

STAFF REPORT

December 5, 2002

No. 02SR029 - 11-6-19 SDCL Review to allow drainage improvements on public property and within public right-of-way **ITEM 18**

GENERAL INFORMATION:

PETITIONER	Lund Associates, Ltd for Sheriff Don Holloway for Pennington County
REQUEST	No. 02SR029 - 11-6-19 SDCL Review to allow drainage improvements on public property and within public right-of-way
EXISTING LEGAL DESCRIPTION	Lots 1 thru 32, Block 97 of Original Town of Rapid City, Section 1, T1N, R7E; a portion of Lots 1 thru 9; Lots 16 thru 32; vacated alley adjacent to said lots; vacated 3rd Street adjacent to Lots 16 and 17; and, the Kansas City Street right-of-way adjacent to Block 98, Lots 17 thru 20 and Lots 29 thru 32 and that portion of the Kansas City Street right-of-way adjacent to the vacated 3rd Street right-of-way, located in Block 98, Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	
LOCATION	300 and 302 Kansas City Street
EXISTING ZONING	General Commercial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District w/Planned Commercial Development
East:	General Commercial District
West:	Central Business District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	11/20/2002
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review be approved with the following stipulation:

Engineering Division Recommendations:

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1. Prior to any work in the right-of-way, the construction plans shall be reviewed and approved by the City Engineering Division; and,
2. Prior to initiation of construction, an evaluation of petroleum contamination in the vicinity of the proposed improvements shall be made and provided to the Engineering Division. The evaluation shall identify any mitigation or clean-up needed to allow the installation of the proposed improvements.

GENERAL COMMENTS:

The applicant is proposing to install a ground water removal system at the Pennington County Courthouse property(s) in order to control water in lower levels of existing and proposed buildings. The system will consist of drain tiles being constructed from the Buildings and Grounds building for a distance of approximately 255 feet east in the Kansas City right-of-way, terminating within a manhole located adjacent to the Public Safety Building. The drainage will then be conveyed south across Kansas City Street to the City's storm water system.

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". The proposed ground water removal system is be located on public land and within public right-of-way requiring the review and approval of the Rapid City Planning Commission.

STAFF REVIEW:

The applicant has been coordinating the project with the Rapid City Engineering Division for the past few weeks. The Engineering Division has indicated that the proposed project will greatly improve existing drainage concerns relative to the site. The Engineering Division has indicated that prior to any work in the right-of-way, final revisions to the construction plans must be submitted for review and approval.

Previous soil testing in the vicinity has indicated that a petroleum plume was present. Appropriate steps must be taken to insure that the work completed as part of this project does not disturb contaminated soils or result in contamination of the City's storm drainage system. Staff is recommending that appropriate information be submitted to the City Engineering Division for review and approval to insure that no contaminated soils are disturbed or result in contamination of the storm drainage system.

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

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