

STAFF REPORT  
January 6, 2011

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**No. 10PD069 - Initial and Final Planned Residential Development to  
allow a municipal facility**

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**ITEM 8**

GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	DTH, LLC
REQUEST	<b>No. 10PD069 - Initial and Final Planned Residential Development to allow a municipal facility</b>
EXISTING LEGAL DESCRIPTION	<p>A parcel of land located in the SW1/4 NE1/4 of Section 23, T2N, R7E of the Black Hills Meridian, Pennington County, South Dakota, being more particularly described by metes and bounds as follows; COMMENCING, for location purposes only, at the east quarter corner of Section 23 within the Right-of-Way of Bunker Drive from which an iron rod with three-inch aluminum cap marked "L.S. 2652" bears South 89°53'29" West a distance of 5283.70 feet and a 4" x 8" sandstone marked "1/4" bears North 89°27'46" West a distance of 5257.07 feet; Thence, North 89°27'46" West a distance of 1913.20 feet to the POINT OF BEGINNING of the herein described tract, said POINT OF BEGINNING lying on-line between said east quarter corner of Section 23 and said 4" x 8" sandstone marked "1/4", approximately 25 feet south of the centerline of a 50-foot wide power line easement as described in document recorded on January 23, 1979 in Book 11, Page 1180 in the office of the Pennington County Register of Deeds; Thence, North 89°27'46" West, parallel to and approximately 25 feet south of said centerline of 50-foot wide power line easement, a distance of 238.75 feet to a point for corner; Thence, North 00°30'00" East, a distance of 186.30 feet to a point for corner; Thence, North 39°30'00" East, a distance of 97.40 feet to a point for corner; Thence, South 89°30'00" East, a distance of 144.40 feet to a point for corner; Thence, South 29°00'00" East, a distance of 76.90 feet to a point for corner on the west line of a 52-foot wide access and utility easement as described in document recorded on April 20, 2010 in Book 198, Page 4215 in the office of the Pennington County Register of Deeds; Thence, South 16°59'52" West, along said west line of 52-foot wide access and utility easement, a distance of 40.78 feet to a point of curvature; Thence in a southwesterly direction, continuing along said west line of access and utility easement, following a curve to the</p>

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right having a central angle of 48°47'23", a radius of 30.00 feet, and an arc length of 25.55 feet to a point of reverse curvature; Thence in a southerly direction, continuing along said west line of access and utility easement, following a curve to the left having a central angle of 155°17'15", a radius of 55.00 feet, and an arc length of 149.07 feet to a point for corner; Thence, South 00°30'00" West, a distance of 32.42 feet to the POINT OF BEGINNING

PARCEL ACREAGE	Approximately 1.248 acres
LOCATION	West of the current western terminus of Alma Street and Sagewood Street
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Park Forest District
South:	Park Forest District
East:	Low Density Residential District
West:	Park Forest District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	12/10/2010
REVIEWED BY	Jim Flaaen / Karley Halsted

**RECOMMENDATION:**

Staff recommends that the Initial and Final Planned Residential Development to allow a municipal facility be approved with the following stipulations:

1. The Initial and Final Planned Residential Development to allow a municipal facility shall not be effective until the associated Rezone request (#10RZ058) to rezone the property from Park Forest District to Low Density Residential District has become effective. In addition, no Building Permits or Sign Permits shall be issued prior to the effective date of the Initial and Final Planned Residential Development;
2. A Building Permit shall be obtained prior to construction of the municipal water storage reservoir and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Prior to issuance of a Building Permit for the proposed water reservoir a Fence Height Exception shall be approved by City Council or the fence height must be reduced to 6 feet in height or removed from the proposed plan;
4. Prior to installation or painting of the sign on the water reservoir, City Council shall approved the sign as an exempt sign from the requirements of the Sign Code or the City Council shall declare the sign a public purpose sign, or the sign shall be revised to meet

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the requirements of the Sign Code, or the sign shall be removed from the sign package. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Residential Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package and in compliance with the Sign Ordinance, shall be allowed as a Minimal Amendment to the Planned Residential Development. The addition of electronic signs shall require a Major Amendment to the Planned Residential Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s);

5. A minimum of two off-street parking spaces shall be continually provided. In addition, a minimum of one "van" handicap accessible space shall be provided at all times. The parking shall be installed and striped as per the approved parking plan and all provisions of the Off-Street Parking Ordinance shall be continually met;
6. A minimum of 12,000 landscaping points shall continually be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
7. The proposed structure shall conform architecturally to the proposed elevations, design plans, color palette and general design comments submitted as part of this Planned Residential Development. Modifications in the building elevations and design that are consistent with the approved elevations and structural development may be approved as a Minimal Amendment to the Planned Residential Development;
8. All plans submitted for a Building Permit shall be stamped by a licensed architect or professional engineer as per SDCL 36-18A;
9. The exception request to allow access to the site via a gravel road shall be allowed;
10. An Air Quality Permit shall be obtained prior to the disturbance of one acre or more of surface area; and,
11. The Planned Residential Development shall expire if the use 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 Planned Residential Development – Initial and Final Development Plan to construct a municipal facility in the Park Forest Zoning District. In particular, the applicant is proposing to construct an above ground water storage reservoir on the property located west of Bunker Drive north of Mall Drive and Cabot Hill Road. The structure is proposed to be located within a dedicated easement near the south property line. A water storage reservoir is not a permitted use within the Park Forest Zoning District. However, the applicant has submitted a Rezone request (#10RZ058) in conjunction with this application to rezone the property from Park Forest District to Low Density Residential District.

