

STAFF REPORT  
March 26, 2009

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**No. 09SR015 - SDCL 11-6-19 Review to allow the construction of an 8 inch water main** **ITEM 25**

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GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	N/A
REQUEST	<b>No. 09SR015 - SDCL 11-6-19 Review to allow the construction of an eight inch water main</b>
EXISTING LEGAL DESCRIPTION	The Sixth Street Right-of-way adjacent to Lots 1 and 36 of Block 27 of Flormann Addition, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.43 acres
LOCATION	Between St. Charles Street and St. Andrews Street
EXISTING ZONING	Medium Density Residential District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	2/24/2009
REVIEWED BY	Travis Tegethoff / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the construction of an eight inch water main be approved.

GENERAL COMMENTS:

The City of Rapid City has submitted SDCL 11-6-19 Review to install a water main in the Sixth Street public right-of-way between Franklin Street and Saint Charles Street.

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

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Commission". The proposed construction is a public utility requiring that the Planning Commission review and approve the proposed construction.

STAFF REVIEW: Staff has reviewed the proposed SDCL 11-6-19 Review as it relates to the applicable provisions of the Rapid City Municipal Code and has noted the following issues:

Water Main: Water plans prepared by a Registered Professional Engineer showing the extension of a water main from Franklin Street to Saint Charles Street in the Sixth Street right-of-way has been submitted for review and approval. Staff noted that the proposed construction appears to be in accordance with City Standards.

Staff finds that the location and extent of the proposed utility is in compliance with the adopted Comprehensive Plan and adopted regulations. As such, staff recommends that the SDCL 11-6-19 Review to install a water main in public right-of-way be approved.