

PUBLIC COMMENT SHEET

Your suggestions and comments are important to the US Highway 16 Neighborhood Area Future Land Use planning process. Please feel free to provide any comments you wish to make regarding the Plan. Please hand in this sheet before you leave the open house or send written comments by September 30, 2004 to: Patsy Horton, Rapid City Growth Management Department, 300 Sixth Street, Rapid City, SD 57701. Thank you for your help.

My opinion: I do not feel low density housing is appropriate for this area in question - also any low density development that distance from the city center is not advantageous

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SEP 15 2004

Rapid City Growth Management Department

NAME: Kathy Rick
ADDRESS: 3018 Country Club Ct
Rapid City SD
PHONE: 379-3629 57701

PUBLIC COMMENT SHEET

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Lined area for handwritten comments.

Hart Ranch Dev. Co. Supports this plan as it relates to our property. We have 600 Acres in this plan and 3000 Acres adjacent to the east.

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SEP 15 2004

Rapid City Growth Management Department

NAME: Gene Addink
ADDRESS: Hart Ranch Dev. Co
23645 Clubhouse Dr
Rapid city, S.D. 57702
PHONE: 605-341-5700

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Subject to the rezoning of Forest
land to the low density development,
I would NOT consider buying under
this arrangement

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SEP 15 2004

Rapid City Growth
Management Department

NAME: Lawrence J Brick
ADDRESS: 3018 Country Club
Rapid City SD
PHONE: 399 7699

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SEP 20 2004

**PLATT RANCH
LOWER SPRING CREEK ROAD
HERMOSA, SOUTH DAKOTA
605-342-9375**

**Rapid City Growth
Management Department**

SEPTEMBER 17, 2004

Ms. Patsy Horton
Rapid City Growth Management Department
300 Sixth Street
Rapid City, SD 57701

Dear Ms. Horton:

I am writing in regard to the US Highway 16 Neighborhood Area Future Land Use Plan. My place is the first one east of Highway 79 on Spring Creek. Spring Creek and our wells have been polluted by the Hart Ranch. The Highway 16 Plan which will allow the Hart Ranch to construct more than 300 homes will simply add more pollution to the Spring Creek area.

I am extremely disturbed by the "shell game" being played as you try to slide this plan past the public. First, it was going to be adopted without a public hearing. Then when that was averted the first meeting was canceled because the Members of the Planning Commission did not have a quorum. One wasted evening. At the second hearing many objections to the Highway 16 Plan were expressed. The Commission decided to continue the hearing and announced a meeting for September 15. At that meeting however, the Planning Commission was not present. The material provided stated that "The Planning Commission has directed staff to provide the public with an additional opportunity for input into the future land use plan . . ." At the September 15 meeting, however, "input" was **NOT** allowed. After sitting for an hour from 6:00 p.m. to 7:00, we were finally allowed to ask questions but could not make any comments.

I have learned one thing through this long process: Rapid City does not have a Comprehensive Plan. How can you amend a Comprehensive Plan that does not exist? I suspect that this entire process is completely illegal. As I stated at the meeting, all Rapid City has is a Plan for Comprehensive Sprawl.

I have also learned that Rapid City has no plans to extend sewer service to the hundreds of homes provided for at the south end of the Highway 16 Neighborhood.

I realize that these are harsh words, but when dealing with planned sprawl and pollution, harsh words are necessary

04CA032

Unfortunately, I will not be able to attend the October 14 meeting. For the next three months I may be contacted at:

The Hugo Wall School of Urban and Public Affairs
Campus Box 155
Wichita State University
Wichita, KS 67260-0155

316-978-6537
george.platt@wichita.edu

Rapid City needs a *comprehensive plan*, and this would be a good time to start the process.

Sincerely,



George M. Platt

✓ cc: Chair, Rapid City Planning Commission

PUBLIC COMMENT SHEET

Your suggestions and comments are important to the US 16 Corridor Study planning process. Please feel free to provide any comments you wish to make regarding the study. Please hand in this sheet before you leave the open house or send written comments by September 30, 2004 to: Patsy Horton, Rapid City Growth Management Department, 300 Sixth Street, Rapid City, SD 57701. Thank you for your help.

I live just up Hwy 16 from the study area, on 47th Ave. and drive to Rapid City for work. I appreciate your plan and agree that it is needed. My comments are:

1) Please include bike/walking lanes on frontage roads & residential roads. As residential/commercial development increases, so does traffic. As I've experienced in my neighborhood... more houses - more cars - higher speeds, as people move from point A - point B. They generally travel 5-15 miles over the speed limit & sometimes do not notice or consider walkers/cycles. Please plan for this now by including these lanes in your design. 2) Support and sponsor programs that encourage drivers to slow down in residential areas. I suggest signs, public information, speed bumps. 3) Consider designing deer passage or other methods to decrease the deer/traffic encounters within the study area.

NAME: Faye Strevier
 ADDRESS: 13736 47th Ave. West
Rapid City, SD 57702
 PHONE: 343-8038

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SEP 22 2004

Rapid City Growth
 Management Department

PUBLIC COMMENT SHEET

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Your suggestions and comments are important to the US Highway 16 Neighborhood Area Future Land Use planning process. Please feel free to provide any comments you wish to make regarding the Plan. Please hand in this sheet before you leave the open house or send written comments by September 30, 2004 to: Patsy Horton, Rapid City Growth Management Department, 300 Sixth Street, Rapid City, SD 57701. Thank you for your help.

SEP 22 2004

Rapid City Growth Management Department

1. The majority of the commercial development is GC w/PCD. Why isn't it NC w/PCD? It appears that this planning is being done to encourage retail development in general - rather than to provide the types of businesses that may be useful for the largely rural residents. Please consider development with community and neighborhood in mind, rather than another strip commercial development.

2. I do not see any landscape buffers? This is very important to preserve scenic quality.

3. Please plan walking and bike paths. Consider a bike lane on new frontage roads.

4. Consider establishing parks + green space within residential.

5. Reduce dwelling units/acre in areas w/ current covenants restricting homes/acre.

NAME:

Faye Stoen

ADDRESS:

13736 47th Ave. West

Rapid City, SD 57702

PHONE:

343-8038

6. Consider wildlife habitat. Are deer crossings being considered?

7. Reduce and eliminate billboards!

RECEIVED

STELLA M. HUGHES
6118 GREENLEAF CT.
RAPID CITY, SD 57702-8845

SEP 22 2004

~~Rapid City Growth~~
Management Department

September 20, 2004

Patsy Horton
Rapid City Growth Management Department
300 Sixth Street
Rapid City, SD 57701

Dear Ms. Horton,

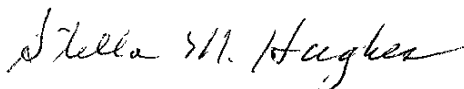
Thank you for considering input on the US Highway 16 Neighborhood Area Future Land Use Plan. I own property on Lower Spring Creek Road and am interested in any land use that may impact this property and that part of Spring Creek running through it.

