

STAFF REPORT
December 9, 2004

No. 04SR061 - 11-6-19 SDCL Review to allow the construction of a Public Utility and associated structure on Public Property **ITEM 53**

GENERAL INFORMATION:

PETITIONER	Phil Nichols Associates for the City of Rapid City
REQUEST	No. 04SR061 - 11-6-19 SDCL Review to allow the construction of a Public Utility and associated structure on Public Property
EXISTING LEGAL DESCRIPTION	Lot 1, Block 4, Stoney Creek Subdivision Phase 1, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	approximately 1.7 acres
LOCATION	north east of the intersection of Bendt Drive and Catron Boulevard
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District w/Planned Development
South:	Low Density Residential District w/Planned Development
East:	General Agriculture District/Low Density Residential District w/Planned Development
West:	General Commercial District w/Planned Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	11/12/2004
REVIEWED BY	Todd Tucker / David L. Johnson

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the construction of a Public Utility and associated structure on Public Property be approved with the following 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 structure;
2. If the area of disturbance exceeds one acre, an Air Quality Permit shall be obtained;
3. The landscaping plan shall be maintained in a live condition and continually comply with all requirements of the Zoning Ordinance and the approved site plan;
4. Prior to Planning Commission approval, a revised site plan showing striping for a minimum of two off-street parking stalls, one being a "van accessible" handicapped stall shall be submitted for review and approval;
5. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved site plan;

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6. If any on-site signage is proposed, a sign package shall be submitted for review and approval prior to Planning Commission approval;
7. On-site pipe may be stored within the pipe storage area for a period of time not to exceed 30 days in a row;
8. No sediment discharge will be allowed until final stabilization of all lot surfaces has been obtained;
9. Prior to issuance of a Building Permit, the drainage plan shall address water quality enhancement for storm water runoff;
10. Prior to issuance of a Building Permit, a revised site plan showing the location, size and materials for the proposed sanitary sewer line shall be submitted for review and approval;
11. Prior to initiation of construction of the sidewalk or driveway approach located within the public right-of-way a Right-of-Way Construction Permit shall be obtained; and,
12. The site shall meet all fire and life safety requirements as per the International Fire Code.

GENERAL COMMENTS: The subject property is located north of Catron Boulevard between Bendt Drive and Nugget Gulch Road. The subject property is owned by the City of Rapid City. The applicant is proposing to construct an approximate 2,136 square foot booster pump station and well house on the subject property. The applicant is requesting approval of an SDCL 11-6-19 Review to allow the construction of a public utility and associated structure on public property.

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 is for a public utility and is located on public property 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:

Building Permit: Staff noted that a Building Permit must be obtained prior to initiation of construction, and that a Certificate of Occupancy must be obtained prior to occupying the building.

Air Quality Permit: Staff noted that if the area of disturbance exceeds one acre, an Air Quality Permit must be obtained.

Design Features: The applicant's site plan shows a 2,136 square foot booster pump station and well house located on the subject property. The submitted elevation drawings show the proposed structure to have a maximum height of 14 feet.

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Setbacks: The applicant's site plan shows the proposed structure to be located 25 feet from the front property line and 80 feet from the rear property line. The proposed structure is also located approximately 300 feet from the west side property line and 90 feet from the east side property line. The proposed setbacks meet the minimum setback requirements of the Rapid City Municipal Code.

Landscaping: The proposed construction will require that 22,527 landscaping points be provided. The applicant's landscaping plan shows that 54,480 landscaping points are provided. The applicant's site plan shows numerous trees and shrubs along the perimeter of the developed portion of the property to act as a buffer to the surrounding properties.

Parking: The applicant's site plan shows a large paved area located on the west side of the proposed structure. However, no parking stalls are shown on the submitted site plan. Prior to Planning Commission approval, a revised site plan showing a minimum of two off-street parking stalls, one being a "van accessible" handicapped stall must be submitted for review and approval.

Signage: The submitted plans do not indicated that any signage will be provided on site. Section 15.28 of the Rapid City Municipal Code allows for on-premises ground and wall signs provided the size does not exceed 32 square feet. If any on-site signage is proposed, a sign package must be submitted for review and approval prior to Planning Commission approval.

Pipe Storage Area: The applicant's site plan shows an outdoor, pipe storage area located on the east side of the proposed structure. The subject property zoned Low Density Residential and is located within a residential development surrounded by single family residences. Due to the location of the proposed structure in such close proximity to single family residential properties and located along a principal arterial street, staff feels that an outdoor pipe storage area is not appropriate for the subject property. However, Public Works staff indicated that the pipe storage area is needed to store the pipe associated with the proposed well on site. The Pubic Works staff indicated that the pipe must be removed from the ground periodically to repair or replace the booster pump located on site. As such, on-site pipe may be stored within the pipe storage area for a period of time not to exceed 30 days in a row.

Grading and Drainage: Staff noted that no sediment discharge will be allowed until final stabilization of all lot surfaces has been obtained. Staff also noted that prior to issuance of a Building Permit, the drainage plan must address the water quality enhancement for runoff.

Utilities: Staff noted that the location, size and materials for the sanitary sewer line were not provided on the site plan. Prior to issuance of a Building Permit, a revised site plan showing the location, size and materials for the proposed sanitary sewer line must be submitted for review and approval.

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Right-of-Way Permit: The applicant's site plan shows the construction of a sidewalk and driveway approach located in the public right-of-way. Prior to initiation of construction of the sidewalk or driveway approach located within the public right-of-way a Right-of-Way Construction Permit must be obtained.

Fire Safety: Staff noted that the site must meet all fire and life safety requirements as per the International Fire Code.

Staff recommends that the SDCL 11-6-19 Review be approved with the above stated stipulations.