

STAFF REPORT
September 24, 2009

No. 09SR081 - SDCL 11-6-19 Review to extend a sewer main in a public right-of-way **ITEM 33**

GENERAL INFORMATION:

APPLICANT	Timothy Rensch
AGENT	Greg Wierenga for CETEC Engineering Services, Inc.
PROPERTY OWNER	Tim Rensch
REQUEST	No. 09SR081 - SDCL 11-6-19 Review to extend a sewer main in a public right-of-way
EXISTING LEGAL DESCRIPTION	That portion of Roosevelt Avenue adjacent to Lots 25 and 26 and Lot 31R of Ridge Park No. 4 Subdivision; and adjacent to Lot 2A of Lot 2, Lot 2B, Lot 3 Revised, and Lot 4 Revised, Ridge Park No. 3 Subdivision, all in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
LOCATION	Roosevelt Avenue south of St. Patrick Street and north of St. Anne Street
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Low Density Residential District
South:	Low Density Residential District
East:	Low Density Residential District
West:	Low Density Residential District
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	8/28/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

RECOMMENDATION:

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

1. The construction plans shall be revised to show a sewer stub to the west aligning with the Hyland Drive right-of-way to allow for the future extension of a sewer main. In addition, final sealed and signed construction plans shall be returned to the Growth Management Department for review and approval as warranted.

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GENERAL COMMENTS:

The applicant has submitted a SDCL 11-6-19 Review to construct an 8 inch sewer main approximately 220 feet within the Roosevelt Avenue right-of-way to serve 1111 Hyland Drive. In addition, the application is proposing to construct a manhole at the intersection of Hyland Drive and Roosevelt Avenue and to install a sewer main termination clean out in the Roosevelt Avenue right-of-way approximately 60 feet south of the Hyland Drive intersection.

Currently, the property is served by an on-site septic system. The applicant is proposing to extend the sewer main as identified in order to obtain City sewer service to the property. In addition, the applicant has indicated that the existing septic system will be abandoned and a new service line will be extended from Roosevelt Avenue to serve the existing residence located on 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 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, the construction plans be revised to show a sewer stub to the west aligning with the Hyland Drive right-of-way to allow for the future extension of a sewer main. In addition, final sealed and signed construction plans must be returned to the Growth Management Department for review and approval as warranted.

Construction Fee(s): The proposed 8 inch sewer main is required in order to serve the property. However, there are benefiting properties within the area that could tap into the sewer main in the future. As such, if the applicant is proposing to recoup installation costs, a construction fee resolution must be approved by the City Council prior to certification of the project. In particular, the applicant must obtain authorization from the City Council stipulating that no additional taps shall be allowed prior to certification of costs for the project.

Permits: Prior to the start of construction, a Permit to Work in the Right-of-way must be

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obtained. In addition, a Stormwater Management Plan in accordance with the City's Stormwater Quality Manual must be submitted for review and approval.

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 issues are addressed prior to Planning Commission approval of this item.