

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

**PROJECT** Proposed subdivision platting of Lot 2 of Block 2 of Minnesota Park Subd into 2 lots

**DATE:** Nov. 12, 2013 **SUBMITTED BY:** FMG, Inc.

**PIN #:** 3713406005

**LEGAL DESCRIPTION:** Proposed Lots A and B of Lot 2 of Block 2 of Minnesota Park Subd located in the N1/2 of the SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, SD.

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

**DESCRIPTION OF REQUEST:** Allow a 10' Pedestrian and Utility Easement to be granted in lieu of dedicating an additional 10' of ROW on south side of Minnesota Street. Existing ROW is 80' wide rather than 100' required for Arterial Street. This is consistent with what has been done elsewhere. The standard 8' property line utility and minor drainage easement will be adjacent to the property line and will thus be inside of the 10' wide utility and pedestrian easement.

**JUSTIFICATION:**

(Please use back of sheet if additional room is needed) This request is consistent with other plats along Minnesota Street. Additional right of way is not needed for this street. Street and utilities are already currently constructed along this street. Widening of pavement and relocation of utilities are not needed.

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

**PROPERTY OWNER'S SIGNATURE\*\*:** Sam Berne - Member **DATE:** 11-12-13

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

FOR STAFF ONLY

**STAFF COMMENTS:** If the Minnesota St. pavement is widened, public improvements would be located within the 10' pedestrian + utility easement, which would essentially serve as R.O.W. + a separate corridor for private utilities is needed. Refer to attached general letter. **DENY**, staff would support the dedication of a 10' pedestrian + utility easement along with the dedication of an 8' minor drainage + utility easement adjacent; However, the request as presented cannot be supported.

**STAFF RECOMMENDATION:** a 10' pedestrian + utility easement along with the dedication of an 8' minor drainage + utility easement adjacent; However, the request as presented cannot be supported.

**REVIEWED BY:** [Signature] **DATE:** 11/21/2013

**AUTHORIZATION:**

**APPROVED**

**DENIED**

[Signature]  
**COMMUNITY PLANNING DIRECTOR**

11/21/2013  
**DATE**

**APPROVED**

**DENIED**

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

11-21-13  
**DATE**

**FILE #:** 13EX257

Revised 08/3/12

**ASSOCIATED FILE#:** -

\*Public Works Director's signature is not required for Length to Width Exceptions, Ordinance No. 5434.

**RECEIVED**

Copy to Utility Maintenance: \_\_\_\_\_ Copy to Water: \_\_\_\_\_ Copy to Waste Water: \_\_\_\_\_ Copy to Streets: \_\_\_\_\_ Copy to Traffic: \_\_\_\_\_ Copy to Construction: \_\_\_\_\_

**NOV 13 2013**

**ENGINEERING  
SERVICES**



# 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)

November 21, 2013

Mr. Jerry Foster  
FMG, Inc.  
3700 Sturgis Road  
Rapid City, SD 57702

Re: Request for Exception to Allow a 10' Pedestrian and Utility Easement to be granted in lieu of dedicating an additional 10' of right-of-way along the south side of Minnesota Street, as required by IDCM Figure 2-1, and allow the 8' wide minor drainage and utility easement to be located within the Pedestrian and Utility Easement.

Associated with a proposed lot split of Lot 2 of Block 2 of Minnesota Park Subdivision, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota  
City File # 13EX257

Dear Mr. Foster,

The Request for Exception to Figure 2-1 of the Rapid City Infrastructure Design Criteria Manual (IDCM) to dedicate a 10' Pedestrian and Utility Easement in lieu of 10' of right-of-way with the required 8' wide minor drainage and utility easement located within the 10' Pedestrian and Utility 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, consistent with what has been done on previous plats along this portion of Minnesota Street. However, if the pavement is widened, public improvements would be located within the 10' pedestrian and utility easement, essentially serving as right-of-way, and a corridor for private utility companies is needed outside of pedestrian and utility easement. It is important to maintain a separate corridor for private utilities (MDU, BHP, etc.) to be located that is not in conflict with the corridor for public utilities (City water, City sewer, City storm sewer). Staff would support the dedication of a 10' pedestrian and utility easement along with the dedication of an 8' minor drainage and utility easement adjacent; however the request as presented cannot be supported. It is appropriate to obtain the easement at the time of platting for probable future improvements.



EQUAL HOUSING  
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

Jerry Foster, 13EX257  
November 21, 2013  
Page 2

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