



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

Growth Management Department

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TO: Public Works Committee

FROM: Karley Halsted, P.E.
Engineering Project Manager
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DATE: April 8, 2010

RE: 10EX035 Request to waive requirement to install sidewalk along Elk Vale Road per City Ordinance 12.16.080
Dakotah Steakhouse
Lots A & B of Lot 1 of Lot D less Lot H1, K-W Subdivision, Section 28, T2N, R8E, Pennington County, South Dakota

A request was submitted on April 7, 2010 requesting that the requirement to install sidewalk per City of Rapid City Ordinance 12.16.080 be waived for the Dakotah Steakhouse Restaurant proposed on the southwest corner of Edwards Street and Elk Vale Road. The proposed development includes the construction of full service restaurant with on-sale liquor, parking, landscaping and drainage features. A 4 foot sidewalk is required to be constructed one foot from the property line along Elk Vale Road as per the Rapid City Municipal Code.

The City of Rapid City Street Code of Ordinances, 12.16.080 New or Relocated Residential or Commercial Buildings states "*The construction of a permanent sidewalk fronting or abutting all streets, highways and avenues shall be accomplished by the builder, owner or developer of all new or relocated residential or commercial buildings within the city...*" The requested exception will allow the restaurant to be built without the installation of sidewalk on Elk Vale Road.

The lots are located in the K-W subdivision, south of Interstate 90 and west of Elk Vale Road. The topography of this site is such that the elevation falls from west to east at an approximate 2% grade with the property line grade being relatively flat.

There is currently no sidewalk on Elk Vale Road as it abuts the property. There is existing sidewalk 200 feet to the north of the property and the SD Department of Transportation installed pedestrian facilities south of the property at Cheyenne Boulevard intending to provide connectivity as development occurs along the corridor. This area is located in a rapidly developing portion of Rapid City. Recent development in the area includes retail, lodging and dining. Additionally, the property is in close proximity to the Waitiki Water Park, which is a recreational destination for both visitors and locals. Staff has had conversations with the South Dakota Department of Transportation Regional Engineer and the Department of Transportation indicated the installation of sidewalks along Elk Vale Road is warranted. Sidewalk installation



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along Elk Vale Road would provide pedestrian facilities in an area that has potential for substantial commercial growth in the near future.

This request is associated with the Major Amendment to the Planned Commercial Development, file number 10PD028, which was heard at Planning Commission April 8, 2010. The applicant expressed their intent to request an exception to waive the requirement to install sidewalks on Edwards Street and Elk Vale Road. Planning Commissioners Marchand, Wyss, Kinniburgh and Rolinger identified that the sidewalk should be installed as it is an additional commercial facility within an area which will develop rapidly in the near future and where pedestrian activity is already occurring.

The exception request for waiving sidewalk on a highway, Elk Vale Road, was reviewed by Marcia Elkins, Growth Management Director. Per the Planning Commissions discussion the exception was denied. The applicant has appealed this exception to City Council.

Staff Recommendation: Staff recommends that the request to waive the requirement to install sidewalk on Elk Vale Road be denied.