

STAFF REPORT

June 4, 2009

No. 09SR046 - SDCL 11-6-19 Review to install storm sewer on public property ITEM 14

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
REQUEST	No. 09SR046 - SDCL 11-6-19 Review to install storm sewer on public property
EXISTING LEGAL DESCRIPTION	Right-of-way for Brooke Street and Nicole Street adjacent to Lots 1R and 2 thru 20 of Block 1, Lots 9 thru 23 of Block 3, Lots 1R and 2 thru 5 of Block 4 and Lot 1 of Block 5 of Tyler Knue Subdivison, and the permanent drainage easement in a portion of the unplatted balance of the N1/2 of the NW1/4 of the NW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.5 Acres
LOCATION	Brooke Street and Nicole Street
EXISTING ZONING	Mobile Home Residential District - Low Density Residential II District
SURROUNDING ZONING	
North:	Low Density Residential II District
South:	Mobile Home Residential District
East:	Mobile Home Residential District - Low Density Residential II District
West:	Mobile Home Residential District - Low Density Residential II District
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	5/14/2009
REVIEWED BY	Travis Tegethoff / Karley Halsted

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to install storm sewer on public property be approved.

GENERAL COMMENTS:

The City of Rapid City has submitted SDCL 11-6-19 Review to install a storm sewer in the Brooke Street and Nicole Street public right-of-way.

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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:

Storm Sewer: Storm Sewer plans prepared by a Registered Professional Engineer showing the extension of a storm sewer in the Brooke Street and Nicole Street right-of-way has been submitted for review and approval. Staff noted that the plans appear to be in compliance with the adopted City of Rapid City Ordinances and Specifications.

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 noted that an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual has been submitted for review and approval.

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 storm sewer in public right-of-way be approved.