

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

**PROJECT** Lots 1 Through 3, Market Square Subdivision

**DATE:** 5/26/17

**SUBMITTED BY:**

(Include Name, Company Name,  
Email Address & Phone Number)

Sperlich Consulting, Inc.

**PIN #:**

info@sperlichconsulting.com, (605)721-4040

**LEGAL DESCRIPTION:** A Portion of Lot B of Lot 3 of Tract D, Section 5, T1N, R8E, B.H.M., Rapid City,  
Pennington County, South Dakota

**EXCEPTION REQUESTED:** SECTION 3.5.4, 2.0 **STD / CRITERIA / REG** Criteria

**DESCRIPTION OF REQUEST:** Do not construct public dual water mains and the balance of the 12" main within Creek Drive.  
Do not construct 36' wide pavement, curb, gutter, sidewalk, handicap ramps, and street light conduit within ~~the same~~  
Creek Drive

**JUSTIFICATION:**

(Please use back of sheet if additional room is needed) Proposed Lots 2 and 3 will have existing access off of East St. Patrick Street.  
Proposed Lot 1 will access off of East St. Charles Street. Access along Creek Drive is limited based on arterial street criteria.  
Proposed Lot 2 has existing water service off of East St. Patrick, Proposed Lot 3 will service water off of existing main  
within East St. Patrick. Proposed Lot 1 will service off of existing water main within East St. Charles Street.

**SUPPORTING DOCUMENTATION:**

☐

Yes

☐

No

**PROPERTY OWNER'S SIGNATURE\*\*:**

James Hutter

**DATE:** 5-26-2017

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

FOR STAFF ONLY

**STAFF COMMENTS:** See attached letter dated 5/31/17.

**STAFF RECOMMENDATION:** Approve, of dual water main.  
Deny, the balance of the request.  
See attached letter dated 5/31/17.

**REVIEWED BY:**

[Signature]

**DATE:** 5/31/17

**AUTHORIZATION:**

☒

APPROVED

water only

☒

DENIED

6-1-17

**COMMUNITY PLANNING DIRECTOR**

[Signature]

☒

APPROVED

**DATE**

☒

DENIED

6/1/17

**PUBLIC WORKS DIRECTOR**

\* Approval only

**DATE**

Revised 07/1/14

**FILE #:** 17EX117

**ASSOCIATED FILE#:** 17PLOS3

"staff comments  
& Recommendation"

**RECEIVED**

**MAY 26 2017**

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

**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)

June 1, 2017

Sperlich Consulting, Inc.  
821 Columbus St Suite 1  
Rapid City, SD 57701

Re: Exception 17EX117

Dear Sperlich Consulting, Inc.:

Enclosed please find a copy of the original exception request that was filed with the assigned file number and the decision details.

In the event that an exception request is denied, the Director of Public Works or the Director of Community Planning will advise the applicant of such denial in writing. Any applicant that disputes the denial of an exception may appeal such denial. In order to appeal the denial the applicant shall file a written request of appeal to the Director within ten (10) working days of the denial. The appeal will be placed on the next Public Works Committee agenda, which will then go to The City Council for final consideration.

If you have any questions or need additional information, please contact our office at 605-394-4154.

Sincerely,

*Susan Donat*

Susan Donat  
Administrative Secretary

Enclosure



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# 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)

May 31, 2017

Sperlich Consulting, [info@sperlichconsulting.com](mailto:info@sperlichconsulting.com)  
605-721-4040  
821 Columbus Street  
Rapid City, South Dakota 57701

Re: Request to waive the requirements to install a dual water main, 12" water main in the balance of the road, additional pavement width, curb, gutter, sidewalk, handicap ramps and street light conduit in Creek Drive.  
City File #17EX117, Related Files 17PL053

Dear Sperlich Consulting, Inc.,

The request to waive the requirements to install a dual water main in Creek Drive is approved.

The requests to waive the requirements to install 12" water main in the balance of the right-of-way, additional pavement width, curb, gutter, sidewalk, handicap ramps and street light conduit in Creek Drive are denied.

The Request for Exception to Figure 2-1 of the Infrastructure Design Criteria Manual (IDCM) to waive the requirement to provide sidewalk is not an exception request. To waive the requirement to construct sidewalk requires a variance from City Council, per Rapid City Municipal Code 12.08.060. Therefore this request is not applicable. However, a bike path already exists adjacent to the proposed plat on the west side of what will be Creek Drive. The opposite side of Creek Drive is void of any sidewalk. Please note that construction plans for sidewalk are a requirement of the platting process with the developer responsible to construct sidewalk at intersections, handicap ramps, sidewalk on unbuildable parcels, and provide grading for the installation of sidewalks along all public right-of-ways. However, sidewalks along buildable parcels is not required until a building permit is obtained on a parcel. If sidewalk is not desired at the time of building permit, a sidewalk variance must be obtained from the City Council as allowed for by Rapid City Municipal Code.

