EXCEPTION REQUEST MEMORANDUM

Project: Prairie Meadows Subdivision, Phase 3
Submitted by: Sperlich Consulting, Inc.

Re: Request to not make any street improvements along Country Road including improvements to the street section width, curb, gutter, sidewalk, street light conduit, sanitary sewer and water main.

STAFF COMMENTS:

Country Road exists with a rural pavement section. The vertical alignment of the road needs to be adjusted when the road is rebuilt. Sidewalk is required at the time of building permit, or obtain a variance. A gravity sewer is master planned to be located in this portion of Country Road, however the size and required depth are not known at this time. A 12" water main is master planned to be located in this portion of Country Road. Staff feels that the construction of the water main is not warranted at this time as the development is served by an internal water main network and no development exists on the south side of the road, however the developer participating in the cost of the future water main is appropriate. The developer is responsible for their share of the base cost of the water main (cost of an 8" water main). The developer could provide money today to help pay for the future construction of the water main adjacent to their property. The City historically has not required developers to improve existing roadways constructed with pavement adjacent to new developments, particularly when all lots within the development are provided access and utilities from another roadway internal to the development. Additional improvements in Country Road do not appear to be warranted at this time.

STAFF RECOMMENDATION:

Approve, contingent upon 1) a waiver of right to protest (WORP) being signed; and 2) the City and the developer coming to an agreement prior to Final Plat outlining the terms and conditions for the developer's share in the cost to construct the future water main in Country Road. The contingency to require a WORP is being removed from the exception request approval due to recent actions and determinations by City Council and direction from the City Attorney. At this time, WORPs are no longer being recommended by Staff. The WORP for this project has not been executed yet. The City Council still has the
authority to move forward with an assessed project at any time, as allowed for by South Dakota Codified Law.

REVIEWED BY: Nicole Lecy       DATE: Original Recommendation February 29, 2016, Revised Recommendation May 1, 2017

Authorization for Revised Recommendation:

☒ APPROVED       ☐ DENIED

COMMUNITY PLANNING DIRECTOR

☐ APPROVED       ☐ DENIED

PUBLIC WORKS DIRECTOR

FILE #: 16EX014
ASSOCIATED FILE: 15PL112
REQUEST FOR EXCEPTION TO
RAPID CITY DESIGN STANDARD / CRITERIA / REGULATIONS

PROJECT: Prairie Meadows Subdivision Phase 3

DATE: 2/8/16 SUBMITTED BY: Sperlich Consulting, Inc.

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

LEGAL DESCRIPTION: Dedicated R.O.W. of Country Road

EXCEPTION REQUESTED: SECTION 2-1, 3.1 STD / CRITERIA / REG STD

DESCRIPTION OF REQUEST: To not make street improvements along Country Road including improvements to the street section width, curb and gutter, sidewalk, street light conduit, sanitary sewer, and water main.

JUSTIFICATION:
As part of City Project #14-2173 CIP #50460 and Project No. 14-2174 CIP #50920 the water main and portions of the road sections are being reconstructed. Currently, all sanitary sewer flows are contained within the Prairie Meadows Subdivision with no need to develop additional sanitary sewer to the Country Road lift station. Additionally, no additional R.O.W. has been obtained from the property owner on the south side of Country Road, but additional R.O.W. has been granted on the Prairie Meadows Portion.

SUPPORTING DOCUMENTATION:

PROPERTY OWNER'S SIGNATURE: [Signature]
DATE: 2/9/16

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

STAFF COMMENTS: See attached staff memo dated 2/29/16

STAFF RECOMMENDATION: Approve, with contingencies. See attached staff memo dated 2/29/16

REVIEWED BY: [Signature] DATE: 2/29/16

AUTHORIZATION:

COMMUNITY PLANNING DIRECTOR: [Signature]
DATE: 3/2/2016

PUBLIC WORKS DIRECTOR:

FILE #: 16EX014

ASSOCIATED FILE #: 15PL112

*Public Works Director’s signature is not required for Lot Length to Width Exceptions, Ordinance No. 5434.
March 2, 2016

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

Re: Exception File No. 16EX014

Dear Paul Kraft:

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
EXCEPTION REQUEST MEMORANDUM

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REVIEWED BY: Nicole Lecy       DATE: February 29, 2016
FILE #: 16EX014       RELATED FILE: 15PL112