

STAFF REPORT  
September 24, 2009

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**No. 09SR079 - SDCL 11-6-19 Review request to extend a public water main in the right-of-way** **ITEM 32**

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GENERAL INFORMATION:

|                            |                                                                                                                                                                                                   |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT                  | Jim Meier                                                                                                                                                                                         |
| AGENT                      | Steven O. Thingelstad for Britton Engineering and Land Surveying, Inc.                                                                                                                            |
| PROPERTY OWNER             | Tom Lien                                                                                                                                                                                          |
| REQUEST                    | <b>No. 09SR079 - SDCL 11-6-19 Review request to extend a public water main in the right-of-way</b>                                                                                                |
| EXISTING LEGAL DESCRIPTION | Deadwood Avenue right-of-way located adjacent to Lot 4 of the NW1/4 NW1/4 less right-of-way and Lot 5A of the NW1/4 NW1/4, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota |
| LOCATION                   | 2460 Deadwood Avenue                                                                                                                                                                              |
| EXISTING ZONING            | Light Industrial District                                                                                                                                                                         |
| SURROUNDING ZONING         |                                                                                                                                                                                                   |
| North:                     | General Commercial District                                                                                                                                                                       |
| South:                     | Light Industrial District                                                                                                                                                                         |
| East:                      | Light Industrial District                                                                                                                                                                         |
| West:                      | Light Industrial District                                                                                                                                                                         |
| PUBLIC UTILITIES           | City sewer and water                                                                                                                                                                              |
| DATE OF APPLICATION        | 8/20/2009                                                                                                                                                                                         |
| REVIEWED BY                | Vicki L. Fisher / Ted Johnson                                                                                                                                                                     |

RECOMMENDATION:

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

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. A geotechnical report including soils resistivity analysis shall be submitted for review and approval. If the results indicate a potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City

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- Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures;
3. An evaluation of the fire hydrant spacing along Deadwood Avenue shall be submitted for review and approval demonstrating that the spacing complies with the International Fire Code. In addition, construction plans shall be submitted for review and approval showing additional fire hydrants if needed; and,
  4. If the applicant is requesting oversize cost participation by the City, then an analysis shall be submitted for review and approval demonstrating the size of the water main needed to serve the property. In addition, the applicant shall enter into an oversize agreement and the agreement shall be approved by City Council. If connection fees are being requested in order to recover the cost, then authorization from the City Council shall be obtained stipulating that no additional taps shall be allowed prior to certification of costs.

**GENERAL COMMENTS:**

The applicant has submitted a SDCL 11-6-19 Review to construct a 12 inch water main approximately 650 feet along Deadwood Avenue from the intersection of Pool Drive south to serve 2460 Deadwood Avenue.

Currently, the property is served by a well located on the property. The applicant is proposing to extend the water main as identified in order to obtain City water service to the property.

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 in public 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 improvement 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.

The construction plans show the water main extending along the northern half of the lot as it abuts Deadwood Avenue. The applicant should be aware that any future platting of the

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property will require that the water main be extended along Deadwood Avenue to the south lot line of the property.

Geotechnical Analysis: To date a geotechnical report which includes a soils resistivity analysis has not been submitted for review and approval. Staff recommends that prior to Planning Commission, a geotechnical report be submitted for review and approval as identified. If the results indicate a potential towards corrosion of buried metal, then information must be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections must be provided as needed for buried water system metal fixtures.

Fire Hydrants: Staff recommends that prior to Planning Commission approval, an evaluation of the fire hydrant spacing along Deadwood Avenue be submitted for review and approval demonstrating that the spacing complies with the International Fire Code. In addition, construction plans must be submitted for review and approval showing additional fire hydrants if needed.

Oversize Costs: As previously indicated, the applicant is proposing to extend a 12 inch water main to serve the property. If the applicant is requesting oversize cost participation by the City, then prior to Planning Commission approval, an analysis must be submitted for review and approval demonstrating the size of the water main needed to serve the property. In addition, the applicant must enter into an oversize agreement and the agreement must be approved by City Council. If connection fees are being requested in order to recover the cost, then authorization from the City Council must be obtained stipulating that no additional taps shall be allowed prior to certification of costs.

Permits: Prior to the start of construction, a Permit to Work in the Right-of-way must be obtained from the South Dakota Department of Transportation.

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.