



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

TO: Public Works Committee

FROM: Brandon Quiett
Engineering Project Engineer

DATE: June 4, 2012

RE: Request to waive requirement to install sidewalk per City Ordinance 12.08.060
Lot 2, of HMC Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota

A request was received in the Public Works Office on May 31, 2012 requesting the requirement to install sidewalk per City of Rapid City Ordinance 12.16.080 be waived. This request is associated with a building permit for a maintenance shop. A 5 foot sidewalk is required to be constructed one foot from the property line along Sturgis Road as per the Rapid City Municipal Code.

The City of Rapid City Code of Ordinances 12.08.060 - New and Existing Developments, Section (A) 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..."

Section (C) states:

"Application for variance. Any person aggrieved by any decision of the Building Official under this section may apply in writing to the Common Council for a variance from the requirements of this section."

Therefore, as allowed by ordinance, see attached written request from the land owner to the Common Council.

The subject property is located on the east side of Sturgis Road in HMC Subdivision, approximately 1,200 feet north of West Chicago Street. Sturgis Road is a state highway with no sidewalk north of the intersection of West Chicago Street. The property fronts the ROW for approximately 150 feet and is relatively flat. There does not seem to be any topographic or utility conflicts at the typical sidewalk location. Sidewalk along Sturgis Road is considered medium priority in the Rapid City Bicycle and Pedestrian Master Plan. Sturgis Road is fronted on the east side for approximately 3 miles north of this property by land that is owned by Oldcastle Materials SD (Hills Materials), GCC Dakota (Cement Plant), and Pete Lien and Sons. It is not likely that any of these quarry/mining oriented properties are going to install sidewalk within the foreseeable future.



EQUAL HOUSING
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

The Rapid City Council has the authority to order in sidewalk at any time should this section become necessary.

Staff Recommendation: Staff recommends the request to waive the requirement to install sidewalk be approved with the requirement of recording a waiver of right to protest (WORP).



EQUAL HOUSING
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EQUAL OPPORTUNITY EMPLOYER



HILLS MATERIALS COMPANY

P.O. BOX 2320
RAPID CITY, SOUTH DAKOTA 57709-2320

May 31, 2012

City of Rapid City
Attn: Brandon Quiett
300 Sixth Street
Rapid City, South Dakota 57701

Dear Brandon:

Thank you for spending time with me reviewing the plans for the new Hills Materials Company Shop building on Sturgis Road.

Hills Materials Company is requesting a variance to eliminate the required sidewalk adjacent to this project. Currently there is no sidewalk in the general vicinity of this project.

If you need further information, please feel free to contact me at 605-394-3300.

Sincerely,

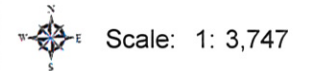
HILLS MATERIALS COMPANY

A handwritten signature in blue ink, appearing to read 'Robert Hengen', is written over the company name.

Robert Hengen,
Operations Manager
RH/kdd

Legend

- Roads**
- Not classified
- Interstate
- US Highway
- SD Highway
- County Highway
- Main Road
- Minor Arterial
- Collector
- Ramp
- Paved Road
- Unpaved Road
- FS Unpaved Road
- Driveway
- Paved Alley
- Unpaved Alley
- Unimproved Road
- Trail
- Not yet coded
- Township/Section Lines**
- TOWNSHIP
- SECTION
- Tax Parcels**
- Lot Lines**
- <all other values>
- Lot Line
- Parcel Line
- County Line



Map Notes:

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