



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: February 27, 2013

RE: Request to waive requirement to install sidewalk per City Ordinance 12.08.060
Tract H, Fountain Springs Subdivision, Section 27, T2N, R7E, BHM, Rapid City,
Pennington County, South Dakota
2123 S. Plaza Drive

A request was received in the Public Works Office on February 22, 2013, 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.

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's engineer to the Common Council.

STAFF SUMMARY AND RECOMMENDATION

The subject property is located on the south side of S. Plaza Drive in section 27 approximately 1,350' east of Fountain Plaza Drive and 170' west of Harmony Heights Drive. West of this site, S. Plaza Drive is a rural street section with ditches on both sides. The 213' +/- of frontage along this property and the roadway to the east is fully developed with curb and gutter. Per the Infrastructure Design Criteria Manual a 5' wide sidewalk is required 1' off of the property line inside the right-of-way (ROW). Current grades along the frontage of this property would not be problematic for sidewalk installation. The nearest sidewalk to the east is on the north side of Harmony Heights Drive. One (1) undeveloped parcel exists between this property and the sidewalk



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connection to the east. To the west, S. Plaza Drive contains no sidewalk the entire length (approximately 2020' to Rand Road).

Therefore, as the road section of this property is fully developed with curb and gutter, and topography does not present any unusual hardship, sidewalk installation with the development of this property as per Rapid City Municipal Code is reasonable and recommended.

Staff Recommendation: Staff recommends the request to waive the requirement to install sidewalk be denied. However, if City Council shall approve of the variance request, the applicant shall sign a Waiver-of-Right-to-Protest.

