

Bosworth Mary

From: Centrline@aol.com
Sent: Monday, February 15, 2010 10:55 AM
To: Bosworth Mary
Cc: pat.tlustos@nwemangement.com
Subject: Re: PLM Phase 2C Lot 16 R Water Service Exception

Hi

Yes, PLM would like to appeal the Exception Denial for water service line within an existing public utility easement.

Thanks.

lmk

In a message dated 2/15/2010 10:48:48 AM Mountain Standard Time, Mary.Bosworth@rcgov.org writes:

Ski – Attached is the denial of the Request for Exception for the non-conforming water service line. Please let me know if you would like to appeal the denial.

Mary Bosworth, P.E.

Growth Management Department

605-394-4157 ext. 216

mary.bosworth@rcgov.org

From: Centrline@aol.com [mailto:Centrline@aol.com]
Sent: Wednesday, February 10, 2010 7:46 AM
To: Bosworth Mary
Subject: Re: PLM Phase 2C Lot 16 R Drainage Easments

Hi

Go ahead and process it. We can withdrawal later if it comes to it.

Thanks.



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

Engineering Services

300 Sixth Street

Telephone: (605) 394-4154

FAX: (605) 355-3083

Web: www.rcgov.org

MEMORANDUM

TO: Robert Ellis PE/PTOE, Public Works Director

FROM: Dale Tech PE/LS, City Engineer

SUBJECT: Exception request, PLM Subdivision

DATE: February 12, 2010

I have reviewed the exception request to allow a non conforming water service line across two existing lots.

The information submitted by Centerline shows a proposed water service line to be extended in an existing utility easement that is on a common lot line of two properties that adjoin the lot for which the service line is intended.

It is my opinion that the existing easement is not intended for a service line and the installation of a service line within this easement may cause maintenance problems with the existing sewer main located within the easement. There are no extraordinary circumstances that exist that would support the installation of a non conforming water service line in this location.

Therefore, I recommend denial of the requested exception.



EQUAL HOUSING
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

**REQUEST FOR EXCEPTION TO
RAPID CITY DESIGN STANDARD / CRITERIA / REGULATIONS**

PW022310-01

RECEIVED

PROJECT PLM Subdivision Phase 2C

FEB - 8 2010

DATE: 2/5/10 SUBMITTED BY: Centerline

Rapid City Growth
Management Department

PIN #: Tax ID: 59568, 59569

LEGAL DESCRIPTION: LOT 9B & 10A BLOCK 1 PLM SUBDIVISION all in Section 24 T1N R7E BHM RAPID CITY,
PENNINGTON COUNTY, SD

EXCEPTION REQUESTED: SECTION _____ STD / CRITERIA / REG **Criteria**

DESCRIPTION OF REQUEST: Water service to occupy public utility easement platted on 2 adjoining lots..

JUSTIFICATION: This short utility easement is unencumbered by buildings, fences or other features and has an existing
public sewer main that will serve PLM Subdivision Phase 2C. The water service is for a PRD designated lot that
cannot have more than one dwelling per the PRD conditions.

SUPPORTING DOCUMENTATION: Yes No

PROPERTY OWNER'S SIGNATURE: DATE: 2/5/10

Agent **Of Agent, if previously designated by the Owner in writing.

FOR STAFF ONLY

STAFF COMMENTS: _____

STAFF RECOMMENDATION: _____

REVIEWED BY: _____

DATE: _____

AUTHORIZATION:

