

STAFF REPORT
March 22, 2007

No. 06SR089 - SDCL 11-6-19 Review to allow the extension of public utilities **ITEM 35**

GENERAL INFORMATION:

PETITIONER	Sperlich Consulting, Inc. for Jamie Gerlach
REQUEST	No. 06SR089 - SDCL 11-6-19 Review to allow the extension of public utilities
EXISTING LEGAL DESCRIPTION	Lots 1 thru 12 of Block 5 of Rapid Valley Subdivision located in the N1/2 of the NE1/4 of Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.91 acres
LOCATION	Southeast of the intersection of Sedivy Lane and East St. Francis Street
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District (Pennington County)
South:	Suburban Residential District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	12/29/2006
REVIEWED BY	Travis Tegethoff / Emily Fisher

RECOMMENDATION:

Staff recommends that the SDCL 11-6-19 Review to allow the extension of public utilities be approved with the following stipulations:

1. Prior to Planning Commission approval, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval;
2. Prior to Planning Commission approval, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval;
3. Prior to Planning Commission approval, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department; and,
4. Prior to Planning Commission approval, information shall be submitted to the Growth Management Department demonstrating that the Rapid Valley Sanitation District staff has reviewed and approved the utility plans.

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GENERAL COMMENTS:

This staff report has been revised as of March 8, 2007. All revised and/or added text is shown in bold print. The applicant has submitted an SDCL 11-6-19 Review to extend the sewer main and water main in the right-of-way along East Saint Francis Street between Pecan Lane and Sedivy Lane in Pennington County. The applicant is proposing to construct an eight inch water main and an eight inch sewer main in the East Saint Francis Street right-of-way to serve the adjacent lots. The property on the north side of East Saint Francis Street is zoned General Commercial in Pennington County and the property along the south side of East Saint Francis Street is zoned Suburban Residential in Pennington County.

South Dakota Codified Law 11-6-19 states that "...whenever any such municipal council has adopted a comprehensive plan, then 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 until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission". The proposed utility extension is a public improvement and the property is identified as being located 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 and has noted the following considerations:

Air Quality Permit: Staff noted that if more than an acre of land is disturbed an Air Quality Permit is required prior to construction.

Right-of-Way Permit: Staff noted that a Right-of-Way Permit is required prior to construction.

Sewer: Staff noted that a typical section was submitted for the proposed eight inch sewer main but no construction plans on the wastewater system was submitted with the application. As such, staff recommends that prior to approval by the Planning Commission, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval. In particular, the construction plans shall demonstrate how the proposed sewer lines will not affect the existing 42 inch trunk sewer and how adjacent lots will be served.

On February 20, 2007 the applicant submitted sewer plans for review, however, the sewer plans do not demonstrate if the proposed construction will affect the existing 42 inch trunk sewer. Staff recommends that prior to approval by the Planning Commission, sewer plans prepared by a Registered Professional Engineer shall be submitted for review and approval demonstrating that the proposed sewer lines will not affect the existing 42 inch trunk sewer.

Water: Staff noted that a typical section was submitted for the proposed eight inch water main but no construction plans on the water system were submitted with the application. As such, staff recommends that prior to approval by the Planning Commission, water plans prepared

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by a Registered Professional Engineer showing the extension of water mains must be submitted for review and approval. In addition, the water plans must provide calculations demonstrating that the required domestic and fire flows are being provided.

On February 20, 2007 the applicant submitted water plans for review, however, the water plans do not demonstrate if the proposed construction will affect the existing 42 inch trunk sewer. Staff recommends that prior to approval by the Planning Commission, water plans prepared by a Registered Professional Engineer shall be submitted for review and approval demonstrating that the proposed water lines will not affect the existing 42 inch trunk sewer.

Rapid Valley Sanitation District: Rapid Valley Sanitation District staff noted that plans must comply with Rapid Valley Sanitation District Design and Construction Standards. Rapid Valley Sanitation District Staff also noted that two sets of construction plans and associated documentation for the proposed water and wastewater piping and improvements shall be submitted to the General Manager of the Rapid Valley Sanitation District for review and approval. The plan submittals shall be made directly by the developer to the Rapid Valley Sanitation District and shall not be made from other agencies. Staff is recommending that prior to Planning Commission approval, information shall be submitted to the Growth Management Department demonstrating that the Rapid Valley Sanitation District staff has reviewed and approved the utility plans.

Red Line Comments: Staff recommends that all red line comments be addressed and the red lined drawings be returned prior to approval by the Planning Commission.

Staff is recommending that the SDCL 11-6-19 Review be approved with the previously stated stipulations.

This item was continued to the February 8, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the February 22, 2007 Planning Commission meeting to allow the applicant to submit the required information. This item was continued to the March 8, 2007 Planning Commission meeting to allow the applicant to submit the required information. **This item was continued to the March 22, 2007 Planning Commission meeting to allow the applicant to submit the required information. As of March 8, 2007 the required information has not been submitted. Staff is recommending that the SDCL 11-6-19 Review be approved with the previously stated stipulations. Staff will inform the Planning Commission if the stipulations of approval are not met prior to the March 22, 2007 Planning Commission meeting.**