I attended the open house on 15 September, and came away with more questions than answers. A call to the Environment and Natural Resources Department told me that this agency had not been informed by the city of any land use changes; however, their representative did some checking and learned that there is a plan underway to develop a large track of land north of the Hart Ranch. This tract of land will contain up to 350 new homes, and the developers hope to pipe the sewage to the Hart Ranch lagoons. Here are some questions that I have:

1. Does the Hart Ranch have a sanitary district?
2. How many homes are now using the Hart Ranch lagoons?
3. What is the capacity of the lagoons and what percentage of this capacity is now being used?
4. How many more homes can safely use the lagoons?
5. Are there any safeguards in place to detect overuse of these lagoons or seepage of sewage into Spring Creek?

It would seem that land use planning is being done in response to development procedures already in place, not the other way around. I believe that the impact on the environment of this development has not been adequately studied or addressed.

Sincerely,



Stella M. Hughes

BLACK HILLS MAZE
PO BOX 1509
RAPID CITY, SD 57709

September 22, 2004

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SEP 23 2004

**Rapid City Growth
Management Department**

Mr. Leon Schochenmaier
SD Dept. of Transportation
700 E. Broadway Ave.
Pierre, SD 57501-2586

Re: Loss of Hwy. 16 Access

Dear Mr. Schochenmaier:

Thank you for the time you took to attend the Open House on the "Highway 16 Corridor Study" on September 14 and for the time you took to discuss our access situation.

We must reiterate our concern and position that elimination of direct access to Highway 16 will be a death blow for our "mom and pop" tourist business and a drastic devaluation of our property value.

While I understand that the mission of the Department of Transportation is to move traffic more safely and efficiently, there has been a complete ignoring of the economic impact your plans will have on existing adjacent businesses and land values.

With the proposed and expected growth of Rapid City along Highway 16 south – for both housing and office developments - we believe it to be more prudent and practical to 1) reduce the speed limit, and 2) construct turn lanes at historical intersections, rather than eliminating the intersections. The creation of an "expressway concept" is not congruent with either city development or the historical "laid back" atmosphere of the Black Hills.

Eliminating our direct approach to Hwy. 16 and forcing an alternative access from one third mile away, on a dead-end road that primarily will access and wind through an office complex, is unacceptable.

Economic impacts of your proposal are woefully lacking, but we can assure you that those impacts are real and substantial, and we request that someone address that issue prior to continuing with plans to eliminate historical direct access.

Sincerely yours,

 
Conrad & Reone Rupert

cc: Mayor Jim Shaw
Patsy Horton ✓

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Marcia and staff did a wonderful job at this meeting. This meeting was incredibly hostile. I have become increasingly impressed with Marcia + staff, the planning commission and the city council as I move my subdivision forward in the processes of government. I did not realize the intense pressure placed upon those mentioned above by special interest groups to stop the city's growth could be so high pressured and non-renting.

As for as the city's future land use plan for south Rapid City, my opinion is the plan is well thought out and I approve. As Marcia mentioned at the last meeting, all plans are fluid and change over time and I am sure some portions may be adjusted in the future.

RECEIVED

SEP 27 2004

Rapid City Growth
Management Department

BOB DREW
1311 11th St.
Rapid City, SD 57701
391-2583

NAME: Rich Evans
ADDRESS: 3735 Sonora Drive
Rapid City, SD 57701
PHONE: 343-2700

Thank you for holding the Highway 16 Neighborhood Meeting. September 15th.

I thought the lady from California had an excellent idea on the planned development idea. I feel Sodak Gaming has done a nice job with their building and area. It would be great to see buildings kept at one story, with lots of green area and berms placed in appropriate areas. Billboards and signs designed to blend in with area. (Not gaudy).

We are also home owners in Enchanted Hills (Lot 5). We understand the Jensen's are working with The Evangelical Lutheran Good Samaritan Society on the property to the west of Enchanted Hills. The preliminary drawings show quite an extensive building plan.

If this development happens:

- We as a homeowner, that would be impacted, would like to see the main 56 unit building be moved to the area where currently a vacant house sits on the west side of the property. The back of the building with the HVAC units would be toward the ravine and the existing trees and draw would buffer the noise for any development that might occur on the highway frontage across the draw. The duplex units could then be placed on the remaining property without causing homeowners adjacent to the proposed development as much noise or visual impact. These could be easily screened out with vegetation or berms.
- Another factor to take into consideration is the natural drainage lay of the property. The largest land area of the proposed development naturally drains to the east between Enchanted Hills lots 1 and 2 and in another low area between lots 2 and 3. With the increased bare area due to concrete and buildings there will be a large increase in the amount of run-off during large storm events. This will impact not only the immediate land owners, but also those across Ridgeview road and down the drainage ditch that runs along the road. In order to control runoff a check dam would have to be placed at about the low point or some other form or slowing down water would be needed. As a homeowner I am opposed to any kind of check dam. The homeowners in the Enchanted Hills development enjoy mostly a mosquito free environment and we would like to keep it that way. Especially with the number of cases of West Nile Virus in the Rapid City Area.
- The number of small units needs to be reduced from 18 to 12? With eighteen duplexes in that small an area it will be plenty crowded.
- The access road needs to be placed more to the west so it would come out higher on Enchantment Road. The proposed location in the current plan puts it mid slope next to a curve. (There is always the hazard of sliding into the ditch during the snow months.)
- Outside lights should be kept at a minimum with extensive use of environmental-friendly lights.

Steve & Marilyn Denison
1316 Panorama Circle
Rapid City, SD 57701
342-1029

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SEP 24 2004

**Rapid City Growth
Management Department**

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SEP 24 2004

Date: September 24, 2004
To: Rapid City Planning Commission
Attn: Patsy Horton

Rapid City Growth
Management Department

Wednesday, September 15th I visited with you prior to the public meeting held at Fire Station #6. I am hand-carrying this memo to you with my concerns in response to the request for written comments.

I purchased a 10-acre TRACT of land in Medicine Ridge over 20 years ago, when the "limited ag" zoning permitted a minimum of 10 acres. My realtor confirmed this zoning, and my Enchanted Hills/Medicine Ridge covenants state that I am permitted to have horses and a barn if the structure is at least 75 feet from the adjoining properties. As the acre requirement has changed, Mike Madden spoke with city officials and was told that those of us on 10-acre tracts would remain 'grandfathered' under the zoning guidelines that were in effect when we purchased our land. My legal description is as follows:

1N 07E SEC 23 RAPID CITY 1N-07E SEC 23, UNPLATTED NW1/4NE1/4NE1/4

If you were to 'tour' my property on foot (which is the ONLY way you can get to most of it!) you will find that there will never be accommodations for ten 1-acre lots as you predict in the PRD future planning.

Part of the selling point of my property, and the reason I purchased it, was because the zoning did exclude extensive development in the canyon, AND as a result, the grandfathered 'limited ag' zoning would remain status quo.

I realize that Madden's 2 ten-acre tracts in Enchanted Pines Drive have been subdivided and numerous residences reside on 1 acre or less lots. Subdivision should be reflected in the tax assessment on those properties. HOWEVER, those of us who wish to remain grandfathered under the original tract description and zoning should not be subjected to similar assessment simply because we reside on 10 acres that you feel are capable of supporting 1 house per acre. We should not be judged by the 'tour' the commission took of the Sammis Trail area.

I ask that my zoning remain as it was when I purchased the property in 1983 and that I have a written statement to the effect that should the present zoning be amended, my ten acres remain 'grandfathered' under the original zoning. I also

want to be assured that my property will not be assessed as if subdivision has already taken place.