Subdivision improvements including pavement, curb, gutter, sidewalk, street light conduit, water main and sewer main are triggered during the platting process for all adjacent roadways. The proposed Market Square Subdivision plat has frontage to Creek Drive for approximately 635' and Creek Drive exists today with 20' wide rural pavement section, with ditches for drainage, a 12" water main adjacent to a portion of the road, an 8" sewer main and one street light. Creek Drive is an arterial street identified on the City's major street plan requiring a minimum 36' wide pavement with curb, gutter, sidewalk and street light conduit. Creek Drive needs to be constructed to arterial street standards to accommodate the proposed plat that includes platting 3 Commercial, Industrial or Medium Density Residential Lots. The existing zoning is General



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Commercial and Light Industrial. The existing street is not constructed to handle development in the area.

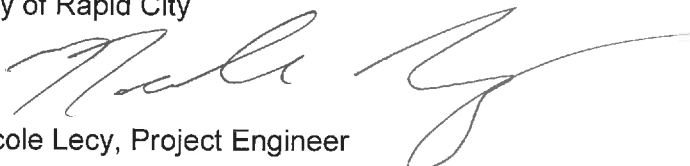
The alignment of Creek Drive may need to be adjusted at the East St. Patrick Street intersection and this is something the City would work with the developer to achieve. Street improvements need to be extended in Creek Drive to achieve the goals of the City's comprehensive street plans to provide public infrastructure for future growth and surrounding development. Subdivision improvements should be installed at the time of plat, as required by Ordinance. Please note that improvements in adjacent Creek Drive would create an improved street corridor from East St. Patrick Street to East St. Charles Street, both of which are improved streets.

Approximately 300' of adjacent Creek Drive is void of water main. An extension of the 12" water in Creek Drive from its current terminus to connect to the water main in East St. Patrick Street is required to eliminate a long dead end water main which is approximately 1700' long today. Of which the current Infrastructure Design Criteria Manual Section 3.9.10 limits dead end mains to 1200'. Water main looping will provide redundancy within the water system and additional domestic and fire flows for the proposed development.

Street light conduit is required during a platting process in all adjacent roadways to allow for the installation of street lights per IDCM 2.19. Street lights are important for vehicle navigation, and vehicle and pedestrian safety. Street lights also have been documented as a means of preventing crime. Street light conduits should be installed at the time of platting to support the adjacent development. As there are overhead powerlines existing within the right-of-way today, it is possible that Black Hills Power may allow for street lights to be mounted on the existing overhead power poles, eliminating the need for conduit. Black Hills Power should be contacted and street light installation coordinated with the City through the platting process.

