

STAFF REPORT
February 22, 2007

No. 07SR001 - SDCL 11-6-19 Review to extend sanitary sewer on public property **ITEM 40**

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07SR001 - SDCL 11-6-19 Review to extend sanitary sewer on public property
EXISTING LEGAL DESCRIPTION	The public right-of-way at the intersection of Beale Street and Lowry Lane; the public right-of-way for Offutt Street and Interstate I90 right-of-way immediately north of the intersection of Beale Street and Lowry Lane; and the unplatted portion of the SW1/4 north of I90 less Lot 3 of Starlite Subdivision, less GLM Subdivision; and the unplatted portion of the NW1/4 of the SE1/4 of I90; Lot E of the S1/2 of the SE1/4, all located in Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	Intersection of I90 and Lowry Lane
EXISTING ZONING	General Agriculture District - Light Industrial District
SURROUNDING ZONING	
North:	General Commercial District
South:	Light Industrial District
East:	Light Industrial District
West:	Light Industrial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	1/11/2007
REVIEWED BY	Vicki L. Fisher / Emily Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to extend sanitary sewer on public property be approved with the following stipulations:

1. Prior to Planning Commission approval, the applicant shall coordinate the location of the proposed manhole in the Interstate 90 right-of-way with the South Dakota Department of Transportation; and,
2. 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.

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GENERAL COMMENTS:

(Update, February 9, 2007. All revised and/or added text is shown in bold print.) This item was continued at the February 8, 2007 Planning Commission meeting to allow the applicant to submit additional information. To date, the information has not been submitted. Staff will notify the Planning Commission at the February 22, 2007 Planning Commission if this requirement has not been met. Please note that no other part of this Staff Report has been revised.

The applicant has submitted a SDCL 11-6-19 Review to extend an 18 inch sanitary sewer main under Interstate 90 from Lowry Lane to Offutt Street.

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 sewer extension is a public utility improvement within public right-of-way 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:

Construction Plans: City staff has reviewed the construction plans and has noted several revisions to the plans. In particular, the construction plans show an existing manhole located in Lowry Lane right-of-way and a second proposed manhole located approximately 50 feet north, in the Interstate 90 right-of-way. Staff is recommending that prior to Planning Commission approval, the applicant coordinate the location of the proposed manhole with the South Dakota Department of Transportation. In addition, staff is recommending that prior to Planning Commission approval, all necessary changes be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings must be returned to the Growth Management Department.

Right-of-way Permit/Air Quality Permit: The proposed sanitary sewer extension is located in City right-of-way and State right-of-way. As such, the applicant should be aware that a Right-of-way Permit must be obtained from the City and the South Dakota Department of Transportation, respectively. In addition, an Air Quality Permit must be obtained from the City and from the South Dakota Department of Environment and Natural Resources, respectively, prior to any surface disturbance of one or more acres.

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