

STAFF REPORT  
May 7, 2009

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**No. 09SR029 - SDCL 11-6-19 Review to extend a sanitary sewer main in the public right-of-way**      **ITEM 27**

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GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 09SR029 - SDCL 11-6-19 Review to extend a sanitary sewer main in the public right-of-way</b>
EXISTING LEGAL DESCRIPTION	The South Street right-of-way adjacent to Tracts E, F, G, H and I of Block 19 of Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.14 acres
LOCATION	South Street between West Street and 12th Street
EXISTING ZONING	Medium Density Residential District - High Density Residential District - High Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	High Density Residential District - Medium Density Residential District
South:	Medium Density Residential District - High Density Residential District (Planned Development Designation)
East:	Medium Density Residential District
West:	High Density Residential District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	3/27/2009
REVIEWED BY	Travis Tegethoff / Mary Bosworth

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to extend a sanitary sewer main in the public right-of-way be approved if the following additional information is submitted prior to Planning Commission approval:

1. All redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department, and;
2. An Erosion and Sediment Control Plan in compliance with the adopted Stormwater

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Quality Manual be submitted for review and approval if required.

**GENERAL COMMENTS: (Update, April 28, 2009. All revised and/or added text is shown in bold print.) This item was continued to the May 7, 2009 Planning Commission meeting to allow the applicant to submit revised plans. To date, no additional information has been submitted. As such, staff will recommend approving the SDCL 11-6-19 Review if the above noted conditions are met.**

The City of Rapid City has submitted SDCL 11-6-19 Review to install a sanitary sewer main in the South Street public right-of-way between West Street and 12th 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 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:

**Sanitary Sewer Main:** Sanitary Sewer plans prepared by a Registered Professional Engineer showing the extension of a sewer main in the South Street right-of-way has been submitted for review and approval. Staff is recommending that prior to Planning Commission approval, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

**Stormwater Management Plan:** The City Council has recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. Because site conditions will affect the suitability and effectiveness of erosion control measures, a plan specific to each site is required. Staff is recommending that prior to approval by the Planning Commission, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if required.

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 sanitary sewer main in public right-of-way be approved if the above noted additional information is submitted.