



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: Nicole Lecy
Engineering Project Engineer

DATE: 8/27/2013

RE: Request to waive requirement to install sidewalk along Tower Road and US Highway 16 per City Ordinance 12.08.060

4282 Tower Road

Lot B of the SW1/4 of Section 14, Less Lot H1 and the South ½ of the Vacated Right-of-Way adjacent to the North Boundary of Lot B, Section 14, T1N, R7E, BHM, Pennington County, South Dakota

A request was received in the Public Works Office on August 19, 2013 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 a single family residence. A 5 foot sidewalk is required to be constructed one foot from the property line along Tower Road and US Highway 16, as per the Rapid City Municipal Code. Currently, there is no sidewalk along either Tower Road or US Highway 16, as they front the property.

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 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."



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Therefore, as allowed by ordinance, see the attached written request from the land owner. The requested exception will allow a single family residence to be built without the installation of sidewalk along Tower Road and US Highway 16.

The subject property is located on the east side of Tower Road, just south of the Skyline Ranch Road intersection. The portion of Tower Road that the property is located on is a rural street section with no curb and gutter, utilizing ditches on both sides of the pavement for drainage. Significant earthwork is required to install sidewalks per City standards due to the existing ditches. The nearest sidewalk is located on Tower Road approximately 3,700 feet north of the property. There appears to be no City utilities that would complicate installation of a 5 foot property line sidewalk along Tower Road, however topographical conditions may complicate the installation. US Highway 16 is a state highway in which pedestrian traffic is discouraged.

On September 17, 2012 the City Council approved a sidewalk variance for sidewalks along Tower Road and US Highway 16 for the property located at 3840 Tower Road. This property is located approximately 1400' north of the proposed request.

The property owner has indicated that they are willing to construct sidewalk along Tower Road at a future date, when additional sidewalks are constructed along Tower Road.

Staff Recommendation: Staff acknowledges that there is no sidewalk located within 3,700' of the property. Staff recommends a WORP be signed if this variance is approved.

