

STAFF REPORT
April 20, 2006

No. 06SR021 - 11-6-19 SDCL Review to allow a public utility improvement ITEM 15

GENERAL INFORMATION:

PETITIONER	Doeck, LLC
REQUEST	No. 06SR021 - 11-6-19 SDCL Review to allow a public utility improvement
EXISTING LEGAL DESCRIPTION	A portion of land located in the NE1/4 SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1 acre
LOCATION	At the intersection of Adonia Lane and Cobalt Drive
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	3/14/2006
REVIEWED BY	Mike Maxwell / Emily Fisher

RECOMMENDATION:

Staff recommends that the 11-6-19 SDCL Review to allow public improvement on private property be **continued to the May 4, 2006 Planning Commission:**

GENERAL COMMENTS: **(Update, April 12, 2006. All revised and/or added text is shown in bold print.) On April 6, 2006 the 11-6-19 Review was continued to the April 20, 2006 Planning Commission at the applicants request. The applicant has requested that the application for the 11-6-19 Review be continued to the May 4, 2006 Planning Commission to allow the applicant time to submit documentation of the utility easement, the access easement and associated construction plans for the all weather surface.**

The applicant has submitted a request for an 11-6 19 SDCL Review to construct a sanitary pumping vault on a portion of the Brookfield Subdivision located in the NE1/4 of the SE1/4 Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota.

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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 will be located on publicly owned land 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:

Utility Easements: Staff noted that no utility easements for the sewer lines or the pumping vault were identified on the site plan. As such, prior to approval by Planning Commission easements shall be obtained and recorded with the Register of Deeds and a copy shall be submitted to the Growth Management Department.

Access Easement: Staff noted that no access easement or an approach was provided to the pumping vault. As such, prior to Planning Commission approval and access easement and an approach shall be obtained and recorded with the Register of Deeds and a copy shall be submitted to the Growth Management Department. Also, a set of construction plans for the all weather access and approach shall be submitted for review and approval.

Holding Tank: Staff noted that the holding tank is proposed to be located only 15 feet from the pressurized water main. In accordance with South Dakota Administrative Rule 74:53:01:19, a 25 foot separation is required between a holding tank and a pressurized water main. As such, prior to Planning Commission approval, a revised site plan showing that the tank is located a minimum of 25 feet away from the pressurized water main shall be submitted for review and approval. **On April 12, 2006 a revised site plan showing that the holding tank is located a minimum of 25 feet away from the pressurized water main was submitted for review and approval.**

Holding Tank Details: Staff noted that no tank details were submitted with the application. As such, prior to Planning Commission approval a complete set of tank details shall be submitted for review and approval. **On April 7, 2006 the tank details were submitted for review and approval.**

Staff recommends the SDCL 11-6-19 Review be **continued to the May 4, 2006 Planning Commission to allow the applicant time to submit additional information.**