



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: Nicole Lecy, Engineering Project Engineer

DATE: June 11, 2013

RE: Request to waive requirement to install sidewalk along Emerson Lane per City Ordinance 12.08.060

Lot 3 of Block 2 of Northstar Subdivision, Section 29, T2N, R8E, Rapid City, Pennington County, South Dakota.

A request was received in the Public Works Office on May 31, 2013 requesting the requirement to install sidewalk per City of Rapid City Ordinance 12.08.060 be waived. A 5 foot wide sidewalk is required per the Rapid City Ordinance to be constructed one foot from the property line along Emerson Lane.

The Rapid City Ordinance, 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 existing 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 the attached written request from the land owner to the Common Council. The requested variance will allow an industrial building to be constructed on the referenced lot without the installation of sidewalk along Emerson Lane.



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OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

The subject property is located on the west side of Emerson Lane in Northstar Subdivision. Emerson Lane provides access to an industrial park current void of any sidewalk along Emerson Lane or along adjacent Dane Lane. Emerson Lane currently exists with a 26' wide paved section, curb and gutter. Properties to the south along the west side of Emerson Lane are current void of any development. Sidewalk construction would be anticipated on these properties at the time of development. The City plans to install sidewalk along Segar Drive, located 375' north of the property, as a part of the Segar Drive Reconstruction Project planned to begin construction later this year. There appears to be no City utilities or topographical conditions that would complicate installation of a 5 foot wide sidewalk one foot from the edge of the Emerson Lane.

Staff Recommendation: Staff recommends the request to waive the requirement to install sidewalk along Emerson Lane be denied.

