

STAFF REPORT
July 9, 2009

No. 09SR054 - SDCL 11-6-19 Review to extend a public sewer

ITEM 31

GENERAL INFORMATION:

APPLICANT	Jeff Devine for J & J Truck & Auto Body
AGENT	Renner & Associates
PROPERTY OWNER	JDL Properties, LLC
REQUEST	No. 09SR054 - SDCL 11-6-19 Review to extend a public sewer
EXISTING LEGAL DESCRIPTION	Lot 1 of Devine Subdivision and Tract B of the SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
LEGAL DESCRIPTION	
PARCEL ACREAGE	Approximately 4.94 acres
LOCATION	Southeast of the intersection of North Cambell Street and East Philadelphia Street
EXISTING ZONING	General Commercial District and Heavy Industrial District
SURROUNDING ZONING	
North:	General Commercial District
South:	General Commercial District - General Commercial District (Planned Commercial Development)
East:	Heavy Industrial District
West:	General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	6/10/2009
REVIEWED BY	Vicki L. Fisher / Mary Bosworth

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to extend a public sewer be approved if the following issues are addressed prior to the July 9, 2009 Planning Commission meeting:

1. All necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings and final sealed and signed construction plans shall be returned to the Growth Management Department for review and approval;
2. The construction plans shall be revised to show the location of the existing detention inlet located in the southeast area of the sewer extension project. In addition, the plans shall demonstrate that the proposed sewer main does not conflict with the existing structure;

STAFF REPORT
July 9, 2009

No. 09SR054 - SDCL 11-6-19 Review to extend a public sewer

ITEM 31

3. A Stormwater Management Plan shall be submitted for review and approval; and,
4. A sewer easement shall be secured for the balance of the proposed sewer main located outside of the existing easement that was previously dedicated as a part of the Final Plat for Lot 1, Devine Subdivision. In addition, an access easement shall be secured across Tract B to provide access from E. Philadelphia to the sewer main and manhole located along the south lot line.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to extend a sewer main along a portion of the south lot line of Lot 1 and Tract B. In particular, the applicant is proposing to extend an 8 inch sewer main approximately 150 feet east to a proposed manhole. In addition, a six inch sewer service will then extend from the manhole north approximately 320 feet to the J & J Truck and Auto Body building located on Tract B. The applicant has also submitted a SDCL 11-6-19 Review (File #09SR055) to construct a 16 inch water main from the intersection of Cambell Street and E. Philadelphia Street east approximately 690 feet within the E. Philadelphia Street right-of-way to serve the J & J Truck and Auto Body building. In addition, the applicant is proposing to extend two six inch water mains from the proposed 16 inch main and to set two fire hydrants on the property.

Currently, the property is served by a failing on-site sewer system and a cistern. The applicant is proposing to extend the water and sewer mains as identified in order to obtain City water and sewer services for J & J Truck and Auto Body.

South Dakota Codified Law 11-6-19 states that “whenever any such municipal council shall 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 request to extend a public utility is a public improvement. In addition, the property is identified 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 to extend a public sewer main and has noted the following considerations:

Construction Plans: Currently, a detention pond with an inlet structure is located in the southeast corner of the property within the area of the proposed sewer main extension. However, the construction plans do not show the detention inlet. As such, staff recommends that prior to Planning Commission approval, the construction plans be revised to show the location of the existing detention inlet and demonstrate that the proposed sewer main does not conflict with the existing structure.

Easement: An eight foot wide utility easement was previously dedicated along a portion of the south lot line of Lot 1, Devine Subdivision. However, the construction plans show a portion

STAFF REPORT
July 9, 2009

No. 09SR054 - SDCL 11-6-19 Review to extend a public sewer

ITEM 31

of the proposed eight inch sewer main and the proposed manhole located outside of the existing easement. As such, prior to Planning Commission approval, an easement must be secured for the balance of the sewer main located outside of the existing easement. In addition, an access easement must be secured across Tract B to provide access from E. Philadelphia to the sewer main and manhole located along the south lot line.

Permits: Prior to Planning Commission approval, a Stormwater Management Plan in compliance with the adopted Stormwater Quality Manual must be submitted for review and approval. In addition, an Erosion and Sediment Permit in accordance with the adopted Stormwater Quality Manual must be obtained prior to the start of construction.

The location and extent of the proposed sewer extension appears to be consistent with the adopted Comprehensive Plan and the related regulations. As such, staff will recommend that the SDCL 11-6-19 Review be approved if the above noted issues are addressed prior to Planning Commission approval of this item.