

STAFF REPORT  
January 4, 2007

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**No. 06SR086 - SDCL 11-6-19 Review for Extension of a Sanitary Sewer**      **ITEM 43**

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GENERAL INFORMATION:

PETITIONER	Ferber Engineering Company for City of Rapid City
REQUEST	<b>No. 06SR086 - SDCL 11-6-19 Review for Extension of a Sanitary Sewer</b>
EXISTING LEGAL DESCRIPTION	Tract B of Golf Course and Gardens less Tract 13R2 of S F Interstate Plaza, and the unplatted portion of the N1/2 of Section 27 lying north of Interstate 90, Section 27, T2N, R7E, BHM, and the unplatted balance of the SW1/4 lying north and east of Interest 90, Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 470 Acres
LOCATION	North of Deadwood Avenue between North Plaza Drive and Harley Drive
EXISTING ZONING	General Agriculture District
SURROUNDING ZONING	
North:	General Agriculture District
South:	General Agriculture District
East:	General Agriculture District
West:	General Agriculture District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	12/6/2006
REVIEWED BY	Travis Tegethoff / Todd Peckosh

RECOMMENDATION:

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

1. Prior to Planning Commission approval, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department.

GENERAL COMMENTS:

The applicant has submitted an SDCL 11-6-19 Review to extend a sewer main from North Plaza Drive to Harley Drive. The proposed project will be constructed across three privately owned parcels of land and Interstate 90 right-of-way.

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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". The proposed utility extension is a public improvement and the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvements be reviewed and approved by the Rapid City Planning Commission.

STAFF REVIEW:

Staff has reviewed the SDCL 11-6-19 and has noted the following considerations:

Air Quality Permit: Staff noted that if more than an acre of land is disturbed an Air Quality Permit is required prior to construction.

Right-of-Way Permit: Staff noted that the proposed construction will cross Interstate 90 right-of-way. The applicant has submitted an application for a Department of Transportation Right-of-Way Permit. Staff noted that the Department of Transportation Right-of-Way Permit is required prior to construction.

404 Permit: Staff noted that a 404 Permit is required for a portion of the project. The applicant has submitted an application to obtain a 404 Permit. Staff noted that the 404 Permit is required prior to construction.

Sewer Main: Public Works staff reviewed the proposed sewer main project. Red line comments addressing required revisions and changes have been made on the plans. Staff recommends that prior to Planning Commission approval, all necessary changes shall be made to the construction plans as identified on the red lined drawings.

Easements: Staff noted that temporary and permanent easements are needed for the sewer main extension project. The applicant has submitted copies of the proposed temporary construction easements and permanent utility easements. Staff noted that prior to construction the easements shall be recorded at the Pennington County Register of Deeds office.

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