

STAFF REPORT
December 4, 2008

No. 08SR044 - SDCL 11-6-19 Review to construct a water main

ITEM 24

GENERAL INFORMATION:

APPLICANT	OS Development, Inc.
AGENT	Ted Schultz for CETEC Engineering Services, Inc.
PROPERTY OWNER	GDS Investments, Inc.
REQUEST	No. 08SR044 - SDCL 11-6-19 Review to construct a water main
EXISTING LEGAL DESCRIPTION	The E1/2 SE1/4, Section 15 and the NE1/4 NE1/4, Section 22, T1N, R8E, BHM, Pennington County, South Dakota
LOCATION	Adjacent to Reservoir Road and south of the intersection of Reservoir Road and East Highway 44 approximately 2.1 miles
EXISTING ZONING	Right-of-way
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	General Agriculture District - Medium Density Residential District - Limited Agriculture District - Neighborhood Commercial District - Low Density Residential District
PUBLIC UTILITIES	City Water/Sewer
DATE OF APPLICATION	5/14/2008
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of a water main be **approved if the following information is submitted prior to Planning Commission approval:**

1. **A signed copy of the approved South Dakota Department of Transportation permit for the railroad crossing has been submitted prior to Planning Commission approval.**

GENERAL COMMENTS: (Updated November 24, 2008. All revised and/or added text is shown in bold print.) This item was continued at the November 24, 2008 Planning Commission meeting because a signed copy of the approved South Dakota

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Department of Transportation permit for the railroad crossing had not been submitted. Staff will recommend that the SDCL 11-6-19 Review to construct a water main be approved at the December 4, 2008 Planning Commission meeting, if a signed copy of the approved South Dakota Department of Transportation permit for the railroad crossing is submitted prior to that meeting.

(Update, November 7, 2008. All revised and/or added text is shown in bold print.) This item was to be heard at the November 6, 2008 Planning Commission Meeting. However, due to inclement weather, the Planning Commission was unable to meet.

(Update: October 29, 2008. All revised and/or added text is shown in bold.) This item was continued to the November 6, 2008 Planning Commission meeting to allow the applicant to submit additional required information. On October 29, 2008 the applicant submitted revised plans, contract documents, and project specifications for review and approval. Staff is currently reviewing the information. Staff will notify the Planning Commission at the **December 4, 2008** Planning Commission meeting if all of the required information has not been submitted.

The applicant is proposing to construct a 14 inch water main from the intersection of South Dakota Highway 44 and Reservoir Road south 2.1 miles along the west side of Reservoir Road. The intended use of the water main is to provide an extension of the City Water Utilities to serve portions of the Morningstar Subdivision. The project will be constructed on properties zoned Limited Agricultural District in Pennington County, General Agricultural District in Pennington County, General Agricultural District, Medium Density Residential District, Neighborhood Commercial District and Low Density Residential District.

Staff met with the applicant on June 17, 2008 to discuss the project. During the meeting staff and the applicant reviewed the redline comments and additional information that will be required prior to Planning Commission approval.

STAFF REVIEW:

Staff has reviewed the SDCL 11-6-19 Review request to construct a water main and noted the following considerations:

Redline Comments: Prior to Planning Commission approval, the applicant must submit revised plans and final construction plans addressing all redline comments for review and approval. In addition, the redline drawings must be returned to the Growth Management Department.

Water Main: The alignment of the proposed water main along Reservoir road should be installed as much as possible at a consistent distance parallel to the center line of Reservoir Road at a depth that will not conflict with future sewer installation. As such, prior to Planning Commission approval the applicant must submit revised plans showing the depth and alignment of the proposed water main and Reservoir Road for review and approval. The plans that were submitted did not identify valves being provided on the high side of the main and adjacent to hydrants. Prior to Planning Commission approval the applicant must submit revised plans identifying the required valves on the high side of the water main and adjacent to all fire hydrants as per City Design Standards for review and approval.

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(Updated October 29, 2008) On October 29, 2008 the applicant submitted revised plans, contract documents, and project specifications for review and approval. Staff is in the process of reviewing the plans and will notify the Planning Commission if the requirements have not been met at the November 6, 2008 Planning Commission meeting.

(Updated November 7, 2008) On October 29, 2008 the applicant submitted revised plans, contract documents, and project specifications for review and approval. Staff is in the process of reviewing the plans and will notify the Planning Commission if the requirements have not been met at the November 20, 2008 Planning Commission meeting.

(Updated November 24, 2008) On October 29, 2008 the applicant submitted revised plans, contract documents and project specifications for review and approval. Staff has reviewed the plans and notes that the requirements have been met. Staff will recommend that the SDCL 11-6-19 Review be approved if a signed copy of the South Dakota Department of Transportation permit for the railroad crossing is submitted prior to Planning Commission approval.

Road alignment: The final intersection alignment of Reservoir Road and South Dakota Highway 44, upon completion of the South Dakota Highway 44 reconstruction project will be different than what was submitted on the original plan. As such, prior to Planning Commission approval the applicant must submit revised plans showing the new alignment of the intersection of Reservoir Road and South Dakota Highway 44 for review and approval.

(Updated October 29, 2008) On October 29, 2008 the applicant submitted revised plans, contract documents, and project specifications for review and approval. Staff is in the process of reviewing the plans and will notify the Planning Commission if the requirements have not been met at the November 6, 2008 Planning Commission meeting.

(Updated November 7, 2008) On October 29, 2008 the applicant submitted revised plans, contract documents, and project specifications for review and approval. Staff is in the process of reviewing the plans and will notify the Planning Commission if the requirements have not been met at the November 20, 2008 Planning Commission meeting.

