

STAFF REPORT
August 6, 2009

No. 09SR070 - SDCL 11-6-19 Review to extend a public utility in a public street **ITEM 29**

GENERAL INFORMATION:

APPLICANT	Canyon Lake United Methodist Church
AGENT	Greg Wierenga for CETEC Engineering Services, Inc.
PROPERTY OWNER	Canyon Lake United Methodist Church
REQUEST	No. 09SR070 - SDCL 11-6-19 Review to extend a public utility in a public street
EXISTING LEGAL DESCRIPTION	Canyon Lake Drive right-of-way and Evergreen Drive right-of-way adjacent to Lot 3 less Lot H-1 of Bruners Gardens Subdivision and Lots 1 and 2 of Block 3 and Lots 16 and 17 of Block 2 of Rushmore Subdivision, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.93 acres
LOCATION	Southwest of the intersection of Evergreen Drive and Canyon Lake Drive
EXISTING ZONING	Medium Density Residential District - General Commercial District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Medium Density Residential District
East:	Medium Density Residential District
West:	Medium Density Residential District - General Commercial District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/10/2009
REVIEWED BY	Vicki L. Fisher / Karley Halsted

RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to extend a public utility in a public street be approved if red line comments are addressed prior to Planning Commission approval of this item.

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GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to extend an 8 inch water main along Evergreen Drive a distance of approximately 300 feet, crossing Canyon Lake Drive and tying into a water main located on the Canyon Lake Methodist Church property.

On July 23, 2009, the Planning Commission approved an Initial and Final Planned Residential Development to expand the Canyon Lake Methodist Church located directly north of Evergreen Drive. As a part of the expansion project, an 8 inch water main is being extended from Canyon Lake Drive north approximately 400 feet to serve the church. This water main extension will provide a tie between the Canyon Lake Methodist Church property and the City water main located along Evergreen Drive.

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 water main in the Evergreen Drive right-of-way 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 and has noted the following considerations:

Construction Plans: Upon review of the construction plans, staff has noted that some minor redline comments must be addressed. As such, staff recommends that prior to Planning Commission approval, the red line comments be addressed and revised construction plans be submitted for review and approval.

Permits: A Permit to Work in the Right-of-way must be obtained prior to the start of construction. In addition, a Traffic Control Plan must be submitted for review and approval prior to issuance of the Permit to Work in the Right-of-way.

The location and extent of the proposed extension of the 8 inch water main is 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 red line comments are addressed prior to Planning Commission approval of this item.