



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701

Public Works Department Engineering Services Division

300 Sixth Street

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TO: Public Works Committee
FROM: Brandon Quiett
Engineering Project Engineer
DATE: September 9, 2013
RE: Request to waive requirement to install sidewalk per City Ordinance 12.08.060
Tract 1, Thompson Tract, Section 8, T1N, R8E, Rapid City, Pennington County,
South Dakota

A request was received in the Public Works Office on September 4, 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 picnic shelter. A 5' sidewalk is required to be constructed one foot from the property line along Sedivy Lane 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 an exception from the requirements of this section."

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

The subject property is located on the south side of Saint Patrick Street, and the west side of Sedivy Lane. Sedivy Lane is a paved fully developed roadway for the first 330' south of Saint Patrick, and then a gravel rural section roadway to its terminus approximately 1,300' south of Saint Patrick Street. Per the Infrastructure Design Criteria Manual a 5' sidewalk is required 1' off of the property line inside the right-of-way (ROW). The property has approximately 490' of frontage on Sedivy Lane. Sedivy Lane is considered a Local Street. Currently no sidewalk exists along Sedivy Lane for the full length south of Saint Patrick Street. There are two dwellings south of Open Bible Church on Sedivy Lane, and pedestrian traffic is minimal.



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Based the lack of pedestrian traffic in the area, it seems reasonable to allow a variance to the sidewalk requirement along Sedivy Lane for Lot 1 of Thompson Tract until development in the area necessitates construction of an urban street section and sufficient ROW is dedicated along Sedivy Lane. The Rapid City Council has the authority to order in sidewalk at any time, should sidewalk in this area 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).



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