APPROVED

DENIED

GROWTH MANAGEMENT DIRECTOR

APPROVED

DATE

DENIED

2-15-10

PUBLIC WORKS DIRECTOR*

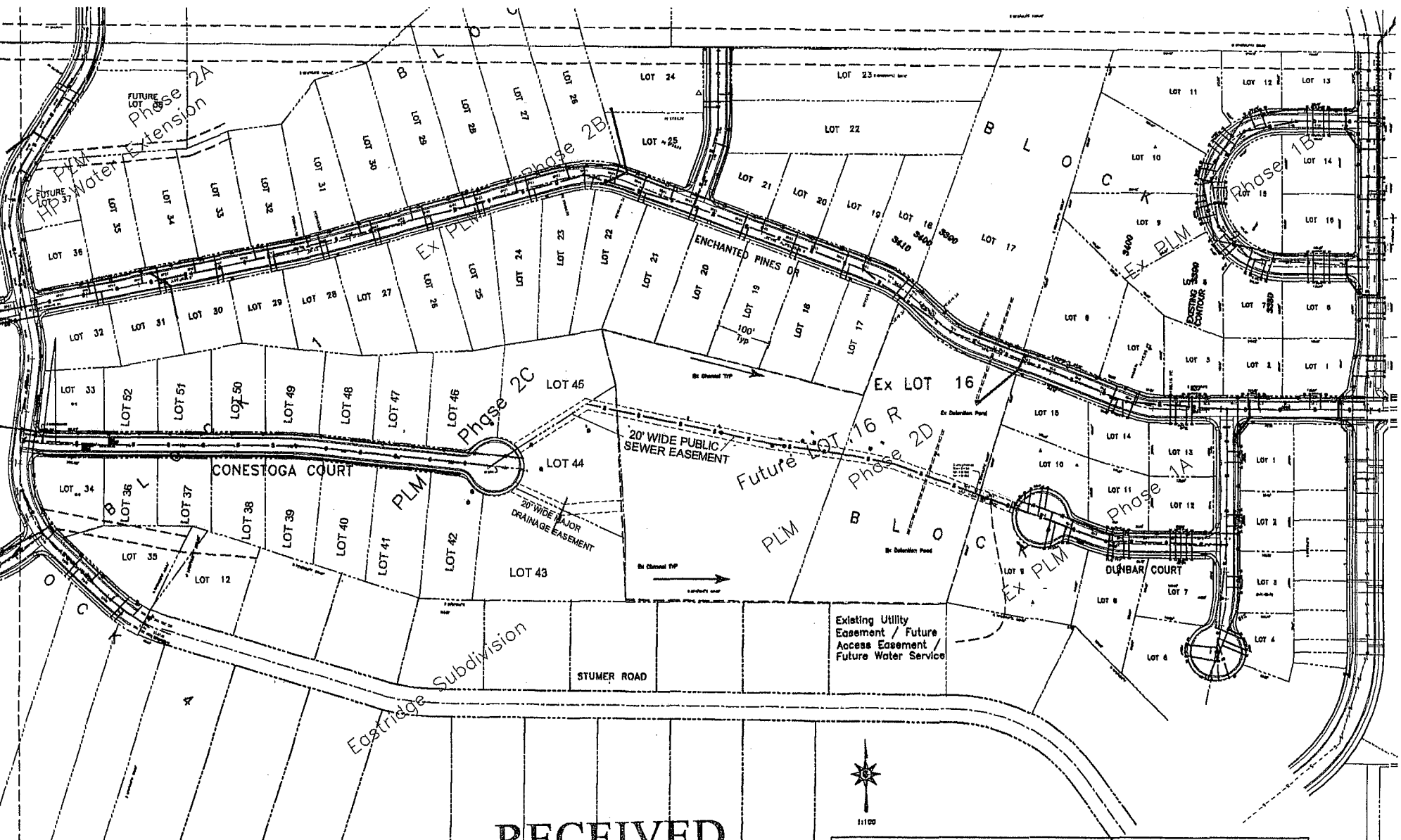
DATE

FILE #: 10E X 008

Revised 11/06/07

ASSOCIATED FILE#: 09PL039

*Public Works Director's signature is not required for Lot
Length to Width Exceptions, Ordinance No. 5232.