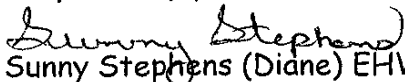
The planning commission is welcome to come and take a tour of my property any time they feel like a good workout!

In another matter, I protest the proposed rezoning and development of the Vista Plains area as a multiple residency Good Samaritan complex. Enchanted Hills Water Association served the owners of this property as a "favor" for several years. Enchanted Hills homes that adjoin this property will have their scenic view altered by the height and sprawl of this complex. There has been no mention of how sewer waste and natural run-off will be handled once the topography has been turned into buildings and asphalt. Septic processing of that magnitude would saturate the hillside above the original Enchanted Hills development. In addition, this affected section of the original Enchanted Hills does not have storm sewer or curb and gutter as part of the hard surfaced road. There is no place for run-off to be directed!

As Secretary/Treasurer of the Enchanted Hills Water Association and land-owner since March of 1983, I don't want to regret that I chose this area to build my home. When I built, the purpose was to escape the crowded neighborhood setting and the apartment houses, duplexes, and multiple unit buildings. The Plains Vista acreage should be limited to one single-family dwelling per acre as well!

I would like to schedule an appointment after review of these comments to get your response.

Respectfully yours,



Sunny Stephens (Diane) EHWA Sec./Treas,

4770 Enchanted Pines Drive

Rapid City, SD 57701

343-0706

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I recommend that Skyline Drive & Tower Road be designated a bike route all the way to Catron Blvd, with a paved area next to or alongside the street where bikers, walkers & joggers can safely travel and where cars cannot drive on. I understand that Skyline Drive is currently designated as a bike route, but there is barely room for 2 vehicles, much less a bike or walker or jogger. It would be much safer if a separate lane could be constructed for the bikes, walkers, runners. There are many close accidents because of blind curves, narrow streets, & bikes & runners using same road as cars. It is very dangerous. Many tourists on Skyline Dr. are looking at the views and wonderful scenery and not paying full attention to what's on the road. Also the sun can blind a driver so he would not even see a biker or walker in his lane. Please consider this recommendation to improve the safety for Rapid City citizens and tourists.

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SEP 27 2004

Rapid City Growth
Management Department

NAME: Bob Hastings
 ADDRESS: 4141 Penrose Place
Rapid City SD 57702
 PHONE: 388-0892

PUBLIC COMMENT SHEET

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Driving on Catron Blvd sometimes the garbage dump smells and plastic bags are blowing around. This is surely not a pleasant sight for tourists nor for we residents!

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SEP 29 2004

Rapid City Growth Management Department

NAME: Tom + Janice Moses

ADDRESS: 1035 Enchantment Rd

PHONE: 7374699

PUBLIC COMMENT SHEET

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We feel the only comments we have heard at all the meetings we have attended have been negative and against any development. We feel that positive comments should also be made known to the Planning Commission.

As major landowners in the affected area of the U.S. Highway 16 Corridor Study and Future Land Use Plan, we feel the Commission has done a thorough and complete study and has a reasonable and useable plan, which we have no objections to. We also understand changes are possible as need arises.

We feel the information from your study has been available to the public for quite some time.

We are owners of 130⁺ acres and part owners of another 112 acres as outlined on enclosed map.

Thank you for your time and efforts in the planning of this area

NAME: Frank Commeyrol

ADDRESS: 1755 Sammis Trail

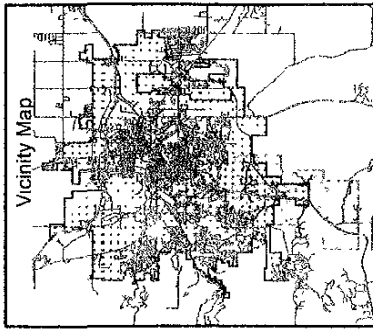
Rapid City, S.D. - 57702

PHONE: 343-9121


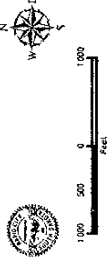
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SEP 29 2004



Rapid City Growth
Management Department

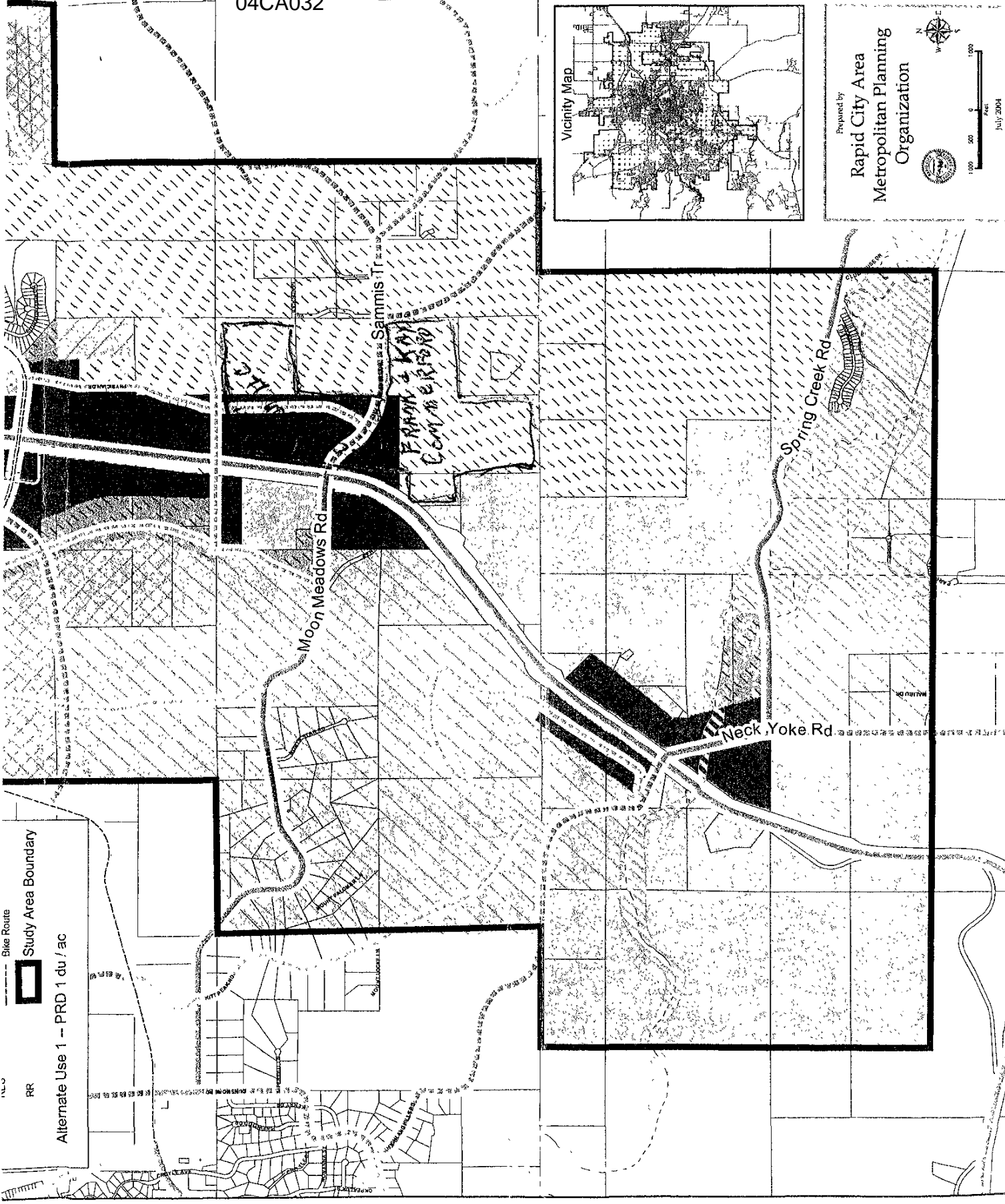


Prepared by
**Rapid City Area
 Metropolitan Planning
 Organization**

July 2004

 Bike Route
 Study Area Boundary
 Alternate Use 1 - PRD 1 du / ac



04CA032

Rapid City Growth Management Department
300 Sixth St
Rapid City, SD 57701

29 September 2004

To the RCGMD

This is to register our strongest protest to the implementation of the US Highway 16 Neighborhood Area Future Land Use plan.