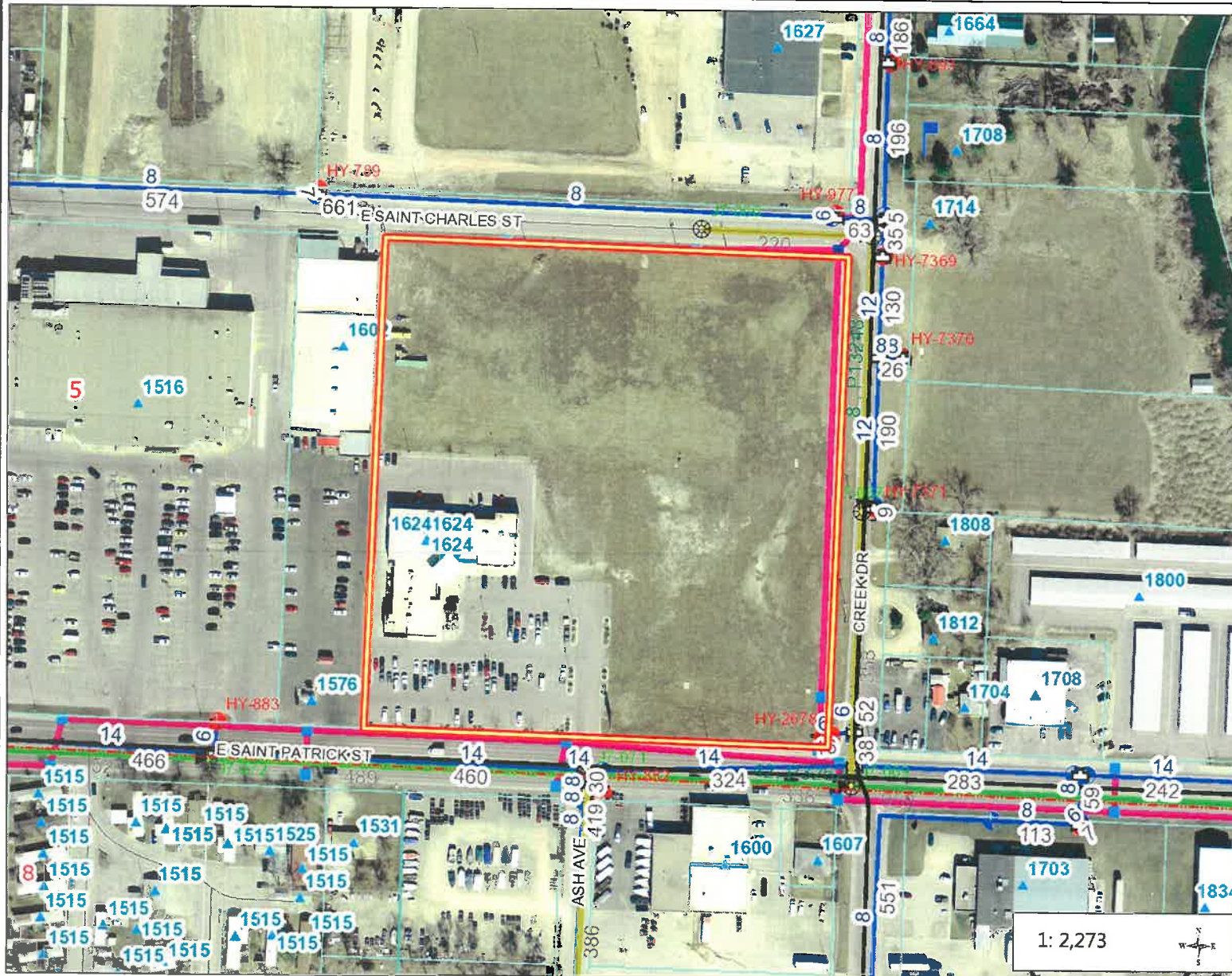
The denial of this exception request may be appealed to the City Council by requesting it be placed on the next Public Works Committee agenda. The City Council has final approval of exception requests. In order to appeal the denial the applicant shall file a written request of appeal to the Public Works 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





## Legend

### Roads

- Interstate
- US highway
- SD highway
- County highway
- Main road
- Minor arterial
- Collector
- Ramp
- Paved road
- Unpaved road
- - - Trail
- - - Driveway
- - - Alley
- - - Unimproved road
- - - Airport Runway
- - - Not yet coded