RECEIVED

FEB - 8 2010

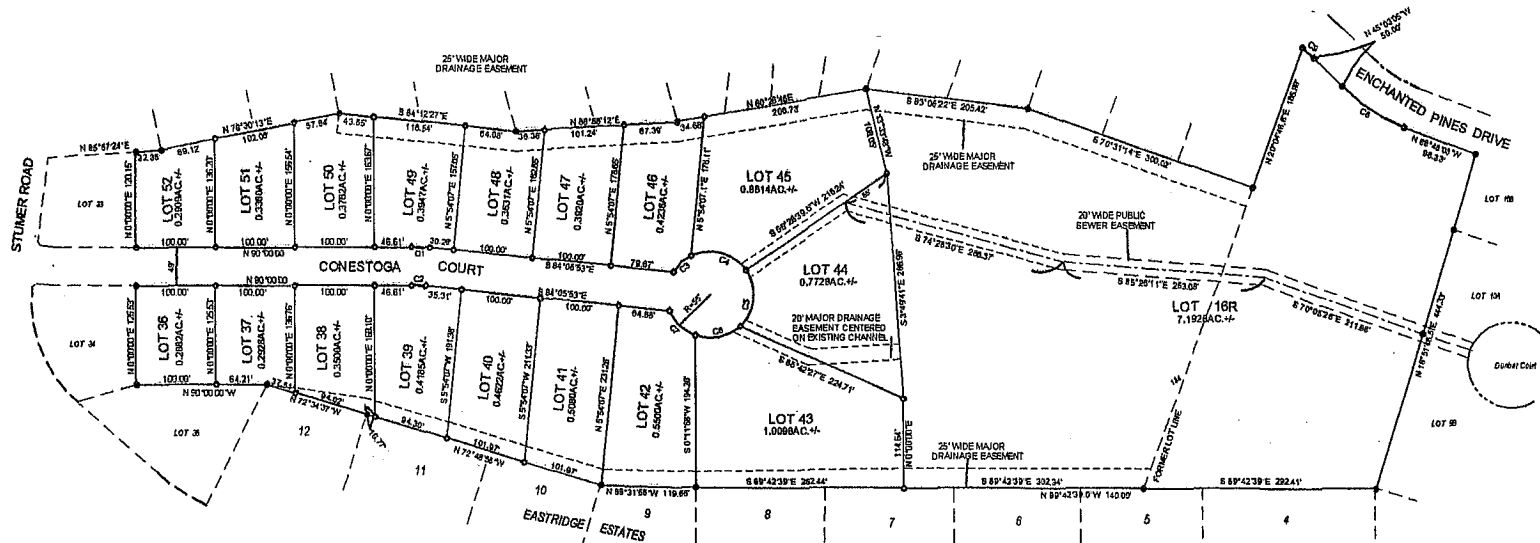
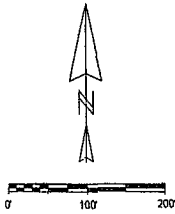
Rapid City Growth Management Department



PLM Subdivision Phase 2C Preliminary Plat
 Phase 2C Master Plan / Phasing Plan
 Feb 2010

CENTERLINE
 520 Miami City Street Suite 307
 Rapid City, South Dakota 57701
 Phone: (605) 241-2117 Fax: (605) 241-2228
 centerline.com

PRELIMINARY PLAT OF LOT 16R AND LOTS 36 THRU 52 IN BLOCK 1 OF PLM SUBDIVISION
 LOCATED IN NW/4 OF SECTION 24, T1N, R7E, B.H.M. - RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



Area dedicated to public right-of-way by this plat = 0.9755 Ac. +/-

All Major Drainage Easements shown hereon shall be kept free of all obstructions including but not limited to buildings, wall, fences, hedges, trees and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect and repair such improvements and structures as it deems expedient to facilitate drainage from any source.

8' Major Utility & Drainage Easement : 8' on the Interior side of all property lines adjacent to public right of way.

8' minor drainage & utility easements are hereby established on the Interior side of all lot lines except where major drainage easements are located.

