

STAFF REPORT  
July 9, 2009

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**No. 09SR055 - SDCL 11-6-19 Review to construct a 16 inch public water main** **ITEM 32**

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GENERAL INFORMATION:

APPLICANT	City of Rapid City
AGENT	Renner & Associates
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 09SR055 - SDCL 11-6-19 Review to construct a 16 inch public water main</b>
EXISTING LEGAL DESCRIPTION	East Philadelphia Street right-of-way adjacent to Tracts A and B of the SW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.48 acres
LOCATION	The intersection of 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 water main 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; and,
2. An easement shall be secured for the proposed fire hydrants to be located outside of the E. Philadelphia right-of-way on the property.

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GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review 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. The applicant has also submitted a SDCL 11-6-19 Review (File #09SR054) 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 main will then extend from the manhole north approximately 320 feet to the J & J Truck and Auto Body building.

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 on public property 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 water main and has noted the following considerations:

Construction Plans: The applicant has submitted construction plans showing the extension of the water system as identified. Staff recommends that prior to Planning Commission approval, all necessary changes 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 must be returned to the Growth Management Department for review and approval.

Easement: As previously indicated, the two proposed fire hydrants are located outside of the E. Philadelphia Street right-of-way on the applicant's property. As such, staff recommends that prior to Planning Commission approval, an easement be secured for the proposed fire hydrants to be located outside of the E. Philadelphia right-of-way.

Permits: A portion of E. Philadelphia Street located adjacent to the J & J Auto Body property is constructed with a gravel surface. As such, prior to the start of construction, a Sediment

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and Erosion Control Permit in accordance with the adopted Stormwater Quality Manual must also be obtained. In addition, an Air Quality Permit must be obtained from the City prior to any surface disturbance of one or more acres. A Permit to Work in the Right-of-way must also be obtained as needed prior to the start of construction.

The location and extent of the proposed water main 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.

