

STAFF REPORT  
November 24, 2004

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**No. 04SR058 - 11-6-19 SDCL Review to allow the construction of a public water system** **ITEM 18**

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GENERAL INFORMATION:

PETITIONER	CETEC Engineering Services, Inc.
REQUEST	<b>No. 04SR058 - 11-6-19 SDCL Review to allow the construction of a public water system</b>
EXISTING LEGAL DESCRIPTION	Lot 5 Revised, Block 4 and half the vacated right-of-way of Spring Canyon Trail of Clarkson Subdivision, located in the SE1/4 NE1/4 and SW1/4 NE1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.12 acres
LOCATION	8503 Clarkson Road
EXISTING ZONING	Suburban Residential District
SURROUNDING ZONING	
North:	Suburban Residential District
South:	Suburban Residential District
East:	Suburban Residential District
West:	Suburban Residential District
PUBLIC UTILITIES	Public water no sewer
DATE OF APPLICATION	10/29/2004
REVIEWED BY	Todd Tucker / Curt Huus

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow the construction of a public water system be approved with the following stipulation:

1. Prior to initiation of construction, a developmental lot agreement shall be obtained to legally tie the two properties together or a revised site plan shall be submitted showing access to the subject property located on the subject property.

GENERAL COMMENTS: The subject property is located south of Sheridan Lake Road and west of Clarkson Road. An application to subdivide the subject property (04PL153) will be considered at the November 24, 2004 Planning Commission meeting. The subject property is located outside of the Rapid City corporate limits but within the City of Rapid City's platting jurisdiction. The subject property is currently vacant of any structural development. The applicant is proposing to construct a water tank on the subject property to serve as a public water system for the area. The applicant is requesting approval of an SDCL 11-6-19 review to allow the construction of a public water system improvement.

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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:

Design Features: The submitted construction plans for the proposed bolted steel water tank indicate it will have a maximum height of 43 feet with a 45 foot diameter. The submitted plans also indicate that the proposed tank will hold a maximum of 504,000 gallons of water.

Pennington County Review: As previously indicated the subject property is located in Pennington County's zoning jurisdiction. As such, prior to initiation of construction, the applicant should review the Pennington County zoning requirements with County staff.

Setbacks: The applicant's site plan shows the proposed water tank to be located 25 feet from the front property line and 48 feet from the rear property line. The proposed water tank is also located 25 feet from the north side property line and 245 feet from the south side property line.

Parking and Access: The applicant's site plan shows three parking stalls provided for the proposed water tank. The three stalls are located approximately 40 feet north of the subject property on the site of the existing 150,000 gallon storage tank. Staff also noted that the access to the property is located on the adjacent property to the north. Prior to initiation of construction a developmental lot agreement must be obtained to legally tie the two properties together or a revised site plan must be submitted showing access to the subject property located on the subject property.

Fencing: The applicant's site plan indicates that a six foot high chain link fence will be erected, surrounding the proposed water tank to provide security.

Staff recommends approval of the SDCL 11-6-19 Review to allow the construction of a public water system with the above stated stipulation.