Our 10 acres is to be redesignated for one dwelling unit/acre. The property could never support such density and makes the proposal ludicrous. That this is also a blatant attempt to raise our taxes is maddening. The west border is typical of the contours of the property---it drops 130 feet and rises back 130 feet in 667 feet of travel. Most is unbuildable and unsuitable for vehicular travel.

In addition, I like my access to Rt 16 and there is no current or likely intermediate term future need to change it. The Truck 16 Bypass will further decompress Rt 16. I like things the way they are and do not appreciate those with no appreciation for the current ease of use, and the disruption to access in the proposed plan, to just "change" things.

The redesignation of the single unit to multiple unit land to the south of Enchantment Dr. and Rt 16 is also inappropriate and further proves you have no regard for those of us living here. You may have authority to make such arbitrary and ill-considered changes, but you do not have the right to ignore the overwhelming number of those of us who live here and oppose these plans.

No one I know who lives here wants any of this. This has been made very clear in the two meetings I have attended. If you are bowing to outside interests, stop. We who live here should control our future, not you and others who choose to live elsewhere.



Richard & Darla Tenglin
4780 Enchanted Pines Dr.
Rapid City, SD 57701

605-341-3374

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SEP 30 2004

**Rapid City Growth
Management Department**

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9/28/04
Rapid City Growth
Management Department

9/28/04

Patsy Horton
Rapid City Growth Management Department
300 Sixth Street
Rapid City, SD 57701

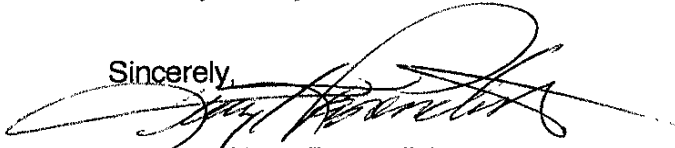
Dear Patsy,

I am sending you the talking points that my husband and I feel are our main views on the Hwy 16 Neighborhood Land Use Plan. We will also express these views at the October 14 Land Use Hearing.

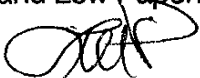
Please feel free to call Lew or me to discuss the talking points or schedule a tour of our land and surrounding area at your convenience. My cell phone #390-7585.

Thank-you for your time and consideration of our concerns on this matter.

Sincerely,



Kerry and Lew Papendick



**TALKING POINTS
ON THE FUTURE LAND USE PLAN FOR US HWY 16 NEIGHBORHOOD AREAS
FROM LEW AND KERRY PAPENDICK**

1. Maintain our area as current zoning of Park Forest e.i.. 1 house per 3 acres. We are opposed to the future plan to rezone it as LDR e.i.. low density residential or approximately 3 houses per acre.

- the Hart Ranch and Pennington County have had the area zoned Park Forest since the 1970's.
- we have covenants on our land that state there will be 1 house per a minimum of 5 acres.
- we invested in that area(220 acres) with the understanding that these covenants and the current Hart Ranch zoning would be intact.
- we are currently building a home on our land, adjacent to the Hart Ranch land.

2. Please implement a traffic study on the effect of the increased traffic to this area from the proposed Wal Mart, the proposed change in residential zoning, and the unique topography of the land and the environmental issues of increased traffic.

- as proposed, the east part Sammis Trail will run directly through the front yards of two homes and one proposed site. This road can easily be moved slightly to the west and south to avoid the current homes and still have its proposed purpose accomplished.
- as proposed, the planned roads in this area seem to benefit one individual -this being the proposed Wal Mart. Why do we, as residents of this area, have to be defending ourselves and land from the city's developments? We, personally, would like to be involved with the decisions made concerning our home and land.

3. We invite the City Council members to tour our land with us to see the actual topography and environment affected by the Proposed Land Use Plan.

- we, as a neighborhood, have tried to involve the developers of the Hyland Park Development but have received no response.
- this area is surprisingly unique and should be preserved. It must be seen to be appreciated so please do not rely solely on the topo maps to establish future developments and roads.

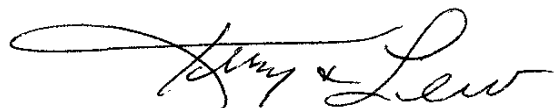
4. We are not willing to let sprawl development or spot zoning ruin this area or the future of responsible residential development in the areas of Rapid City that blend with the Black Hills.

- we love where we live and have been blessed with the Black Hills as a backdrop to our view.
- we also understand that development will happen, therefore

PLEASE USE THE "SMART GROWTH" PRINCIPLES OF DEVELOPMENT IN YOUR FUTURE LAND USE PLANS.

"IT IS YOUR RESPONSIBILITY TO CONTINUE TO BLEND RAPID CITY INTO THE BLACK HILLS IN A BEAUTIFUL AND RESPONSIBLE WAY"

thank-you, Kerry and Lew Papendick



23645 Clubhouse Drive
Rapid City, SD 57702
www.hartranch.com



Phone: (605)341-5700
Fax: (605)341-1671
Toll Free: 800-782-2267

September 29, 2004

Marcia Elkins
Rapid City Growth Management Director
300 6th Street
Rapid City, SD 57702

Dear Ms. Elkins

This letter is in regards to the Future Land Use Plan and the Highway 16 Corridor Study currently under consideration by the City of Rapid City.

The individuals who own Hart Ranch Development Company also own Duinick Brothers & Gilchrist Land Company. Between these two companies, we own 600 Acres in the Future Land Use Plan area. We also own an additional 3000 acres north of Spring Creek Road lying east of the Highway 16 Corridor Study area. All of this land will be affected by both the Road Plans and the Future Land Use Plans being considered.

While we have attended the meetings relating to these two issues during the past two months, you have not heard from us during the meeting discussions. The reason is simple. Both Hart Ranch Development Company and Duinick Brothers & Gilchrist Land Company support the plan presented as it relates to our property. I wanted to make sure that you and others within the decision making body understand that our silence indicates our support for the plan as presented.

Some of the opposition to the plan as proposed concerns the area around Sammis Trail that the Future Land Use Plan designates as SRD with PRD. When looked at in the light of the General Commercial with PCD land adjacent to this property, the classification proposed by the Future Land Use Plan submitted seems appropriate in contrast to the density proposed by those opposing the Future Land Use Plan suggest.

