

STAFF REPORT  
April 5, 2007

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**No. 07SR017 - SDCL 11-6-19 Review to extend a public water main**

**ITEM 54**

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GENERAL INFORMATION:

PETITIONER	Centerline, Inc. for Founder's Park, LLC
REQUEST	<b>No. 07SR017 - SDCL 11-6-19 Review to extend a public water main</b>
EXISTING LEGAL DESCRIPTION	The north 327.2 feet of N1/2 SE1/4 lying west of I-90 Right-of-way less W1/2 NW1/4 SE1/4, less North Boulevard Addition and less Lot H1, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9 acres
LOCATION	1400 Philadelphia Street
EXISTING ZONING	Office Commercial District (Planned Commercial Development) - Office Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	Park Forest District
South:	Flood Hazard District
East:	Medium Density Residential District - Flood Hazard District
West:	Park Forest District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/9/2007
REVIEWED BY	Vicki Fisher / Emily Fisher

RECOMMENDATION:

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

1. Prior to Planning Commission approval, a utility easement and/or right-of-way shall be recorded at the Register of Deed's Office for the installation and maintenance of the City water main;
2. Prior to Planning Commission approval, the construction plans shall be revised to show the water main along the west lot line in compliance with the design standards for a collector street with no on-street parking or a Comprehensive Plan Amendment to the Major Street Plan must be obtained to change the classification of the street;
3. Prior to Planning Commission approval, geotechnical information showing soils resistivity test results shall be submitted for review and approval. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying

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that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures; and,

4. 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 12 inch water main from Philadelphia Street to Founder's Park Drive. The water main provides a low pressure water service to the area for the future development of such projects as Founder's Park Plaza and Century Development Company properties.

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:

**Construction Plans:** The construction plans show the extension of a 12 inch water main along two future streets to be constructed along the north and east sides of the subject property. The streets are both classified as collector streets on the Major Street Plan. The construction plans show the street along the north lot line as a collector street with parking on one side. However, the construction plans show the collector street located along the east side of the property located within a 50 foot wide right-of-way and constructed with a 26 foot wide paved surface. The construction plans must be revised to show the street located in a minimum 60 foot wide right-of-way to meet the requirements of a collector street with no on-street parking. Even though the street improvement is not a part of this SDCL 11-6-19 Review, constructing the water main as proposed will conflict with the future design of the street as a collector street. As such, staff is recommending that prior to Planning Commission approval, the construction plans be revised to show the water main along the west lot line in compliance with the design standards of a collector street with no on-street parking or a Comprehensive Plan Amendment to the Major Street Plan must be obtained to change the classification of the street.

**Easement/Right-of-way:** To date, right-of-way for the two future streets has not been dedicated. As such, staff is recommending that prior to Planning Commission approval, a utility easement and/or right-of-way be recorded at the Register of Deed's Office for the installation and maintenance of the City water main.

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Red Line Comments: 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. In particular, the applicant must demonstrate that the proposed fire hydrant locations do not conflict with any proposed private utilities and that all weather access to the fire hydrants is being provided. The construction plans show the future construction of curb side sidewalks in lieu of property line sidewalks. The applicant should be aware that when the construction plans for the street(s) is submitted for review and approval, an Exception must be obtained to allow curb side sidewalks or the construction plans must show property line sidewalks.

Right-of-way Permit/Air Quality Permit: The applicant should be aware that a Permit to Work in the Right-of-way must be obtained from the City if right-of-way is dedicated in lieu of recording a utility easement. In addition, an Air Quality Permit must be obtained from the City or the existing permit must be amended to include this project.

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