### Address Points

### Section Lines 0-25k

- 0
- 7

### Tax Parcels

### Lot Lines

<Null>

Lot Line

Parcel Line

### Sewer Manholes

- StandardManhole, Public
- DropManhole, Public

### Sewer Lift Stations

### Sewer Forced Main

### Sewer Gravity Mains

- Collector, Public
- InvertedSiphon, Nn

## Map Notes:

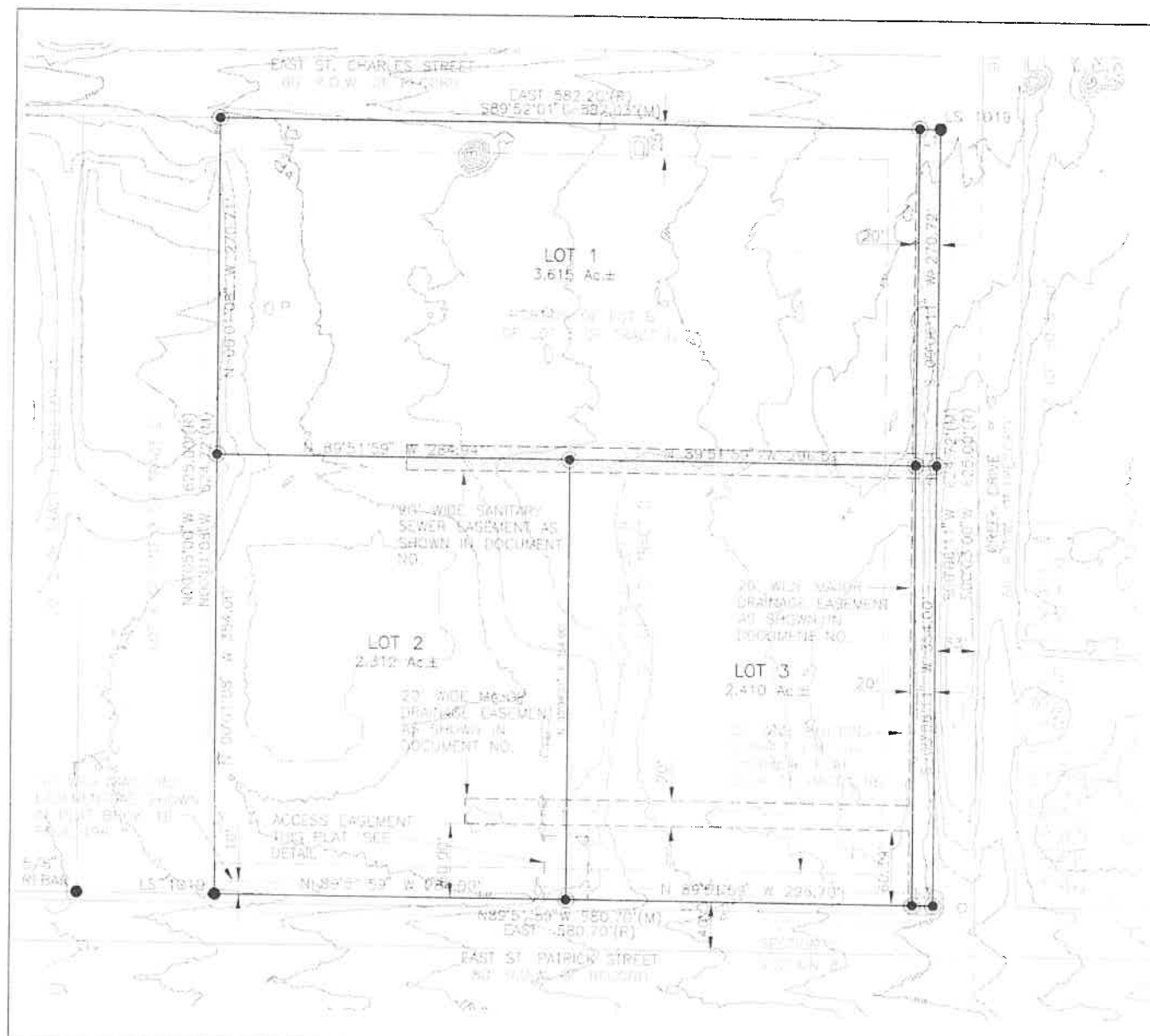
378.8 0 189.38 378.8 Feet

NAD\_1983\_2011\_StatePlane\_South\_Dakota\_South\_FIPS\_4002\_Ft\_US

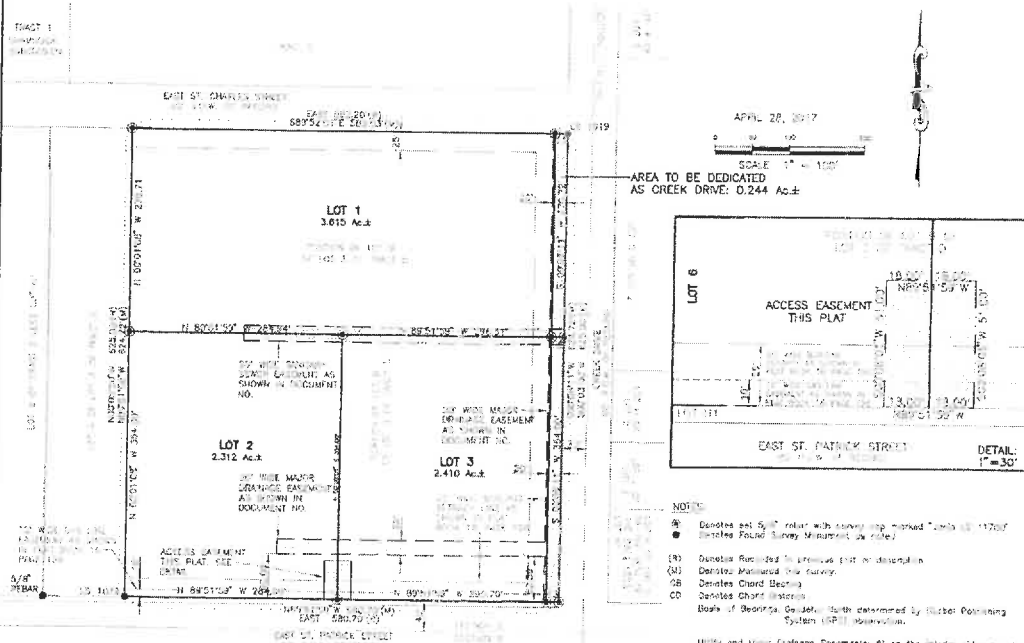
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



