

STAFF REPORT
October 8, 2009

No. 09SR084 - SDCL 11-6-19 Review to construct sewer main

ITEM 35

GENERAL INFORMATION:

APPLICANT	City of Rapid City
AGENT	Britton Engineering & Land Surveying, Inc.
PROPERTY OWNER	City of Rapid City, State of South Dakota - Department of Transportation
REQUEST	No. 09SR084 - SDCL 11-6-19 Review to construct sewer main
EXISTING LEGAL DESCRIPTION	Adjacent to the NE1/4 SE1/4 less Lot H1, the NW1/4 SE1/4 less Lot H1, NE1/4 SW1/4 less Lot H1, the unplatted portion of the NW1/4 SW1/4 lying south of Highway right-of-way less Lot H1, the unplatted portion of the SW1/4 SW1/4 less Lot H2 and less right-of-way, all in Section 24, T1N, R7E, BHM, Pennington County, South Dakota, Lots 1, 2, 4 of Tract 1 of Par Subdivision, Section 23, T1N, R7E, BHM, Pennington County, South Dakota, and the unplatted balance of the NW1/4 NE1/4, Lot 9R of Block 2 of South Hill Subdivision, Lot 28B of Wellington Heights Subdivision, Section 26, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.2 acres
LOCATION	East Catron Boulevard and Catron Boulevard between Fifth Street and Wellington Drive
EXISTING ZONING	Right-of-way
SURROUNDING ZONING	
North:	Genral Agriculture District - General Commercial District - Office Commercial District (PCD) - Medium Density Residential District (PRD) - Low Density Residential District (PRD)
South:	General Agriculture District - Office Commercial District (PCD)
East:	Low Density Residential District (PRD)
West:	General Commercial District (PCD)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/14/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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RECOMMENDATION:

Staff will recommend that the SDCL 11-6-19 Review to construct sewer main be approved if the following issue is addressed 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 revised construction plans and the red lined drawings shall be returned to the Growth Management Department for review and approval.

GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to construct a 15 inch sewer main approximately 9,200 lineal feet along Catron Boulevard from 5th Street to Wellington Drive. Extending the sewer main as proposed will allow for the abandonment of an existing City operated sewer lift station located near the intersection of Wellington Drive and Catron Boulevard. The sewer main will also increase the surrounding areas that can be served by gravity flow as opposed to pumping and will reduce sewage flow levels in other areas of the collection system which are presently at or above capacity.

The applicant has indicated that the project has been designed to coordinate with the reconstruction of Catron Boulevard (US Highway 16B) currently being planned and designed by the South Dakota Department of Transportation. The South Dakota Department of Transportation is currently completing right-of-way negotiations and has an anticipated 2010 Spring bid letting for the reconstruction project.

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 within 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 sewer main and has noted the following considerations:

Construction Plans: The applicant has submitted construction plans showing the extension of the sewer 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.

Permits: Prior to the start of construction, a Sediment and Erosion Control Permit in accordance with the adopted Stormwater Quality Manual must be obtained. In addition, an Air Quality

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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 from the South Dakota Department of Transportation prior to the start of construction.

The location and extent of the proposed sewer 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 red line comments are addressed prior to Planning Commission approval of this item.