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	5°54'07.1"	224.50	23.13	11.57	23.12	S 87°02'58.6"E
2	5°54'07.1"	175.50	18.08	9.05	18.07	S 87°02'58.6"E
3	31°50'02.9"	55.00	30.56	15.88	30.17	N 48°18'17.0"E
4	98°45'02.7"	55.00	94.79	64.11	83.49	S 86°28'10.2"E
5	63°45'18.5"	55.00	61.20	34.20	58.08	S 14°48'58.4"W
6	63°45'18.5"	55.00	61.21	34.21	58.10	S 78°34'28.2"W
7	48°53'38.2"	55.00	47.03	25.06	45.61	N 45°02'51.5"W
8	23°44'58.5"	226.00	93.88	47.62	93.01	N 58°55'33.6"W
9	6°20'53"	174.00	19.28	8.65	19.27	N 48°13'02"W

Prepared by:
 Hanson Surveying & Mapping
 832 Horace Mann Drive
 Rapid City, SD 57701

January 25, 2010

RECEIVED

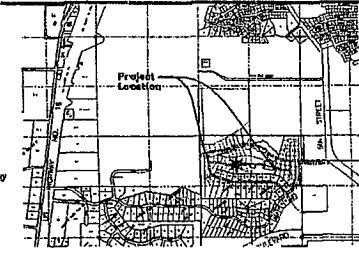
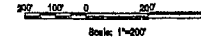
FEB - 8 2010

Rapid City Growth
 Management Department

RECEIVED

FEB - 8 2010

Rapid City Growth Management Department



Rapid City Key Map

NTS

PLM SUBDIVISION PHASE 2C:
Conestoga Dr and Sewer Main Extension

SHEET INDEX:

- Sheet 1: Cover; Layout View
- Sheet 2: Erosion and Sediment Control Plan
- Sheet 3: Utility Master Plan
- Sheet 4: General Notes
- Sheet 5: Conestoga Drive Plan & Profile
- Sheet 6: Conestoga Drive Plan & Profile
- Sheet 7: Sewer Main Extension Plan & Profile
- Sheet 8: Sewer Main Extension Plan & Profile

NOTE:

See City DEV06-017 for Sewer & Water Plans. Mains and appurtenances installed in previous contract unless otherwise noted. Phase 2C Storm Sewer, Paving, Lighting, Signing.

- Lighting & Signing Notes:
- SL - Street Light Location
 - SN - Street Name
 - R1-1 Stop Sign
 - R1-2 Yield Sign
 - R2-1 Speed Limit Sign
 - 23 mph unless otherwise noted
 - W7-1 7th Sign
 - W14-2a No Dwell Sign
 - 3F-1 Triple Diamond Barricade

Street light symbols & signing size, materials, quantities, & locations per City of Rapid City Standards.

Coordinates w/ City Traffic Division & private utility companies.
Utility Coordination Notes:
CONTACT private utility companies prior to beginning work.

Legend

Centerline	_____
Contour Lines Existing	_____
Contour Lines Proposed	_____
Gas Line Existing	_____
Property	_____
Sanitary Sewer Proposed	_____
Storm Sewer Existing	_____
Storm Sewer Proposed	_____
Water Main Existing	_____
Water Main Proposed	_____
Wear Line Existing	_____
Wear Line Proposed	_____
Existing Trees	● ● ● ●
Drainage Direction	→

CITY OF RAPID CITY
GROWTH MANAGEMENT DEPT.
DEVELOPMENT SERVICES

Plans are prepared for general information only and are not intended to constitute a contract. The City of Rapid City does not accept any liability, responsibility or compensation of the plan or design which are the responsibility of the engineer of record. All necessary permits shall be obtained prior to commencing work.

