

STAFF REPORT

June 5, 2008

No. 08SR043 - SDCL 11-6-19 Review to extend a public sewer main

ITEM 65

GENERAL INFORMATION:

APPLICANT	Ron Heinis for Heinsel, LLC
AGENT	FMG, Inc.
PROPERTY OWNER	Department of Transportation and Sigbjornson LLLP
REQUEST	No. 08SR043 - SDCL 11-6-19 Review to extend a public sewer main
EXISTING LEGAL DESCRIPTION	Interstate 90 Right-of-Way between Lowry Lane and Elk Vale Road and a portion of Lots A and B of Lot 1 of Lot D and Lot 2 of Lot D of K-W Subdivision in the SE 1/4, Section 28, T2N, BHM, Rapid City, Pennington County, South Dakota
LOCATION	Interstate 90 Right-of-way between Lowry Lane and Elk Vale Road
EXISTING ZONING	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	5/9/2008
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to extend a public sewer main be approved if the following additional information is submitted:

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; and,
2. Prior to Planning Commission approval, utility easements shall be recorded as needed and a copy submitted to the Growth Management Department for review and approval. In addition, a utility easement shall be recorded to allow the future sewer extension across Lot 2R, Melvin Subdivision or a revised Master Plan shall be submitted for review and approval showing an alternate location for the extension of sewer service to the

STAFF REPORT

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ITEM 65

unserved areas south of Edwards Street.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review request to allow the construction of an eight inch sanitary sewer main from the City's existing manhole located at Lowry Lane and Beale Street to a point west of Elk Vale Road. The applicant has indicated that the sewer is being constructed to serve a proposed hotel to be constructed on Lot B of Lot 1 of Lot D of K-W Subdivision.

On May 22, 2008, the Planning Commission approved a Major Amendment to a Commercial Development Plan (File #08PL018) to allow for the construction of a hotel on Lot B of Lot 1 of Lot D of K-W Subdivision.

The project is located within the Interstate 90 right-of-way between Lowry Lane and Elk Vale Road.

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 sanitary sewer main is a public utility and is being constructed within public right-of-way. In addition, 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 Review and has noted the following considerations:

Construction Plans: The applicant has indicated that the sanitary sewer will be extended south from Manhole #1 along a common lot line, requiring that a utility easement be obtained. If the utility easement can not be obtained, then the sanitary sewer extension must be redesigned to come for another manhole, such as Manhole #4, which then results in grade adjustments. Staff is recommending that prior to Planning Commission approval, a utility easement be recorded to allow the future sewer extension across Lot 2R, Melvin Subdivision or a revised Master Plan must be submitted for review and approval showing an alternate location for the extension of sewer service to the unserved areas south of Edwards Street.

Staff is also recommending that prior to Planning Commission approval, all necessary changes be made to the construction plans as needed. In addition, the red lined drawings must be returned to the Growth Management Department.

Geotechnical Analysis: Recent utility installations along Beale Street have resulted in significant trench failures which may be the result of soil types and saturated soils. These previous failures suggest the need for more extensive materials testing and geotechnical analysis in

STAFF REPORT

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ITEM 65

this area to ensure proper construction techniques and materials are used, to protect the other public improvements located in the right-of-way as well as the safety of the construction areas. Prior to the start of construction, a soils report and geotechnical analysis for the proposed trench excavation in the right-of-way must be submitted for review and approval.

Permits: The applicant should be aware that a Utility Permit must be obtained from the South Dakota Department of Transportation prior to the start of construction. 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 prior to the start of construction.

Public Works Department: The Public Works Department has indicated that since this is an infill sewer development, the construction work will be administered by the Public Works Department.

Easements: Utility easements must be recorded for that portion of the sanitary sewer main to be constructed outside of the right-of-way. In particular, the easements must extend to at least ten feet beyond the sewer main location. In addition, the easement must be for sanitary sewer only or an additional width must be provided to accommodate other utilities. Staff is recommending that prior to Planning Commission approval, a copy of the recorded easement(s) be submitted for review and approval.

Staff will recommend that the SDCL 11-6-19 Review be approved if the information identified above is submitted.