We would request that this letter be shared with the Future Land Use Committee, the Planning Commission Members, and the Rapid City Council Members.

Thank you for allowing our input.

Sincerely,

Gene Addink

RECEIVED

SEP 30 2004

Rapid City Growth
Management Department

RECEIVED

SEP 30 2004

Rapid City Growth
Management Department

September 28, 2004

Dear Sir or Madam,

Below please find our comments regarding the Future Land Use Proposal for the area south of Rapid City and adjacent to Highway 16. Our concerns pertain mostly to LDR w/ PPD, which we understand allows for development of 6.7 du per acre. The plan as proposed is an urban sprawl imposed on a scenic and ecologically vibrant area of the Black Hills. This plan was drawn with little regard or input from the local landowners, which have no representation in Rapid City government. We would like to see the original Park Forest denotation reinstated, so that no more than one house per three acres would be allowed as well as designation of conservation areas set aside in the proposed development.

We would like to see the Department of Fish and Game survey the area for impact on sensitive species. The endangered sage grouse, sharp tailed grouse, mule deer, raptors, turkeys and numerous songbirds live in this area. Transient species such as big horned sheep and mountain lion have been observed here. Or is the city planning to bring in sharp shooters when the proposed occupants complain that wildlife are eating their tulips?

We would like to see consultations with the International Dark Sky organization and ultimately ordinances passed to ensure that both commercial and residential developments utilize lighting that will not contribute to the light pollution that already obliterates much of the dark skies of Rapid City.

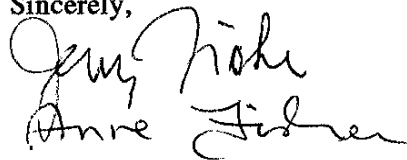
We would like to see no construction of housing on or near the hillside which would be visible from Spring Creek Road. We assume that the Hart Ranch Development Company wants to recoup profits through home sales to those with children attending their newly donated Christian School. This was obviously a very savvy business decision and it is difficult to believe what we were told about the Hart Ranch Development Company having no input into the Future Land Use Proposal.

We would like a reduction in the number of roads extending from Sammis Trail. Development along Catron appears more like a scorched earth policy in lieu of integration with a pristine landscape and without regard to the indigenous life forms.

Rampant construction abounds in Pennington County. California type sprawl in the unique and beautiful Black Hills is not a model to emulate.

We would be happy to answer any questions you may have regarding these comments.

Sincerely,

Handwritten signatures of Jerry Fisher and Anne Fisher. The signature for Jerry Fisher is written above the signature for Anne Fisher.

Jerry and Anne Fisher
14020 Birdie Lane
Rapid City, SD 57701
399-2606



10 MAY 2002

[Home Page](#) [Text Link](#)

International Dark-Sky Association

[Site Search](#) [Site Map](#)

IDA's Position on Lighting Ordinances

[About IDA](#)
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[IDA Position](#)
[Model LO & WG](#)
[IDA-LCHB](#)
[Beginners Guide](#)
[International](#)
[U.S.A. State](#)
[U.S.A. Muni](#)

A principal means to prevent poor exterior lighting practices is a code or ordinance. A code or ordinance is an enforceable legal restriction on specific lighting practices that are deemed unacceptable by the government body having jurisdiction. Code violations can be cited and prosecuted if necessary to be enforced. Outdoor lighting codes and ordinances have proven to be at least partially effective at reducing polluting and trespassing light.

A well written exterior lighting code will permit all forms of necessary illumination at reasonable intensities, but will demand shielding and other measures to prevent trespass and light pollution. A good code will also apply to all forms of outdoor lighting, including streets, highways, and exterior signs, as well as the lighting on dwellings, commercial and industrial buildings and building sites. It is important to remember that a good code can make exceptions for special uses, provided it is only used within acceptable time periods and even then, complying with an effective standard.

Exterior lighting codes and ordinances have been written for many years in locations around the world; however, the majority of them have not been provided the benefit of expert development, and some of these standards are actually counterproductive and self contradicting. A typical lay person is unable to assess the quality of a lighting ordinance without technical help.

The International Dark Sky Association has been promoting lighting ordinances and codes since its beginning. We have learned a lot about these issues, and we try to utilize our web site as a resource for our members and others to understand the issues. IDA's Outdoor Lighting Code Handbook is such a resource on our web site. We also post many ordinances, both good and bad, from communities around the world, and we realize that many codes linked to our web site may have serious shortcomings.

To ensure that effective and well written codes are adopted, we are developing a comprehensive standard code that can be used by any agency. We plan to make the first version available later this year or early in 2002 (see Worldwide Lighting Standard, page 1). To ensure its universal acceptance, we are involving key organizations and industry members so that there is no argument that our standard permits safe and effective lighting while preventing wasteful, careless and trespassing lighting practices. We will provide periodic updates and other information on the site as our work progresses.

In the meantime, should you plan to participate in local code development, we strongly recommend that you obtain technical assistance and do not simply adopt one of the many codes that appear on our site. Feel free to submit specific inquiries to us, and it is possible that we may be able to help you identify consultants that can assist in developing a competent local code. Another option is to wait until we complete our worldwide lighting standards and use it as a guide to do it right.

Local and Web Links -

- [Outdoor Lighting Regulations](#)
- [IDA's Position on Lighting Ordinances](#)

- [IDA's Lighting Code Handbook](#)
 - [Proposal for "Model Lighting Ordinance"](#)
 - [Lighting Regulations World Wide](#)
 - [U.S.A. State Laws Adopted and Proposed](#)
 - [U.S.A. Municipality Outdoor Lighting Regulations Listed by State](#)
-
- [Beginner's Guide to Lighting Regulation](#)
 - [Good Lighting Fixtures and Where to Get Them](#)
 - [Basic Information on the Light Pollution problem and solutions](#)
-
- [LiteLynx State & Local Laws](#) [External Link]

positionlo.html

| [Home](#) | [About IDA](#) | [Newsroom](#) | [Education](#) | [Meetings](#) | [Resources](#) | [Links](#) | [Quick Links](#) | [Sections](#) | [Membership](#) |

**Sammiss Trail
Neighborhood's
Response**

to the

**City of Rapid City's
South Hwy 16 Corridor
Traffic & Land
Use Plan**

Rapid City Future Land Use Committee
Growth Management Department
City of Rapid City
City/School Administration Building
Rapid City, South Dakota

HAND DELIVERED

Dear Ladies and Gentlemen:

We have gathered our thoughts, facts, and our desires regarding the Highway 16 Land Use Plan and have organized them into two categories:

1. Highway 16 Land Use Plan – Smart Growth Principles
2. Sammis Trail Land Use and Traffic Plans

We feel very strongly that there are issues the City needs to address and changes that need to be made to the Traffic Plan and the proposed Land Use Plan.

We feel very strongly that the City will be acting arbitrarily if no changes are made in light of our comments, facts, and concerns.

We feel very strongly there should be a record of discussions and facts that led up to the decisions, going back to the time Ron Kroger says that the Planning Commission began to look at this area three years ago.

We feel there should have been records and minutes of the Future Land Use Committee that took Growth Management's recommendation for 2 DU/Acre up to 6 DU/Acre for this area.