APPROVED: _____
DATE: _____
COMMENTS: _____

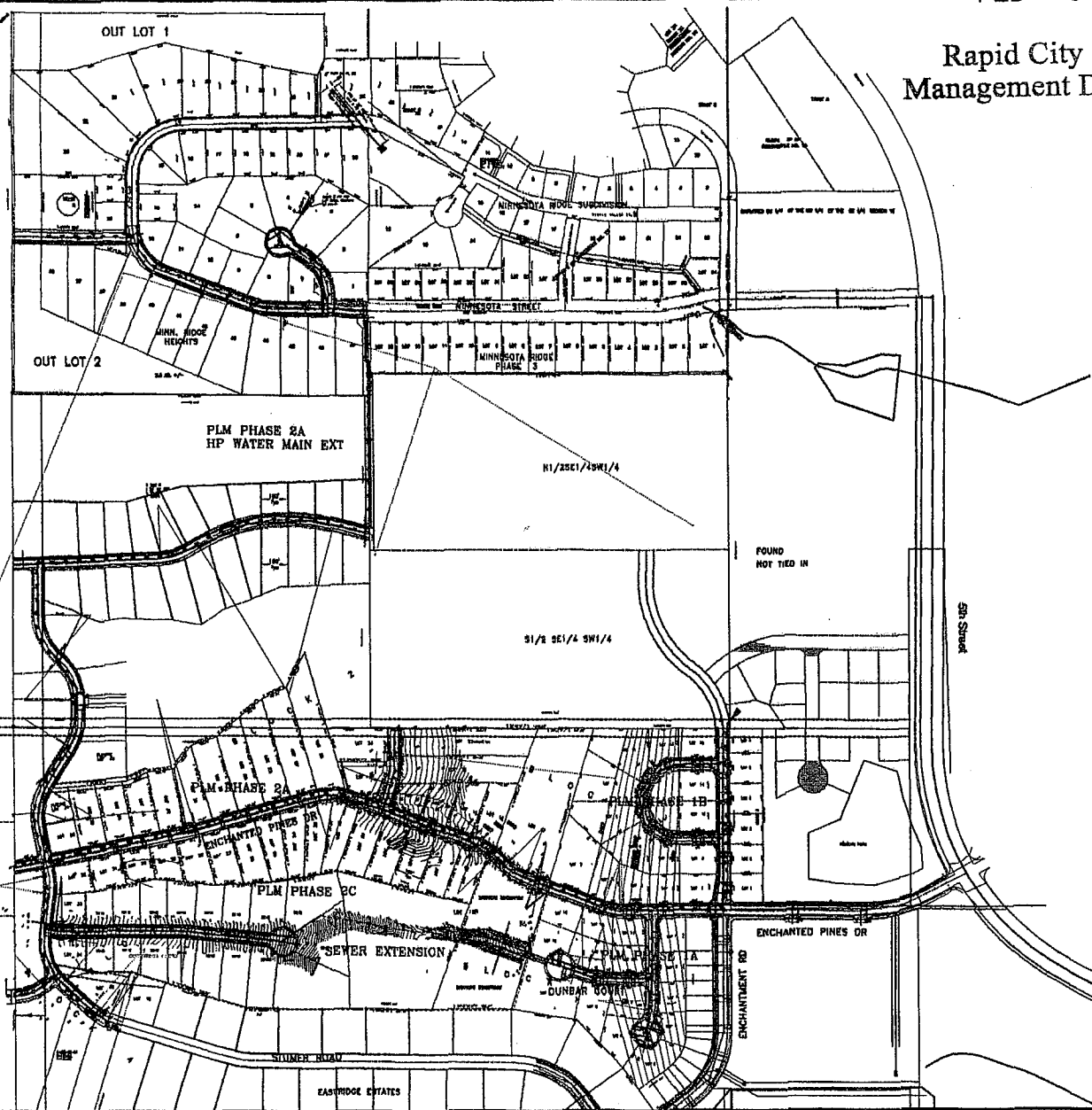
CENTERLINE
200 Eastern City Street Suite 307
Rapid City, South Dakota 57701
Phone: (605) 941-2525 Fax: (605) 941-2528
centerline.com

PLM Subdivision
Phase 2C

Cover Sheet

PROJECT NO: 04102-03-2C
FILE NO: 03006-C2
DESIGN BY: LMK
DRAWN BY: MLE
CHECKED BY: LMK
DATE: Feb. 2010

C1
OF 8





CENTERLINE

520 Kansas City Street ♦ Suite 307
Rapid City, South Dakota 57701
PH: 605-341-3193 FX: 605-341-3358
centrline@aol.com

PW022310-01

AGENDA ITEM MEMORANDUM

TO: Common Council/ PW Committee
FROM: Lawrence M. Kostaneski, PE
For PLM Development, LLC
DATE: February 19, 2010

RE: Item 1 2/23/10 PW Committee Meeting: Design Exception Appeal
PLM Subdivision Phase 2C
CC: PLM Development

Message: Please reference agenda item attachments.