On May 6, 2010, the Planning Commission approved a SDCL 11-6-19 Review (#09SR048) authorizing the construction of a water main, storm sewer and drainage improvements on public property. In addition, a 52 foot wide access and utility easement was dedicated at

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that time extending Sagewood Street to the future site of the proposed municipal water reservoir with a 20 foot wide gravel drive.

The property is located west of Bunker Drive, north of Mall Drive and Cabot Hill Road. The property is currently undeveloped. The project site is located near the south property line approximately 2,150 feet west of Bunker Drive.

STAFF REVIEW: Staff has reviewed the Initial and Final Development Plan and has noted the following issues:

Rezoning: The property is currently zoned Park Forest District. A water reservoir is not a permitted use in the Park Forest Zoning District. The applicant has submitted a rezoning request to change the zoning from Park Forest District to Low Density Residential District (#10RZ058). In addition, the applicant has submitted a Planned Development Designation (#10PD070) in conjunction with the rezoning application. As such, the Initial and Final Planned Residential Development shall not be effective until such time that the rezoning from Park Forest District to Low Density Residential District is effective. In addition, no Building Permits or Sign Permits can be issued for the property until such time that the rezoning and Initial and Final Planned Residential Development becomes effective.

Design Features: The applicant has submitted elevations and design features for the proposed municipal water reservoir. The reservoir is proposed to be an elevated pedestal spheroid storage tank with a maximum capacity of 750,000 gallons. The reservoir is proposed to have one access door at the base of the tower to access the mechanical equipment and ladders located on the interior of the reservoir. The top of the reservoir will include a 5 foot high guardrail. The water reservoir will be painted Warm Sun in color. Staff recommends that the water storage reservoir be constructed as per the approved plans.

Reservoir Height: The applicant has indicated that the overall height of the water reservoir will be approximately 135 feet. The Park Forest Zoning District identifies that the maximum allowable height for main buildings is 2.5 stories or 35 feet. However, Chapter 17.50.260 of the Rapid City Municipal Code exempts water tanks from the height restrictions. Staff recommends that the municipal water reservoir be constructed in accordance with the approved plans.

Fence: The site plan submitted by the applicant identifies an 8 foot high chain link fence around the developed area of the water reservoir site. A maximum fence height of 6 feet is permitted in the Park Forest District. As such, the applicant has submitted a Fence Height Exception (#10FV016) request in conjunction with this application. The Fence Height Exception will be considered by City Council on January 3, 2011. As such, staff recommends that prior to issuance of a Building Permit for the proposed water reservoir, a Fence Height Exception to allow the 8 foot tall fence must be approved by City Council, or the plan must be revised to identify a maximum 6 foot high fence or the fence must be removed from the proposed plan.

Access Easement: As previously stated, access to the proposed water reservoir site is provided

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via a 52 foot wide access easement. Access is proposed to be provided by a 20 foot wide gravel surface drive from the western terminus of Sagewood Street to the proposed reservoir site. Chapter 17.50.270 requires that access to the site must be paved. The applicant has requested an exception request to allow gravel access to the site. Staff recommends that the exception be approved. As further development occurs in the area, paving will be completed at that time. Staff recommends that the proposed gravel drive be constructed and maintained as identified in the approved plans. In addition, the site plan submitted by the applicant indicates that access onto the water storage reservoir site will be taken via a paved driveway branching off of the access easement.

Water Storage Reservoir Easement: The applicant has identified that the water reservoir site will be secured in a 1.248 acre easement as a part of the approximately 40 acre parcel. The water storage reservoir easement will be located at the southern terminus of the previously dedicated access easement.

Signage: The sign package submitted by the applicant identifies that a 35 foot tall by 70 foot wide logo will be painted onto the side of the water storage reservoir. The sign will be painted Candy Apple Red and will read "Rapid City". The size of the sign exceeds the maximum allowable square footage for signage as outlined in Chapter 15.28 of the Rapid City Municipal Code. However, City Council may, at the applicant's request, declare the logo a public purpose sign, or may approve the logo as an exempt sign thereby eliminating the requirements of the Sign Code. As such, prior to the installation or painting of the sign on the water reservoir, City Council must approve the logo as an exempt sign or declare the logo a public purpose sign, or the logo must be revised to meet the requirements of the Sign Code, or must be removed from the sign package.

Parking: A minimum of 2 parking spaces are required for the municipal water reservoir. The applicant has submitted a parking plan that identifies 2 parking spaces will be provided on the property. In addition, one of the parking spaces will be a "van" handicap accessible space. The parking area will be paved in accordance with Chapter 17.50.270 of the Rapid City Municipal Code. Staff recommends that the parking be installed and continually maintained as per the approved parking plan.

Landscaping: The applicant has submitted a landscape plan with the application. Using the standard landscape points calculation, 2,692,508 landscape points would be required on the property. However, the applicant has elected to have the landscape calculation be based on the developed area of the site, forgoing the possible point values of the existing large evergreen trees that occupy the western half of the property. Based on the developed area of the site, 8,800 landscape points are required. The applicant has submitted a landscape plan that identifies that 12,000 landscape points are being provided made up of large and medium trees and shrubs, exceeding the requirements. Staff recommends that the proposed landscaping be installed as per the approved landscape plan and continually be maintained in a live vegetative state, kept free of debris and replaced when necessary.

Permits: A Building Permit must be obtained prior to any construction on the property and a Certificate of Occupancy must be obtained prior to occupancy. In addition, all plans

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submitted as part of a Building Permit application must be prepared by a registered professional as required per South Dakota Codified Law 36-18A. In addition, an Air Quality Permit must be obtained prior to the disturbance of one acre or more of surface area.

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 January 6, 2011 Planning Commission meeting if these requirements have not been met.

Staff recommends that the Planned Residential Development – Initial and Final Development Plan be approved with the stipulations as outlined above.