We feel very angry over the fact that this future land use plan was up for final consideration without consultation with land owners. We will feel angrier if we offer our input and are not given any explanation, record, or documentation concerning the final decision and the reasons for it. We would prefer to resolve our anger through discussion with you.

RECEIVED
SEP 30 2004
Rapid City Growth
Management Department

We support “Smart Growth” for the Highway 16 Land Use Plan

Smart Growth Principles that should be applied to the Highway 16 Land Use Plan:

Principle

1. “Mixed Land Uses”
Don’t have large areas designated for a single use like South of Catron Boulevard and East and West of Highway 16. There is an over-concentration of lower densities on the West Side and higher densities on the East Side. Mix them up to create buffers of commercial, then HDR, LDR, and finally Park-Forest. Vary them in decreasing densities from inside to outside. Vary this pattern with greenbelts, parks, and bike paths. Provide for a business park in the area to give people a chance to work in their neighborhood and to alleviate out-bound traffic. Show areas for retirement communities, which have less community traffic also.
2. “Take advantage of existing community assets.”
Encourage higher densities closer to South Robbinsdale and SW Connector areas where assets already exist to handle traffic and the need for schools, parks, and commercial outlets.
3. “Create a range of housing opportunities and choices”
Don’t concentrate LDR in one area. Mix the land uses so the housing choices are varied and are a consistent application of zoning densities for specific areas.
4. “Promote distinctive, attractive communities with a strong sense of place.”
Don’t spot zone in areas that have distinct current land uses and covenants in existence. Don’t splinter the characteristics within a distinctive neighborhood.
5. “Preserve open spaces with natural beauty and critical environmental areas.”
There are distinct open areas and areas with beautiful rock canyons and spring-fed waterways. Don’t place zoning in areas that will tend to ruin their natural features. Place zoning that will preserve them. Don’t encourage “bulldozer development” with LDR everywhere.
6. “Preserve greenways and corridors and connect them to other neighborhoods and greenways.”
See attached topographical map with highlighted areas indicating eligible greenways connected by bike paths drawn on the map. Create bike paths, parks, and recreational areas. Require developers to pay for them.
7. “Encourage growth in existing communities.”
Don’t encourage sprawl – encourage orderly growth from the developing edges of Rapid City outward, not from outside Rapid City and inward.
8. “Make development decisions predictable, fair, and cost effective.”
Don’t spot zone, approve dense housing, or encourage developments in open areas that do not have a preponderance of community assets. Remember that sprawl development is costly and requires extension of all city services beyond the areas that are already prime for development.
9. “Encourage citizen and stakeholder participation in development decisions.”
Take steps to encourage City and developers to gain citizen input and make land use plans and zoning changes based on that input. We encourage you to implement all written comments submitted as well as oral comments made at any hearing. We ask for specific building ordinances that limit billboard, building, and sign heights, keep the landscape compatible with the area, require set backs keeping the open areas open and the beauty intact. Mandate building materials and design that complement the beautiful Highway 16 Corridor, rather than distract from it.

The National Association of Realtors, as well as the National Association of Governors, has adopted “Smart Growth” principles. Why doesn’t Rapid City? We have an environment and beauty that is without comparison. Let’s preserve and develop it accordingly.

Sammis Trail Land Use and Traffic Plan

Traffic Issues

I. The Land Use and Traffic Plans must be compatible.

- A. The current traffic plan does not take into account the connection of Highway 16 to Spring Creek Road/Highway 79 especially in light of Wal-Mart's proposed location. TAZ 16 of the Highway 16 Traffic Study only shows residential land use impact. The proposed Hyland Park Development is supposed to generate 3,500 vehicle trips per day. The East-West Connector via Sammis Trail as a bypass will likely have traffic up to or exceeding 10,000 trips per day without any other residential development on or near Sammis Trail.
- B. The extension of the connector road to Spring Creek Road creates a road that is outside of the City limits. Who will maintain it? Who will own it, the City or County?
- C. There is undeveloped land that can be used to correct problems with the Right of Way for Sammis Trail and the 90° intersection of the Spring Creek connector at the Hyland Park proposed development. This 90° intersection is a very difficult transition for this traffic onto Sammis Trail, especially when at peak hours there could be the possibility of 3,000 cars per hour!

We suggest that this road go from Sammis Trail at a smooth angle through the proposed development at its West boundary to the section line/base line at the south end. This will provide better access to the property east, eliminate the 90° intersection, and avoid property disputes in the future. (See our map of proposed traffic changes given to Marcia Elkins.)

- D. The proposed traffic light intersection at Sammis Trail and Highway 16 needs to take into account the summer tourist and the Wal-Mart type of traffic. This includes fifth wheels, motorhomes, and other vehicles like campers, pickups, etc. Having high-density residential traffic intersecting with these vehicles and the summer tourist volumes will create a logistic mess. Alternatives for other access and egress are needed like rearage roads and North-South roads, etc. Developers who help create the traffic should be obligated to build these roads before the development is finished. Limiting the amount of high-density residential development would help to ameliorate the problems.


II. Density

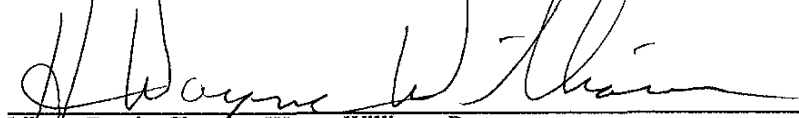
- E. The areas we designated on the map given to Marcia should remain Park-Forest, including the 120 acres. (Please refer to Marcia's map.) If not, this is spot zoning to put an island of LDR in this area. Leave the areas to the West as LDR, as well as the areas suggested West of Highway 16. We own 57% of the area requested to remain Park-Forest, have restrictive covenants, and all live on greater than 10 acres. The topography and beauty of the area calls for it to remain Park-Forest. Pictures are attached of the typical canyon views and intense topography. Please accept our earlier stated invitation to tour the specific properties for your clarity on this matter.
- F. There is adequate LDR areas in the SW Connector and South Robbinsdale neighborhoods. Your studies show they won't be built out until 2103 and 2090 respectively. Smart Growth dictates using existing assets. (See Smart Growth Principle #2.) Why create spot zoning and sprawl with your land use plan? Your land use plan encourages development mandated by the designated Future Land Use. Encourage smart development by using controlled and orderly growth.
- G. Your neighborhood studies state that the Land Use Plan should protect existing residential neighborhoods. (See pages 8-9 of the SW Connector study.) By dropping LDR in the middle of a Park-Forest neighborhood, you are not protecting the existing neighborhood.
- H. High densities in the areas of the Spring Creek Drainage basin will cause a worsening of existing environmental problems. DENR has to approve any storm sewer plans and the County was so concerned with the same issue they ultimately refused the development. Be cautious of the densities and related drainage and sewage plans.


We, the undersigned, believe it is the City's responsibility to meet the trust that all of us have placed in the current zoning, actual and planned land uses, and restrictive covenants when we invested in homes and improvements. The County met our trust when it refused to allow a change in the "Park-Forest" zoning in the current Hart Ranch PUD.