Dear PW Committee:

PLM Development LLC submitted a Design Exception Request as identified. The difficulty lies in the surrounding terrain. This is a narrow ridge that drops into large storm water metering ponds on either side, connected by a culvert (see attached drawing). Extending a service line from the existing main in Dunbar Court is the only practical alternative.

City Engineer Dale Tech suggests a service line within the existing utility easement may cause maintenance problems with the existing sewer. It would be quite rare to replace this 69 ft of sewer main, placed under the city's modern specifications. And on any residential street there are dozens of water service lines that cross over (most often) the sewer main. This water service will not cross over the sewer main in this instance.

Dale's concerns are certainly justified by the rather helter-skelter placement of service lines that exist in some older subdivisions. But that is not the case here. The water service line will be properly placed in an existing utility easement that is dedicated for that purpose. Also, the proposed lot can only have 1 dwelling unit per the conditions of the PRD.

The past few years have seen some fairly curious utility placement strategies. While not justification for any other departure from the city's standard placement plan, some older ones make the existing request seem like a textbook example of an acceptable strategy under the circumstances.

PLM Development, LLC asks that you approve the placement of a water service line in the existing utility easement.

Please call with questions. Thanks.

END

EX LOT 10

Ex Detention Pond

LOT 15

LOT 14

LOT 13

LOT 10

LOT 11

LOT 12

Existing Utility Easement / Future Access Easement / Future Water Service

Ex Water Main

LOT 9

DUNBAR COURT

LOT 8

LOT 7

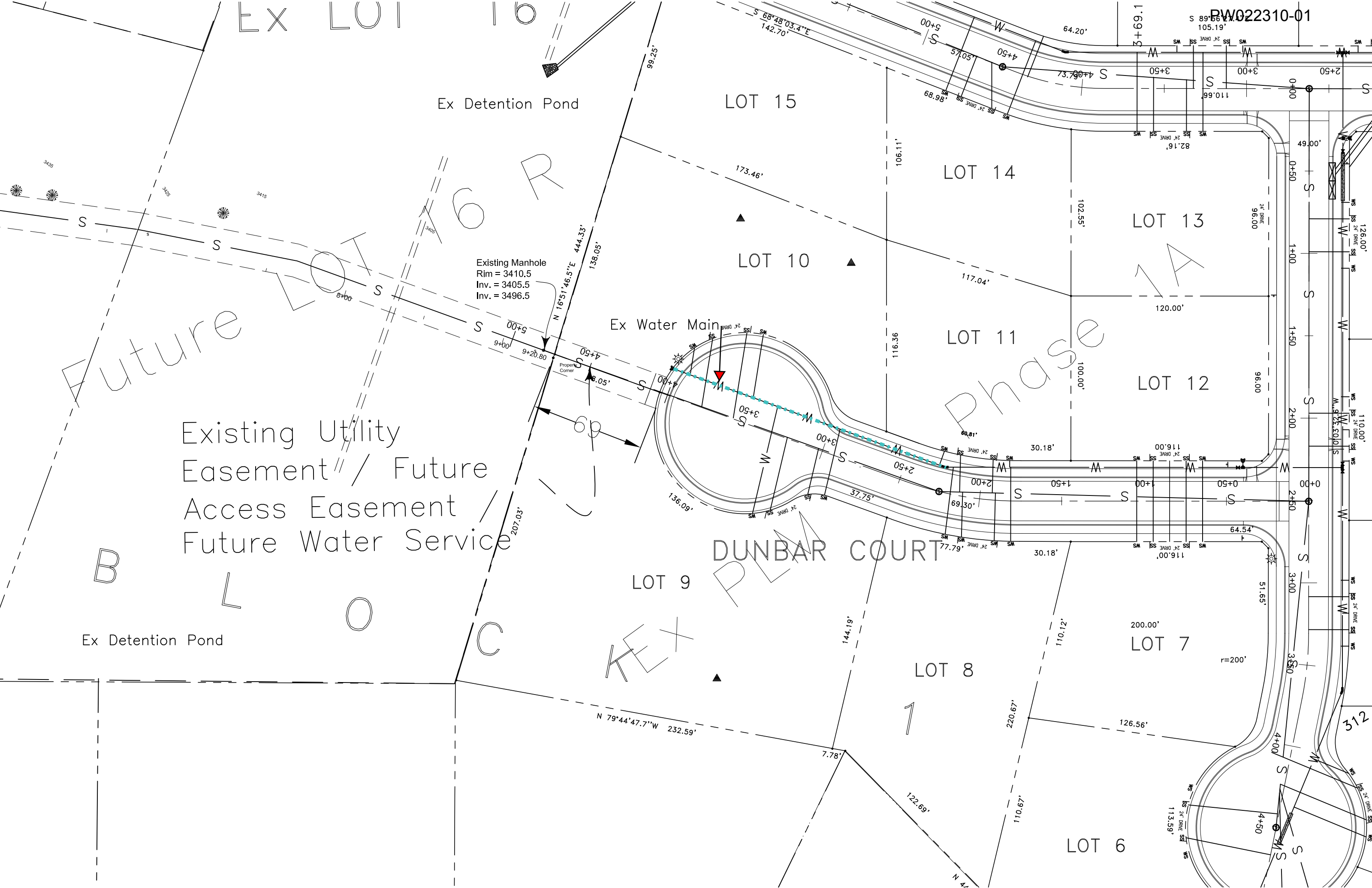
Ex Detention Pond

KEK

1

LOT 6

312



Existing Manhole
 Rim = 3410.5
 Inv. = 3405.5
 Inv. = 3496.5

Property Corner

r=200'

CITY COUNCIL

DECEMBER 17, 2007

The Mayor presented (No. PW121107-11), an amendment to Standard Specifications for Public Works Construction. The following resolution was introduced, read, and Hadcock moved its adoption:

