



# CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701

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## Public Works Department Engineering Services Division

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TO: Public Works Committee

FROM: Ted T. Johnson, P.E.  
Engineering Project Manager  
Public Works Department

DATE: July 22, 2013

RE: Request for Exception to waive the requirement to install sidewalk along South Dakota Highway 44 per City Ordinance 12.08.060  
Proposed Lots 1 through 3 of the Orchard Meadows Subdivision, all located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, SD

A request was received on July 3, 2013 to waive the requirement to install sidewalk along South Dakota Highway 44 per City of Rapid City Ordinance 12.08.060 for the proposed Orchard Meadows Development. Proposed Lots 1, 2 and 3 include app. 9.60 acres of commercially zoned property that abut the south side of the State Highway Right-of-Way. The proposed Orchard Meadows development encompasses approximately 108 acres of property and is anticipated to include a mix of general and office commercial uses, multi-family and single family homes; and paved local streets with curb and gutter and sidewalks, water and sanitary sewer mains, stormwater drainage features, green space, landscaping and related improvements. In accordance with City Ordinance, a minimum five (5) foot wide property line sidewalk is required to be constructed along the south side of State Highway 44. In addition, the City's adopted Bicycle and Pedestrian Master Plan shows a shared use path along this side of Highway 44.

The City of Rapid City Code of Ordinances, 12.08.060 New and existing developments 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..."*



EQUAL HOUSING  
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER

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The requested exception would allow the subdivision and related infrastructure improvements to be built without the installation of sidewalk along Highway 44 as it abuts the development.

The proposed Orchard Meadows Subdivision is located in Section 9, T1N, R8E, on the south side of SD Highway 44 and east of Elk Vale Road and Twilight Drive. Highway 44 is currently improved to SD Department of Transportation requirements including concrete pavement, 4 through lanes, center turn lane, curb and gutter on the north and widen paved shoulder on the south.

This request is associated with a Preliminary Subdivision Plan, 13PL049.

**Staff Recommendation: Staff recommends that sidewalk be installed along SD Highway 44 in accordance with the RCMC Ordinance No. 12.08.060 and the City's adopted Rapid City Area Bicycle and Pedestrian Master Plan.**