

STAFF REPORT
January 5, 2006

No. 05SR067 - SDCL 11-6-19 Review to extend public utilities

ITEM 15

GENERAL INFORMATION:

PETITIONER	West River Electric Association
REQUEST	No. 05SR067 - SDCL 11-6-19 Review to extend public utilities
EXISTING LEGAL DESCRIPTION	Private easement located east of Airport Road Right-of-Way and north of Highway 44 Right-of-Way; and private easement located in the unplatted balance of the SW1/4, Section 20, T1N, R9E; and private easement located in the eastern portion of the unplatted balance of the N1/2 of the NW1/4 lying north of Highway 44 in the Section 29, T1N, R9E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3 Acres
LOCATION	Adjacent to the northeast curve of Aviation Road and east of Airport road
EXISTING ZONING	Airport District
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	NA
DATE OF APPLICATION	12/9/2005
REVIEWED BY	Mike Maxwell / Emily Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to extend public utilities be approved with the following stipulations:

1. Prior to disturbance of one acre or more, an Air Quality Permit shall be obtained;
2. Prior to construction, a Right-of-Way Permit from the South Dakota Department of Transportation for South Dakota Highway 44 and from the City of Rapid City for Terminal Road shall be obtained; and,
3. Prior to Planning Commission approval, a utility easement on Rapid City Regional Airport property shall be recorded with the Register of Deeds and a site plan showing the easements shall be submitted for review and approval.

GENERAL COMMENTS: The subject property is located north of East South Dakota Highway 44 along the southern end of Airport Road. The subject property is located outside of the

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Rapid City corporate limits but within the City of Rapid City's platting jurisdiction. The applicant is proposing to run overhead and underground power lines from the West River Electric Association substation to existing lines north and east of the substation. The applicant is requesting approval of an SDCL 11-6-19 review to allow the construction of overhead and below ground power lines.

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 public utility work requires that the proposed construction be reviewed and approved by the Rapid City Planning Commission as a part of an SDCL 11-6-19 Review.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review and has noted the following concerns:

Design Features: The submitted plans show underground lines being constructed running along the east side of Airport Road beginning at the West River Electric Association substation located in the southeast corner of the intersection of Airport Road and South Dakota Highway 44. One buried line will be constructed parallel to Airport Road to the north ending along Airport Road approximately 750 feet north of Terminal Road. The existing overhead line along Airport Road will be rebuilt in the existing alignment from South Dakota Highway 44 north to just south of Terminal Road where it meets an existing east west overhead line. The last underground power line will parallel the north Right-of-Way of South Dakota Highway 44 beginning at the intersection of Airport Road and running approximately ½ mile east until it intersects with an existing north-south overhead power line that is to be rebuilt in the existing alignment. The design has been approved by the Airport Manager.

Right-of-Way Permits:

South Dakota Highway 44: A Right-Of-Way Permit from the State of South Dakota Department of Transportation to allow the new power line to cross under South Dakota Highway 44 and connect to the West River Electric Association substation that is located on the south side of South Dakota Highway 44 must be obtained prior to construction.

Terminal Road: A Right-Of-Way Permit to allow West River Electric Association to cross under Terminal Road must be obtained from the City of Rapid City prior to construction.

Easements:

Lot A Bar P-S: The West River Electric Association has obtained an eight foot utility easement to cross Lot A, Bar P-S Subdivision for the purpose of installing underground and overhead electrical line to service the Rapid City Regional Airport. The easement has been recorded with the Register of Deeds Office and a copy submitted with the SDCL 11-6-19 Review application.

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Rapid City Regional Airport property: The West River Electric Association shall obtain a utility easement to install underground and overhead electrical line across Rapid City Regional Airport property prior to construction. The easement must be recorded with the Register of Deeds and a copy of the site plan showing the easement shall be submitted for review and approval prior to Planning Commission approval.

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