RESOLUTION AMENDING THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2007 EDITION, BY ADDING AN EXCEPTION FOR WATER AND SEWER LINES TO CROSS OVER ADJOINING PROPERTY LINES UNDER CERTAIN CONDITIONS.

WHEREAS, the City of Rapid City has adopted specifications for public works construction that regulate, among other things, connections to the City's water and sewer systems; and

WHEREAS, the City of Rapid City has recently amended its ordinance pertaining to the laying of water and sewer lines; and

WHEREAS, the City has determined that water and sewer service lines should be laid in such a manner so that connections are made directly to the City's mains located in the adjacent right of way, without being extended across other lots; and

WHEREAS, the City of Rapid City recognizes that in some cases it is impractical to require connections that do not cross lot lines; and

WHEREAS, the City of Rapid City has deemed it in the City's best interest to amend the Standard Specifications to specifically provide for the conditions under which services lines may be allowed to cross lot lines.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that Section 8.3(K)(7) of the Standard Specifications of Public Works Construction, 2007 Edition, be amended to read as follows:

7. Water Service New Connections:

A) Where new service lines are to be installed for undeveloped property or future buildings or additional services added to an existing building, the Contractor shall furnish all materials necessary for connection of new service lines to the water main, except 1 inch corporation stops, as specified herein and shall obtain and pay permits and tapping fees as established by Ordinance.

B) Where the new service line is terminated, the service line shall be capped and plugged water tight to prevent leakage if the curb stop is inadvertently opened. New service connections shall have curb stops left turned off at the time of installation and the termination point shall be marked with a minimum three (3) foot long steel fence post. The steel post shall be buried below the surface at least eight (8) inches. The post needs to be steel to facilitate location by magnetic locators.

C) City personnel shall tap all city water mains, the Contractor shall schedule all service taps between 7:30 AM to 3:00 PM, Monday through Friday.

