



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

Growth Management Department

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MEMORANDUM

TO: Public Works Committee

FROM: Bob Dominicak, Project Manager
Development Service Center Coordinator
Growth Management Department

DATE: August 15, 2006

RE: Village at Founders Park
Founders Park LLC
Exception for Retaining Wall in Public Right-of-Way (ROW)

A request was submitted on August 4, 2006, to allow a retaining wall in public ROW to avoid removing a rock outcrop encountered during construction of the new West Chicago Street.

Rapid City Municipal Code 12.20.030 does not allow structures upon any public right-of-way. Growth Management staff, Public Works Staff and the City Attorney's office have reviewed the information submitted and conclude that this is not an acceptable condition. The information submitted does not say that the wall is necessary to enable the street to be constructed, only to "...construct a decorative wall in public ROW to avoid blasting this rock formation." Staff feels that the wall could be a liability issue and in light of past circumstances, the wall not be allowed.

Staff Recommendation: Staff recommends denial of the request to allow a retaining wall in public ROW.

Robert H. Dominicak, P.E./L.S.
Development Services Center Coordinator



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