

STAFF REPORT
March 26, 2009

No. 09SR017 - SDCL 11-6-19 Review to extend sanitary sewer in public right-of-way **ITEM 39**

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	State of South Dakota - Department of Transportation
REQUEST	No. 09SR017 - SDCL 11-6-19 Review to extend a sanitary sewer main in public right-of-way
EXISTING LEGAL DESCRIPTION	Elk Vale Road, S.D. Highway 79 and U.S. Highway 16 Truck Right-of-way between 250 feet south of Concourse Drive to Homestead Street located in the NW1/4 and the SW1/4 of Section 3, NE1/4 and the SE1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1 acre
LOCATION	Between 250 feet south of Concourse Drive to Homestead Street
EXISTING ZONING	Light Industrial District
SURROUNDING ZONING	
North:	Light Industrial District
South:	General Commercial District
East:	General Commercial District
West:	Light Industrial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	2/26/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to extend sanitary sewer in public right-of-way be approved if redline comments are addressed and revised construction plans are submitted for review and approval prior to Planning Commission approval of this item.

GENERAL COMMENTS:

The City of Rapid City has submitted this SDCL 11-6-19 Review application to extend a 24 inch sanitary sewer main approximately 3,747 feet within the Elk Vale Road right-of-way located from 250 feet south of Concourse Drive to Homestead Street and to construct a 10 inch sanitary sewer main connection for Rapid Valley Sanitary District extending east

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approximately 100 feet from Elk Vale Road right-of-way to the section line highway located north of Jolly Lane.

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 extension of a public sanitary sewer in a public right-of-way is a public improvement. In addition, the property is identified as being located within the area covered by the Rapid City Comprehensive Plan requiring that the improvement 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: Rapid Valley Sanitary District has reviewed the construction plans for the connection to the Rapid Valley Sanitary District sewer system and indicated that the plans meet with their approval. In addition, the applicant has submitted a recorded copy of a 20 foot wide permanent sanitary sewer easement for this portion of the sanitary sewer main.

The City has reviewed the construction plans for the extension of the City sanitary sewer main located along Elk Vale Road and has indicated that a few redline comments must be addressed. As such, staff recommends that prior to Planning Commission approval, the redline comments be addressed and revised construction plans be submitted for review and approval.

Permits: An Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres. A Stormwater Quality Management Plan in accordance with the adopted Stormwater Quality Manual must also be obtained prior to the start of construction. A Permit to Work in the Right-of-way must also be obtained from the South Dakota Department of Transportation prior to any construction within Elk Vale Road.

The location and extent of the proposed extension of the sanitary sewer main is consistent with the adopted Comprehensive Plan and the related regulations. As such, staff will recommend that the SDCL 11-6-19 Review to extend a sanitary sewer main in the Elk Vale Road right-of-way be approved if redline comments are addressed and revised construction plans are submitted for review and approval prior to Planning Commission approval of this item.