(November 24, 2008) On October 29, 2008 the applicant submitted revised plans, contract documents and project specifications for review and approval. Staff has reviewed the plans and notes that the requirements have been met.

Water Main Easement: The proposed water main will require easements from the owners along Reservoir Road. Prior to Planning Commission approval the applicant must submit recorded copies of all Permanent Water Main Easements required for the proposed water main.

(Updated October 29, 2008) To date, the water main easement has not been submitted for review and approval. Staff will notify the Planning Commission at the November 6, 2008 Planning Commission meeting if this requirement has not been met.

(Updated November 7, 2008) To date, the water main easement has not been submitted for

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review and approval. Staff will notify the Planning Commission at the November 20, 2008 Planning Commission meeting if this requirement has not been met.

(Updated November 24, 2008) The required water main easement has been submitted for review and approval and the requirements have been met.

Cost Share Agreement: The proposed plan identifies oversized lines for the water main. Prior to Planning Commission approval the applicant must obtain a cost/share oversize agreement with the City for the construction of oversized lines.

(Updated October 29, 2008) As of this writing, the required cost share agreement has not been submitted for review and approval. Staff will notify the Planning Commission at the November 6, 2008 Planning Commission meeting if this requirement has not been met.

(Updated November 7, 2008) As of this writing, the required Cost Share Agreement has not been submitted for review and approval. Staff will notify the Planning Commission at the November 20, 2008 Planning Commission meeting if this requirement has not been met.

(Updated November 24, 2008) The required Cost Share Agreement has been submitted for review and approval. Staff will recommend that the SDCL 11-6-19 Review to construct a water main be approved if the required South Dakota Department of Transportation permit for the railroad crossing is authorized prior to Planning Commission approval.

Storm Water Management Plan: The plans that were submitted for this project did not include a Storm Water Management Plan, Erosion and Sediment Control Plan or a Post-Construction Storm Water Quality Plan in accordance with the Storm Water Quality Manual. The applicant shall submit a Storm Water Management Plan to include Erosion and Sediment Control Plan and a Post-Construction Storm Water Quality Plan in accordance with the Storm Water Quality Manual for review and approval. Prior to construction an Erosion and Sediment Control Permit must be obtained.

Geotechnical Report: The plans that were submitted referenced a Geotechnical Report in the plan notes, but no report was submitted. Prior to Planning Commission approval the applicant must submit a Geotechnical Report for review and approval.

(Updated October 29, 2008) As of this writing, the required storm water management plan has not been submitted. Staff will notify the Planning Commission at the November 6, 2008 Planning Commission meeting if this requirement has not been met.

(Updated November 7, 2008) As of this writing, the required Geotechnical Report has not been submitted. Staff will notify the Planning Commission at the November 20, 2008 Planning Commission meeting if this requirement has not been met.

(Updated November 24, 2008) The required Geotechnical report has been submitted for review and approval and the requirements have been met.

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Joint Restraining Devices: The plans that were submitted for this project indicate the use of mechanical joint restraining devices in applications other than allowed in standard City specifications. As such, prior to Planning Commission approval the applicant must submit plans indicating that approved restraining devices will be used or obtain an exception.

Updated October 29, 2008) On October 29, 2008 the applicant submitted revised plans for review and approval. Staff is in the process of reviewing the plans and will notify the Planning Commission if the requirements have not been met at the November 6, 2008 Planning Commission meeting.

Updated November 7, 2008) On October 29, 2008 the applicant submitted revised plans for review and approval. Staff is in the process of reviewing the plans and will notify the Planning Commission if the requirements have not been met at the November 20, 2008 Planning Commission meeting.

(Updated November 24, 2008) On October 29, 2008 the applicant submitted revised plans for review and approval. Staff has reviewed the plans and noted that the requirements have been met.

Required Permits: Several permits are required for this project. Verification for the required permits was not submitted with the application for this project. Prior to Planning Commission approval the applicant must provide documentation that the required permits have been obtained from: The United States Corps of Engineers, South Dakota Department of Transportation, South Dakota Game Fish and Parks, South Dakota Department of Environment and Natural Resources. In addition, prior to the initiation of construction, the applicant must obtain a Rapid City Air Quality Permit.

(Updated October 29, 2008) Staff will notify the Planning Commission if the applicant has not provided documentation that the required permits have been obtained from: The United States Corps of Engineers, South Dakota Department of Transportation, South Dakota Game Fish and Parks, and The South Dakota Department of Environment and Natural Resources at the November 6, 2008 Planning Commission meeting.

(Updated November 7, 2008) Staff will notify the Planning Commission if the applicant has not provided documentation that the required permits have been obtained from: The United States Corps of Engineers, South Dakota Department of Transportation, South Dakota Game Fish and Parks, Pennington County and The South Dakota Department of Environment and Natural Resources at the November 20, 2008 Planning Commission meeting.

(Updated November 24, 2008) The applicant has provided documentation that the required permits have been obtained from the United States Corp of Engineers, South Dakota Game Fish and Parks and the South Dakota Department of Environment and Natural Resources. Staff will recommend that the SDCL 11-6-19 Review to construct a water main be approved if a signed copy of the approved South Dakota Department of

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Transportation permit for the railroad crossing is submitted prior to Planning Commission approval. The permit to encroach across railroad property has been signed by the railroad and must also be signed by the Mayor and the City Finance Officer. The authorization of the Mayor and City Finance Officer was approved at the November 25, 2008 Public Works meeting and will be considered at the December 1, 2008 City Council meeting.

Staff will recommend that the SDCL 11-6-19 Review to construct a water main be approved at the December 4, 2008 Planning Commission meeting, if a signed copy of the approved South Dakota Department of Transportation permit for the railroad crossing is submitted prior to that meeting.