



PW082812-27

# 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)

TO: Public Works Committee

FROM: Brandon Quiett  
Engineering Project Engineer

DATE: August 21, 2012

RE: Request to waive requirement to install sidewalk per City Ordinance 12.08.060  
the SE1/4 SW1/4 and SW1/4 SE1/4 and NE1/4 SE1/4 and NW1/4 SE1/4, and SW1/4  
NE1/4 and less Lot A of W1/2 SE1/4, Section 29, T2N, R7E, BHM, Rapid City,  
Pennington County, South Dakota

A request was received in the Public Works Office on August 17, 2012 requesting the requirement to install sidewalk per City of Rapid City Ordinance 12.08.060 be waived. This request is associated with a building permit for an apartment and assisted living complex. A 5 foot sidewalk is required to be constructed one foot from the property line along St. Martins Drive and City Springs 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."*

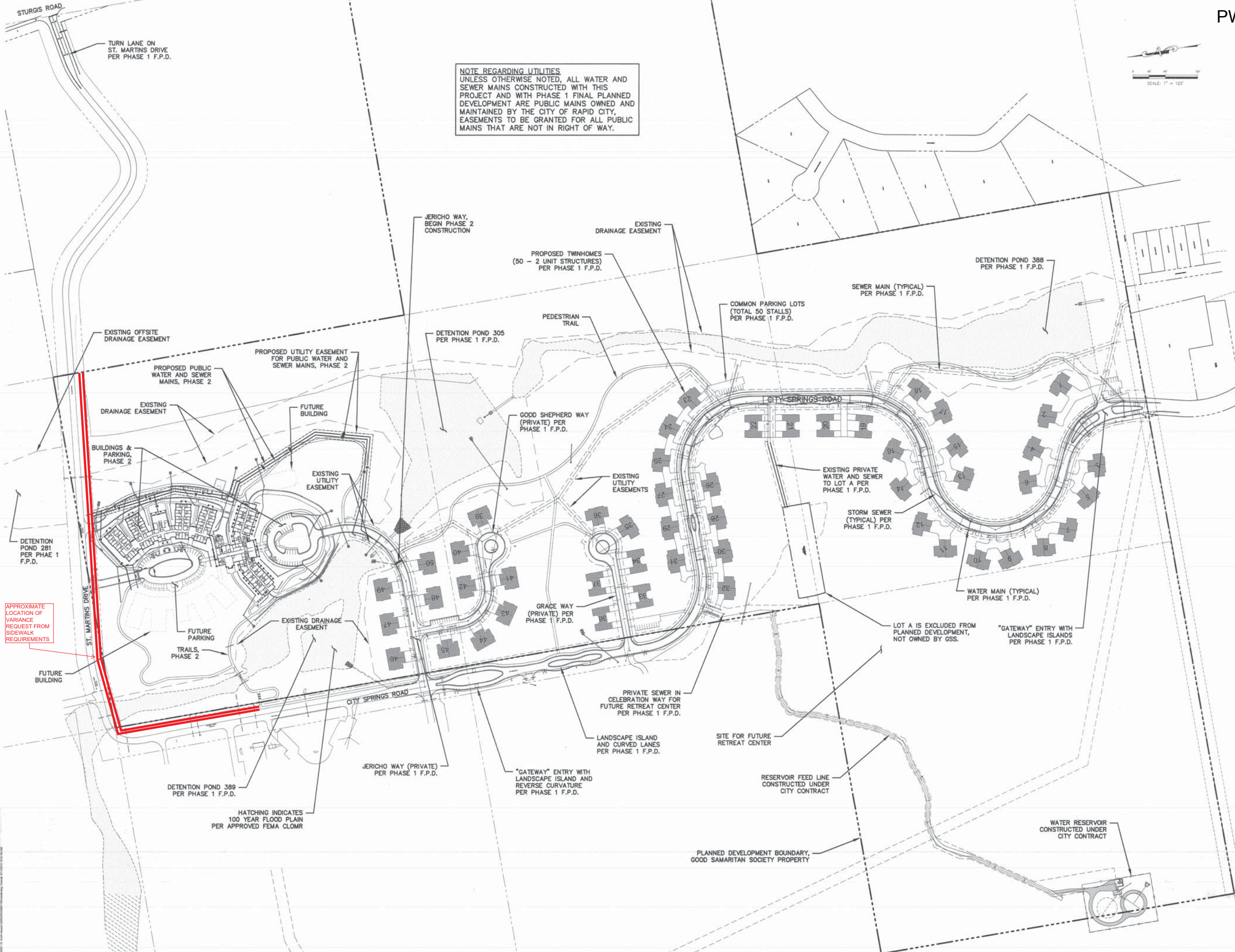
Therefore, as allowed by ordinance, see attached written request from the land owner to the Common Council.

