

STAFF REPORT
January 22, 2009

No. 08SR096 - SDCL 11-6-19 Review to allow the construction of an 8 inch water main in a Public Park **ITEM 47**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	No. 08SR096 - SDCL 11-6-19 Review to allow the construction of an 8 inch water main in a Public Park
EXISTING LEGAL DESCRIPTION	Robbinsdale Park Less Lot 1 of Robbinsdale Park Addition, located in the SW1/4, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 107.42 acres
LOCATION	626 E. Fairmont Boulevard
EXISTING ZONING	Park Forest District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	12/11/2008
REVIEWED BY	Jared Ball / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of an 8 inch water main in a public park be approved.

GENERAL COMMENTS: The property is located at 626 East Fairmont Boulevard south of Oakland Street and north of Fairmont Boulevard. The property is the location of Robbinsdale Park. The property is currently zoned Park Forest District. The adjacent properties to the north, south, east, and west are zoned Low Density Residential District. The applicant is proposing to construct approximately 3,800 feet of 8 inch water main through the park. The proposed water main will loop the existing water mains on Oakland Street and East Fairmont Street. In addition, the proposed water main will service the park and provide needed irrigation in Robbinsdale Park.

South Dakota Codified Law 11-6-19 states that "whenever any such municipal council shall

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have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, 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 as defined in § 11- 6-26, until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed water main is being constructed on public property 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 Review and has noted the following considerations:

Flood Plain Development Permit: Portions of the proposed water main are located within the 100 Year Federally Designated Flood Plain. On January 14, 2009 the applicant obtained the required Flood Plain Development Permit.

Permits: The proposed construction will require an Erosion and Sediment Control Permit and an Air Quality Permit. As such, prior to the initiation of construction, the applicant must obtain an Erosion and Sediment Control Permit and an Air Quality Permit.

As the location and extent of the proposed construction appears to comply with the applicable adopted plans and regulations, staff recommends that the SDCL 11-6-19 Review to allow the construction of an 8 inch water main in a public park be approved.