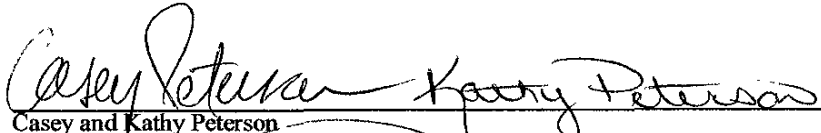
We believe it is also your duty to not break trust with us. Keep this area as Park-Forest and preserve the beauty of South Highway 16 with responsible development and smart growth.


Sincerely,



Tom and Mollie O. Krafczyk

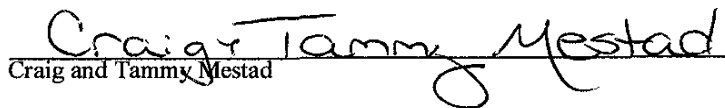

Liberty Baptist Church - Wayne Williams, Pastor


Dean and Danette Paschke


Casey and Kathy Peterson


Lew and Kerry Papendick


John and Gina Giardino

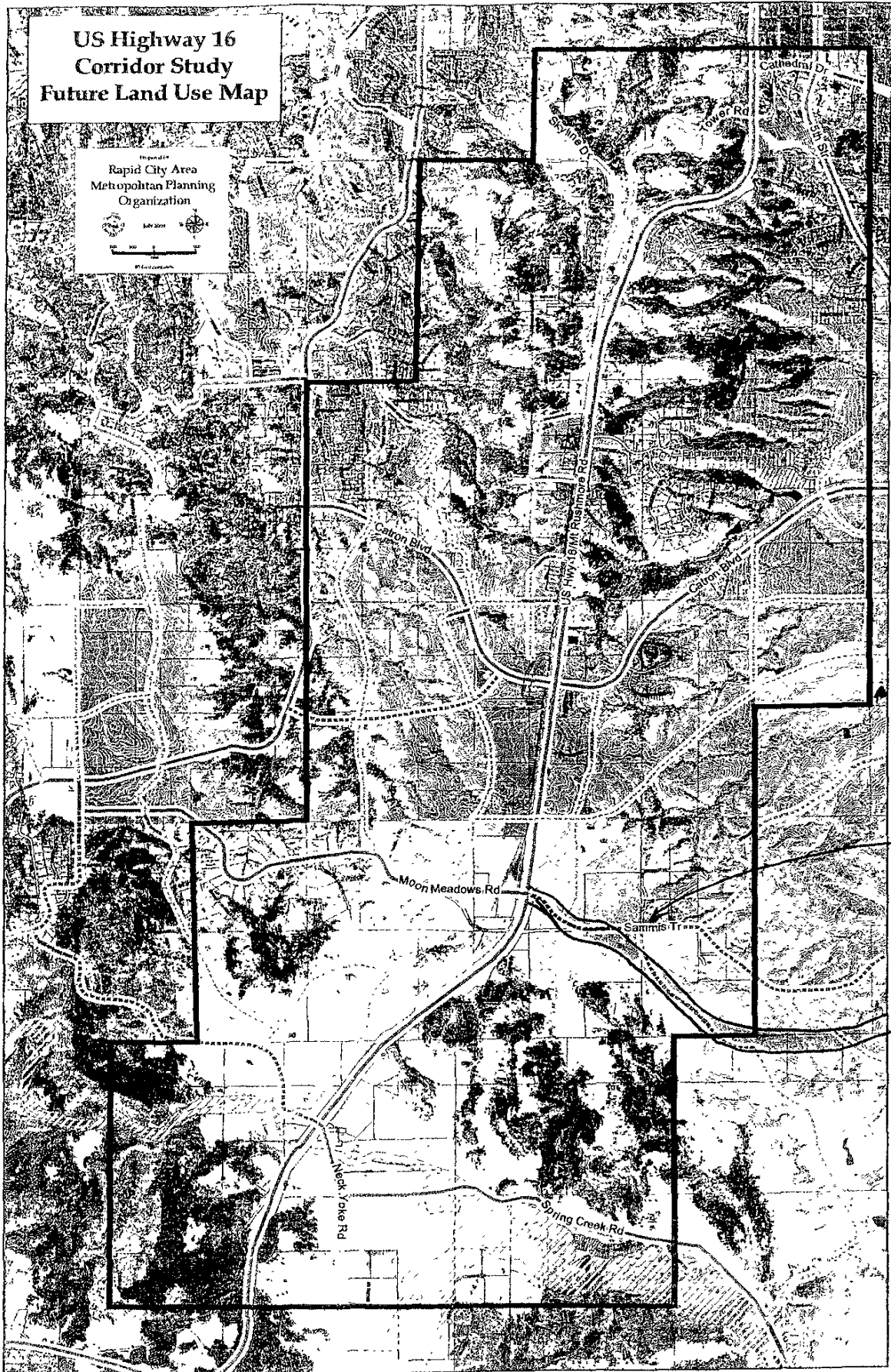

