVARD.

Staff recommends that the signage conform to the design, color and location as shown in the sign package submitted as a part of the Conditional Use Permit. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be considered a Major Amendment to the Conditional Use Permit. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. The Growth Management Director may approve temporary signs

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in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. A sign permit must also be obtained.

Floodplain/Wetlands: A portion of the property is located within the 100 year Federally Designated Floodplain. In addition, a wetland area is located on the property. A Floodplain Development Permit must be obtained prior to any disturbance of soil or the start of construction within the area of the property located within the 100 year Federally Designated Floodplain. In addition, a 404 permit must be obtained from the Corp of Engineers as needed.

Notification: As of this writing, the required sign has not been posted on the property and the receipts from the certified mailing have not been returned. Staff will notify the Planning Commission at the September 23, 2010 Planning Commission meeting if this requirement has not been met.

Staff recommends that the Conditional Use Permit be approved with the stipulations as outlined above.