The subject property is located on the south side of St. Martins Drive, west of Sturgis Road, and east of City Springs Road. The owner is proposing to construct an internal pathway network that will be open to the public (see attached site plan). St. Martins Drive and City Springs Road are rural section roadways with no curb and gutter and roadside ditches making construction of a sidewalk difficult. At such time the area around this project is developed to the point of requiring pedestrian connections, the Rapid City Council has the authority to order in the sidewalk.

**Staff Recommendation: Staff recommends the request to waive the requirement to install sidewalk be approved with the stipulation of recording a Waiver of Right to Protest (WORP).**



EQUAL OPPORTUNITY EMPLOYER



NOTE REGARDING UTILITIES  
UNLESS OTHERWISE NOTED, ALL WATER AND  
SEWER MAINS CONSTRUCTED WITH THIS  
PROJECT AND WITH PHASE 1 FINAL PLANNED  
DEVELOPMENT ARE PUBLIC MAINS OWNED AND  
MAINTAINED BY THE CITY OF RAPID CITY.  
EASEMENTS TO BE GRANTED FOR ALL PUBLIC  
MAINS THAT ARE NOT IN RIGHT OF WAY.



KOCH HAZARD  
ARCHITECTS  
431 North Phillips 200  
Sioux Falls, SD 57104  
T: 605-336-5718  
F: 605-336-5438  
W: kochhazard.com

F M G, Inc.  
Consulting Civil Engineers  
3700 Sturgis Road  
Rapid City, SD 57102-0317  
(605) 342-4108 FAX (605) 342-4222  
www.fmgengineering.com



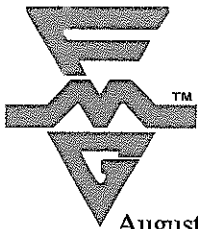
Plans are reviewed for general conformance with applicable government regulations, ordinances, design criteria and engineering standards. The City of Rapid City does not certify the suitability, adequacy or completeness of the plans or design, which are the responsibility of the Engineer of record. All necessary permits shall be obtained prior to construction of the proposed public improvements.

Engineering Reviewer  
Date  
Comments

CONSTRUCTION DOCUMENTS

PROJECT NO.	DESIGNED BY:
8881.18	JDF
DATE:	COPYRIGHT:
08/21/2012	2012
PROJECT:	
ST. MARTIN	
GOOD SAMARITAN SOCIETY	
RAPID CITY, SOUTH DAKOTA	
SHEET TITLE:	
PLANNED DEVELOPMENT OVERVIEW	





**FMG, INC.** 3700 Sturgis Road, Rapid City, South Dakota 57702-0317 605/342-4105  
www.fmgengineering.com

August 20, 2012

**RECEIVED**

Brandon Quiett  
City Engineering Department  
City of Rapid City  
300 Sixth Street  
Rapid City, SD 57701

AUG 17 2012

**RAPID CITY  
PUBLIC WORKS**

RE: PHASE 2 OF ST. MARTINS VILLAGE  
SIDEWALK VARIANCE REQUEST

Dear Brandon:

On behalf of our Client, Good Samaritan Society (GSS), we are making this request for Variance to Chapter 12.08.060 of the Rapid City Municipal Code as related to Stipulation #4 of the Final Planned Development for this project.

The project includes sidewalk along City Springs Road from the south end of the property to a point about 600' north of Jericho Way. It is requested that the sidewalk not be continued along City Springs Road beyond this point. The proposed end of the sidewalk as shown on the Engineering Drawings is at a point where the internal trail walkway enters the City Springs Road right of way.

Construction of a sidewalk along St. Martins Drive will be very difficult, if not impossible or cost prohibitive due to the presence of existing roadway drainage ditches, no curb and gutter, and very steep fill and cut slopes. The ditch slopes and cut/fill slopes essentially begin at the edge of the pavement and continue to and beyond the right of way lines.

It is also noted the development has a system of walking paths. In part, a note on the Architectural Drawing accompanying the Planned Development Drawing states "The paths are intended to be open to the public.....subject to compliance with use rules to be posted by ELGSS."

A copy of the overall Civil Engineering Layout Sheet is attached showing the extent of the sidewalks and trails proposed with this project.

Please give me a call if you have any questions.

Sincerely,

FMG, Inc.

  
Jerry D. Foster P.E.

Enclosure

CC 8981.18  
Greg Amble (GSS)  
Ed Lund (Koch Hazard)