

STAFF REPORT
April 24, 2008

No. 08SR031 - SDCL 11-6-19 Review to extend public utilities

ITEM 39

GENERAL INFORMATION:

APPLICANT	Robert Ellis for City of Rapid City
AGENT	Ferber Engineering Co., Inc.
PROPERTY OWNER	City of Rapid City
REQUEST	No. 08SR031 - SDCL 11-6-19 Review to extend public utilities
EXISTING LEGAL DESCRIPTION	East Highway 44 Right-of-way at the intersection of Twilight Drive, Lots 1 and 2, WREA Subdivision, the unplatted balance of the SE1/4, less Lot H1, less Lots H3 and H4 of the W1/2 SE1/4 and less lots H3, H4 and H5 of E1/2 SE1/4, Elk Vale Road Right-of-way at the intersection of Lancer Drive, Lancer Drive right-of-way at the intersection of Elk Vale Road and Concourse Drive, Lot 3 of Block 5 of Rushmore Regional Industrial Park, Concourse Drive Right-of-way between Lancer Drive and Jet Drive, Lot 6 of Block 1 of Rushmore Regional Industrial Park, and the drainage right-of-way located in the SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	Northwest of the intersection of S. D. East Highway 44 and Twilight Drive and south of Homestead Street
EXISTING ZONING	Light Industrial District - General Commercial District - Low Density Residential District
SURROUNDING ZONING	
North:	Light Industrial District - Low Density Residential District
South:	Light Industrial District
East:	General Commercial District - Light Industrial District
West:	Low Density Residential District - Light Industrial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to extend public utilities be approved.

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GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to construct a sewer main from the Copperfield Vista Subdivision to S. D. Highway 44. In particular, a 15 inch sewer main will be constructed from Copperfield Vista Subdivision to Elk Vale Road. A 24 inch sewer main will be extended south from Elk Vale Road to Twilight Drive, near the intersection of S.D. Highway 44. In addition, a 27 inch sewer main will be constructed from Twilight Drive to S.D. Highway 44.

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:

Easements: The construction plans show that a portion of the project will be constructed on private property, outside of utility easements and/or rights-of-way. As such, utility easements must be obtained as needed prior to the start of construction for this portion of the project.

The construction plans also show the proposed sewer main along Twilight Drive within the eastern portion of the West River Electric Association property. The City is currently reviewing an Initial and Final Industrial Development Plan to redevelop the West River Electric Association property. However, the site plan submitted with the Industrial Development Plan application does not include the sewer main as shown on these construction plans. As such, staff is recommending that the applicant coordinate with the West River Electric Association to ensure that the sewer main does not conflict with their redevelopment plan. In addition, utility easement(s) must be obtained as needed.

Permits: The applicant should be aware that a Right-of-way Permit must be obtained from the State prior to the start of construction in the State right-of-way. In addition, an Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres. An Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual must also be obtained.

A portion of the property is located within the 100 year federally designated floodplain. As such, prior to the start of construction, a Floodplain Development Permit must be obtained for this portion of the project.

Pennington County Highway has indicated that any construction in County right-of-way will require a Utility Permit and Plan review prior to the commencement of the construction.

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