PLAT OF  
**LOTS 1 THROUGH 3,**  
**MARKET SQUARE SUBDIVISION, AND DEDICATED CREEK DRIVE RIGHT OF WAY,**  
 (formerly Lot 3 of Lot 3 of Tract D)  
 LOCATED IN THE S.W.1/4 OF THE S.W.1/4  
 SECTION 25, T1N, R4E, S4M  
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



Lot	Area	Owner
1	3.615	MARK MEADERS, LLC
2	2.312	MARK MEADERS, LLC
3	2.410	MARK MEADERS, LLC

**CERTIFICATE OF OWNERSHIP**  
 State of South Dakota  
 County of Pennington s.s.

I, JIM LUTHER, do hereby certify that I am a Member of MARK MEADERS, LLC, a corporation, the owner of the land shown and described herein; that the survey was done at my request for the purposes indicated herein; that I do hereby approve the survey and all within plat and land, and that the development of this land shall conform to all existing applicable zoning, subdivision, and resource and sediment control regulations.

Any land shown on the within plat as dedicated to public right of way is hereby dedicated to public use and public utility use in perpetuity. This dedication shall not be construed to be a donation of the fee of such land.

In witness whereof, I have set my hand and seal.

Owner: MARK MEADERS, LLC

By: \_\_\_\_\_

Jim Luther, Manager

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public, personally appeared Jim Luther, known to me to be the person(s) described in the foregoing instrument and acknowledged to me that he signed the same.

Notary Public:

My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF GROWTH MANAGEMENT DIRECTOR**

I, Growth Management Director of the City of Rapid City, have reviewed this plat and have found it to conform to the Subdivision Requirements of Chapter 16.08 of the Rapid City Municipal Code and a such I have approved this Plat as a final Plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Growth Management Director of the City of Rapid City

**CERTIFICATE OF FINANCE OFFICER**

I, Finance Officer of the City of Rapid City, do hereby certify that the Growth Management Director of the City of Rapid City, has approved this Plat as a final Plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Finance Officer of the City of Rapid City

**CERTIFICATE OF FINANCE OFFICER**

I, Finance Officer of the City of Rapid City, do hereby certify that all special assessments which are due upon the within described lands are fully paid according to the records of my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Finance Officer of the City of Rapid City

**CERTIFICATE OF SURVEYOR**  
 State of South Dakota  
 County of Pennington s.s.

I, Jeffrey L. Jacob, Registered Land Surveyor No. 11700 in the State of South Dakota, do hereby certify that at the request of the owner(s) listed herein, I have surveyed the land shown and shown, and to the best of my knowledge and belief, the within plat is a representation of said survey. Easements or restrictions of easements shown on the within plat are those known to me and are shown herein.

In witness whereof, I have hereunto set my hand and seal.

Jeffrey L. Jacob, Registered Land Surveyor

**CERTIFICATE OF HIGHWAY OR STREET AUTHORITY**

The location of the proposed lot lines with respect to the Highway or Street shown herein is hereby approved. Any approaches or curves to the Highway or Street will require additional approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Highway/Street Authority

**CERTIFICATE OF DIRECTOR OF EQUALIZATION**

I, Director of Equalization of Pennington County, do hereby certify that I have reviewed this plat and have found it to conform to the Subdivision Requirements of Chapter 16.08 of the Rapid City Municipal Code and a such I have approved this Plat as a final Plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Director of Equalization of Pennington County

Approved: \_\_\_\_\_

Director of Equalization of Pennington County

**CERTIFICATE OF COUNTY TREASURER**

I, Treasurer of Pennington County, do hereby certify that all taxes which are due upon the within described lands are fully paid according to the records of my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Treasurer of Pennington County

**CERTIFICATE OF REGISTRAR OF DEEDS**

State of South Dakota  
 County of Pennington s.s.

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, S.D.

Is this \_\_\_\_\_ of Plats, on Page \_\_\_\_\_

Registrar of Deeds

Fee \$ \_\_\_\_\_