D) Water Service New Connections for service lines 4 inches or larger shall be made as described in the section for tapping tees.

E) Water service lines shall be laid directly from the premises served to the City's main and shall not be extended across one lot to another. Notwithstanding this subsection, and notwithstanding the normal exception process contained in this document, the Public Works Director may allow water service lines to be located in a manner that crosses lot lines if, and only if, all of the following conditions are satisfied:

1. Extraordinary circumstances exist that make compliance with this subsection impractical in the judgment of the Public Works Director; and

2. The water service line must be located within an area that is subject to the City's non-standard service line easement, which shall include provisions requiring the owners of the dominant and all servient tenements to defend, indemnify and hold the City harmless from all claims related to the non-standard service line and the non-standard service line easement. Should the properties be under single ownership, the owner must enter into a covenant agreement promising to grant the above easement if any part of the property served by the non-standard service line is ever transferred to a different owner; and

3. The applicant and the owners of all lots crossed by the non-standard service line shall execute a covenant agreement consenting to an assessed project to install a conforming water line. The covenant agreement shall include provisions requiring all property owners to defend, indemnify and hold the City harmless from all claims related to the non-standard service line and the non-standard service line easement.

Should the Public Works Director deny a request for an exception under this subsection, the applicant may appeal the decision to the Rapid City Council. Any such appeal shall be filed with the Public Works Dept. within ten (10) days of the Public Works Director's denial.

BE IT FURTHER RESOLVED by the City of Rapid City that Section 9.3(K)(6) of the Standard Specifications of Public Works Construction, 2007 Edition be amended to read as follows:

6. Sewer Service New Connections:

A) Where new service lines are to be installed for undeveloped property or future buildings, the Contractor shall furnish all materials necessary for connection of new service lines to the sewer main, except saddles which will be furnished and installed by the City, and shall obtain and pay permits and tapping fees as established by Ordinance. In-line tees may be used in lieu of saddles for 4 inch and 6 inch service lines. The use of an in-line service tee does not waive any tapping fees or the City inspection requirements. In-line tees shall be furnished and installed by the Contractor as the sewer main is installed.

B) New service connections and lines shall be, at a minimum, extended to the property line and the service line capped. The termination point shall be marked with a minimum three (3) foot long steel fence post. The steel fence post shall be buried below the surface at least eight (8) inches and needs to be steel to facilitate location by magnetic locators.

C) City personnel shall tap all City sewer mains. The Contractor shall schedule all service taps between 7:30 AM to 3:00 PM, Monday through Friday.

CITY COUNCIL

DECEMBER 17, 2007

D) Sewer service lines shall be laid directly from the premises served to the City's main and shall not be extended across one lot to another. Notwithstanding this subsection, and notwithstanding the normal exception process contained in this document, the Public Works director may allow sewer service lines to be located in a manner that crosses lot lines if, and only if, all of the following conditions are satisfied:

1. Extraordinary circumstances exist that make compliance with this subsection impractical in the judgment of the Public Works Director; and

2. The sewer service line must be located within an area that is subject to the City's non-standard service line easement, which shall include provisions requiring the owners of the dominant and all servient tenements to defend, indemnify and hold the City harmless from all claims related to the non-standard service line and the non-standard service line easement. Should the properties be under single ownership, the owner must enter into a covenant agreement promising to grant the above easement if any part of the property served by the non-standard service line is ever transferred to a different owner; and

3. The applicant and the owners of all lots crossed by the non-standard service line shall execute a covenant agreement consenting to an assessed project to install a conforming line. The covenant agreement shall include provisions requiring all property owners to defend, indemnify and hold the City harmless from any and all claims related to the non-standard service line and the non-standard service line easement.

Should the Public Works Director deny a request for an exception under this subsection, the applicant may appeal the decision to the Rapid City Council. Any such appeal shall be filed with the Public Works Dept. within ten (10) days of the Public Works Director's denial.

Dated this 17th day of December, 2007.

ATTEST:
s/ James F. Preston
Finance Officer

CITY OF RAPID CITY
s/ Alan Hanks, Mayor

(SEAL)