

# REQUEST FOR EXCEPTION TO RAPID CITY DESIGN STANDARD / CRITERIA / REGULATIONS

**PROJECT** Lot 1 and 2 of Block 3, Minnesota Park Subdivision

**DATE:** 3-28-13      **SUBMITTED BY:** Sperlich Consulting, Inc.

**PIN #:** \_\_\_\_\_ 821 Columbus Street, Suite 1, Rapid City, SD 57701

**LEGAL DESCRIPTION:** A portion of Tract A of Robbinsdale Addition No. 10, Located in the E1/2 of the NE1/4 of the SE1/4, Section 13, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota

**EXCEPTION REQUESTED:** SECTION 2.3      **STD / CRITERIA / REG** Criteria

**DESCRIPTION OF REQUEST:** Exception to Figure 2-1 of the Infrastructure Design Criteria Manual to not dedicate additional right-of-way or pedestrian access easement to Minnesota Street.

**JUSTIFICATION:**

(Please use back of sheet if additional room is needed) The variance to not dedicate additional ROW to Minnesota Street or dedicate the pedestrian access easement was granted for all previous phases of platting in Minnesota Park Subdivision on the south side of Minnesota Street. In each case Planning Commission and City Council confirmed that neither the additional ROW or pedestrian access easement was required. Copies of the supporting plats are attached.

**SUPPORTING DOCUMENTATION:**       **Yes**       **No**

**PROPERTY OWNER'S SIGNATURE\*\*:** [Signature]      **DATE:** 3-28-13

\*\*Or Agent, if previously designated by the Owner in writing.

FOR STAFF ONLY

**STAFF COMMENTS:** Additional right-of-way or easement width may be needed in the future to accommodate additional pavement width and/or utilities.

**STAFF RECOMMENDATION:** DENY.

**REVIEWED BY:** [Signature]

**DATE:** 4/5/2013

**AUTHORIZATION:**

**APPROVED**

**DENIED**

[Signature]  
**COMMUNITY PLANNING DIRECTOR**

4/8/2013  
**DATE**

**APPROVED**

**DENIED\***

[Signature]  
**PUBLIC WORKS DIRECTOR\***

4/8/13  
**DATE**

FOR

\* Deny AS Proposed.  
Refer to letter date 4/5/13

**FILE #:** 13EX064

Revised 08/3/12  
**RECEIVED**

**ASSOCIATED FILE#:** 13PL015

\*Public Works Director's signature is not required for Lot Length to Width Exceptions, Ordinance No. 13-049

**MAR 28 2013**



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701

## Public Works Department Engineering Services Division

300 Sixth Street

Telephone: (605) 394-4154 FAX: (605) 355-3083

Web: [www.rcgov.org](http://www.rcgov.org)

April 5, 2013

Mr. Kale McNaboe  
Sperlich Consulting, Inc.  
821 Columbus Street, Suite 1  
Rapid City, SD 57701

Re: Request for Exception to Figure 2-1 of the IDCM to not dedicate additional right-of-way or pedestrian access easement to Minnesota Street.

Associated with a Preliminary Subdivision Plan for Lots 1 and 2 of Block 3 of Minnesota Park Subdivision, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota  
City File # 13EX064, Related Files # 13PL015

Dear Mr. McNaboe,

The Request for Exception to Figure 2-1 of the Rapid City Infrastructure Design Criteria Manual (IDCM) to not dedicate additional right-of-way or pedestrian access easement along Minnesota Street is denied.

Minnesota Street is a minor arterial street, requiring 100' of dedicated right-of-way per IDCM Figure 2-1. Minnesota Street exists today in 80' of dedicated right-of-way adjacent to the proposed plat. An additional 10' of right-of-way is required from the proposed plat. The additional right-of-way width may be needed in the future to accommodate additional pavement width and/or utilities.

Staff is in support of the property owner dedicating a 10' pedestrian and utility easement in lieu of 10' of additional right-of-way. In fact, Staff recently approved an exception request (City File # 13EX024) granted on February 26, 2013 for an exception to dedicated additional right-of-way contingent upon a 10' pedestrian and utility easement being dedicated. It is appropriate to obtain the easement at the time of platting for probable future improvements.

The denied exception request may be appealed to the City Council by requesting it be placed on the next Public Works Committee agenda. The City Council has final approval of exception requests. In order to appeal the denial the applicant shall file a written request of appeal to the Public Works Director within 10 working days of the denial. Please contact the Public Works Engineering Department if you desire to appeal.

Sincerely,

City of Rapid City

Nicole Lecy, Project Engineer



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OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER