



**Ferber
Engineering
Company, Inc.**

- Civil Engineering
- Water Resources
- Transportation
- Land Surveying

February 26, 2009

Mr. Travis Tegethoff
Rapid City Growth Management
300 Sixth Street
Rapid City, SD 57701

Re: Preliminary and Final Plat application for Lot 1, Block 6, East Mall Business Center Subdivision.

Dear Travis:

This letter will address the stipulations incorporated into the Planning Commission Approval for the Layout Plat for Lot 1, Block 6; EMBS. The Layout Plat (08PL126) was approved by the Rapid City Planning Commission on September 25, 2008. A total of 13 stipulations were included with the approval.

STIPULATIONS:

1. *"Upon submittal of a Preliminary Plat application, drainage and grading plan, must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary;"*

This preliminary and final plat is being drawn for purposes of transferring ownership of the property. No development plans have been drawn. The existing drainage flows north the existing drainage swale along the north lot line. The existing drainage will be maintained until future development of the property. A detailed drainage study will accompany future development applications.

2. *"Upon submittal of the Preliminary Plat application, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;"*

Sanitary sewer serving this property was included in the development of East Mall Drive. The sewer is available for connection as development occurs.

3. *"Upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;"*

Potable water was included in the development of East Mall Drive. The existing water line is located along the north side of the street immediately adjacent to this property. The extension of water service will be designed as part of the development of this property.

4. *Upon submittal of the Preliminary Plat application, road construction plans for East Mall Drive shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot*

wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;

East Mall Drive was constructed by the City and the South Dakota Department of Transportation. The existing street is 36 feet wide with curb and gutter on both sides. The existing right-of-way is 115 feet wide. Street lights were installed at the time of construction. Sidewalk was placed on the south side of East Mall Drive along this frontage. Sidewalk construction on the north side of East Mall Drive is included in the widening plans for East Mall Drive. We anticipate letting the widening contract in March 2009 following 11-6-19 review. The estimated cost for this sidewalk is \$43,500.

5. *Upon submittal of the Preliminary Plat application, road construction plans for East North Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;*

Tish Boulevard (East North Street) was constructed to the north boundary of this property by the South Dakota Department of Transportation as payment to FMLC for right-of-way for Exit 60 reconstruction. The existing street is 36 feet wide, includes curb and gutter on both sides and sidewalk on the east side adjacent to this plat. Street lights were installed with the street construction. Sanitary sewer was installed in Tish Boulevard (East North Street) at the time of construction. Water was not installed, but is being constructed as part of the Tish Boulevard extension that is currently undergoing 11-6-19 review. The Growth Management Department has previously reviewed and approved the plans. The Tish Boulevard Extension project will be let in March after 11-6-19 review.

6. *Upon submittal of the Preliminary Plat application, road construction plans for Dyess Avenue shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;*

With this plat application we are including the dedication of an additional 17 feet wide right-of-way along the Dyess Ave frontage.

We are requesting a variance to the subdivision regulations for the 36 foot wide pavement surface, curb and gutter, sidewalk and street light conduit. The existing street includes 24 feet wide asphalt concrete pavement, no curb and gutter, no sidewalks, and no street lights.

We are also requesting a variance to the requirement for sanitary sewer in Dyess Ave. Sanitary sewer service for this frontage will flow to the north in Dyess Avenue to the intersection of Dyess Avenue and Seger Drive.

Water is located in Dyess Ave on the west side of the existing 24 foot roadway.

The owner will agree to a Waiver of Right to Protest a future assessment for the improvements to Dyess Avenue.

7. *Upon submittal of the Preliminary Plat application, the plat document shall be revised to show the required non-access easements except at the approved approach locations;*

This plat includes proposed non-access easements except where previously agreed to with the City.

8. *Upon submittal of the Preliminary Plat application, a revised road name shall be submitted for review and approval for East North Street;*

As previously directed by the City, we are working with the City to change the name from I-90 north to Tish Boulevard.

9. *Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;*

The only subdivision improvement included with this plat application is the water line along the east side of Tish Boulevard from East Mall Drive to the north line of this plat. This water line is included in the proposed Tish Boulevard improvements currently being reviewed by the City as part of the 11-6-19 review for Tish Boulevard. The estimated cost for the water line is \$42,906.

10. *Prior to Preliminary Plat approval by City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;*

This preliminary and final plat is being drawn for purposes of transferring ownership of the property. No development plans have been prepared. The only infrastructure improvement anticipated with this plat is the Tish Boulevard watermain. Erosion and Sediment Control Plans have been incorporated into the TIF plans.

11. *Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees be paid as required;*

At the time of Final Plat application surety for any incomplete improvements will be posted.

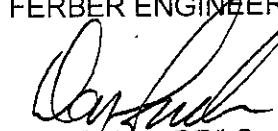
12. *Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required;*

13. *The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.)*

The final two stipulations will be complied with as part of the final plat acceptance. The parties intend to transfer ownership of the property as soon as the final plat is recorded.

Sincerely,

FERBER ENGINEERING COMPANY, INC.



Dan Ferber, PE/LS
President