

STAFF REPORT
November 4, 2004

No. 04SR057 - 11-6-19 SDCL Review to allow the extension of a sewer main. ITEM 10

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 04SR057 - 11-6-19 SDCL Review to allow the extension of a sewer main.
EXISTING LEGAL DESCRIPTION	Lot 3 of Manor House Subdivision. Located in the NW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; Lot 4, Rice Valley View Properties, located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, railroad right-of-way located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota.
LOCATION	Along Centre Street
EXISTING ZONING	General Commercial District/Light Industrial District
SURROUNDING ZONING	
North:	General Commercial District/Light Industrial District
South:	Light Industrial District/General Agriculture District/Flood Hazard District/General Commercial District/General Agriculture District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	10/08/2004
REVIEWED BY	Todd Tucker / David L. Johnson

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the extension of a sewer main be approved with the following stipulations:

1. An Air Quality Permit shall be obtained if the area of disturbance exceeds one acre in size;
2. Prior to Planning Commission approval, the License Agreement between the City and the South Dakota Department of Transportation shall be approved by the City Council; and,
3. Access to manholes shall be paved or a method of access restriction shall be provided.

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GENERAL COMMENTS: The subject property is located south of Center Street east of Cambell Street and north of Centre Street west of Cambell Street. The proposed construction will accommodate the extension of a sanitary sewer main. The applicant is seeking an SDCL 11-6-19 Review to allow the extension of a sanitary sewer main.

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 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:

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

Easement Acquisition: The proposed sanitary sewer line will be located within existing railroad right-of-way and utility easements. Staff has indicated that all easement documents have been approved and signed. The License Agreement between the City and the South Dakota Department of Transportation was approved by the Public Works Committee on October 26, 2004 and will be on the November 1, 2004 City Council meeting agenda. Prior to Planning Commission approval the License Agreement must be approved by the City Council.

Utility Construction: The submitted plans show the location of numerous manholes to provide access to the proposed sanitary sewer line. Staff noted that access to manholes must be paved or a method of access restriction should be provided.

Staff recommends approval of the SDCL 11-6-19 Review to allow the extension of a major sanitary sewer transmission line with the above stated stipulations.