Craig and Tammy Mestad

US Highway 16 Corridor Study Future Land Use Map

Incorporating
Rapid City Area
Metropolitan Planning
Organization



0 100 200 Feet



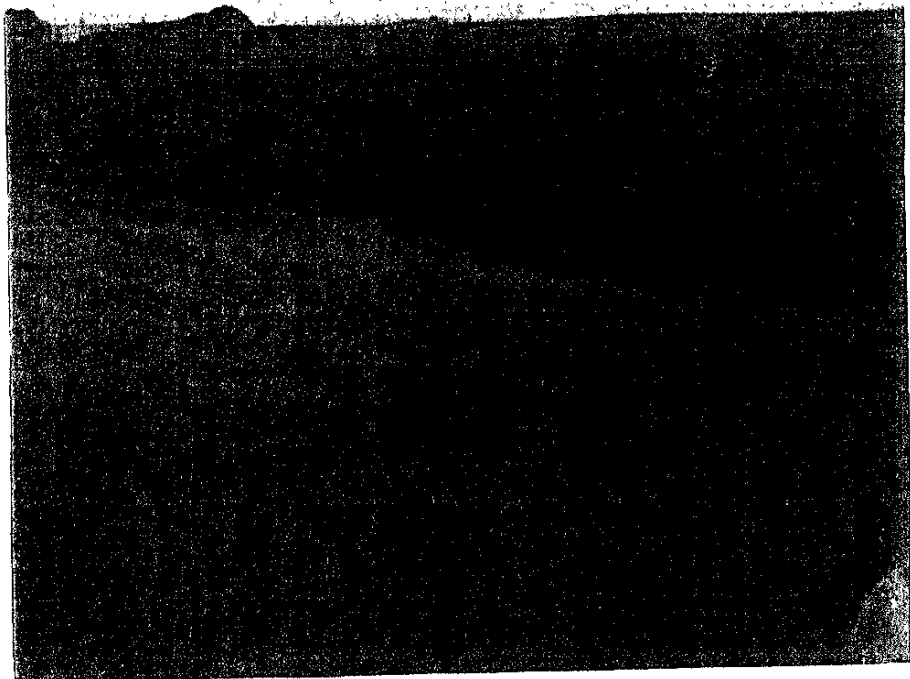
*Eliminate
the 90°
Intersections*

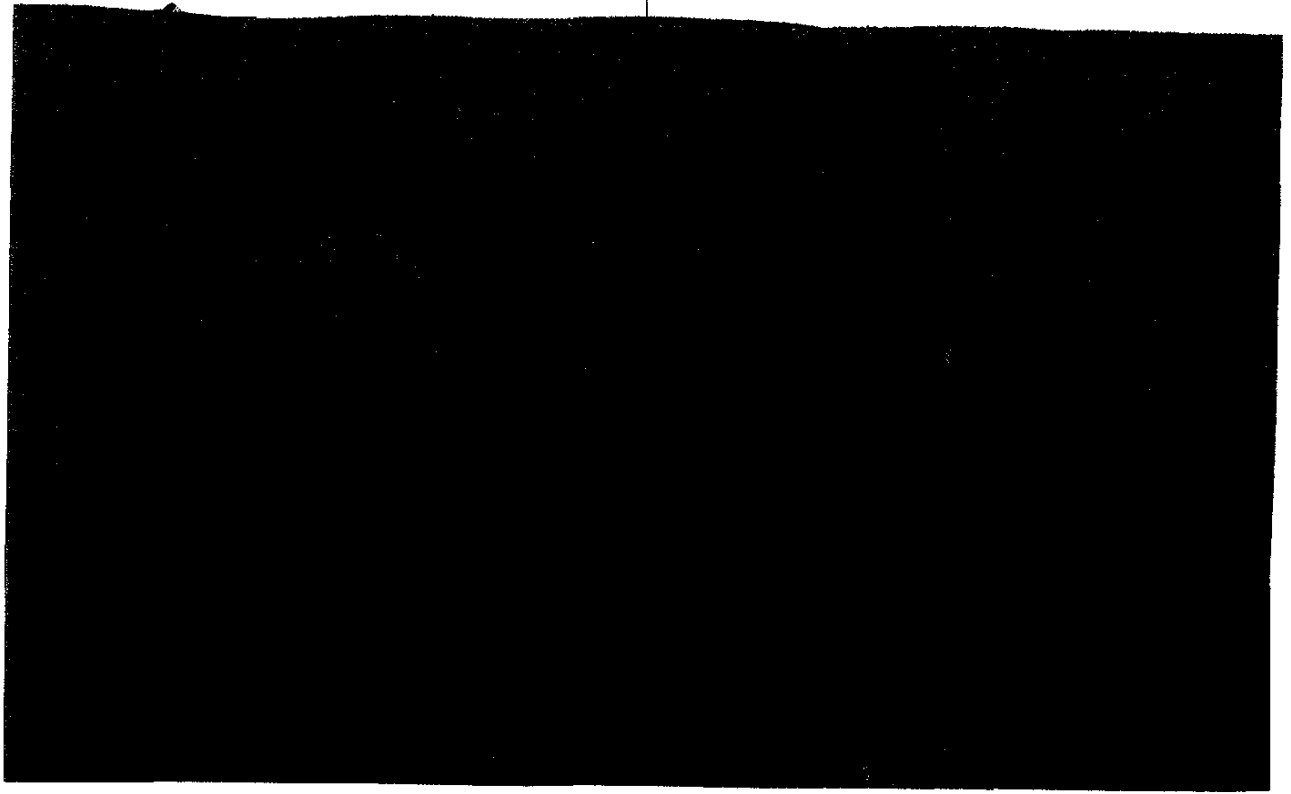
PROPOSED REALIGNMENT OF SAMMIS TRAIL

04CA032



04CA032





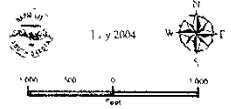
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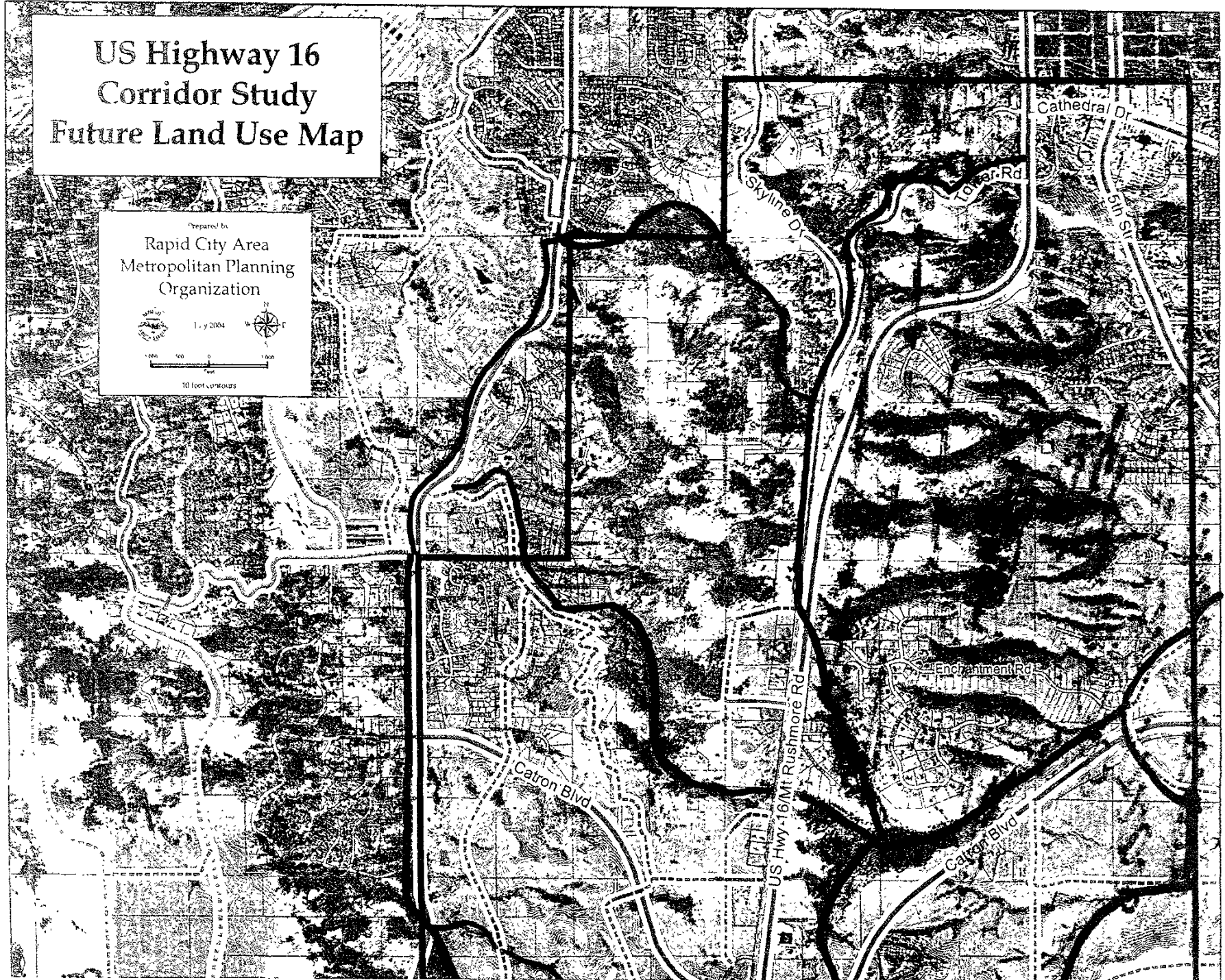
US Highway 16 Corridor Study Future Land Use Map

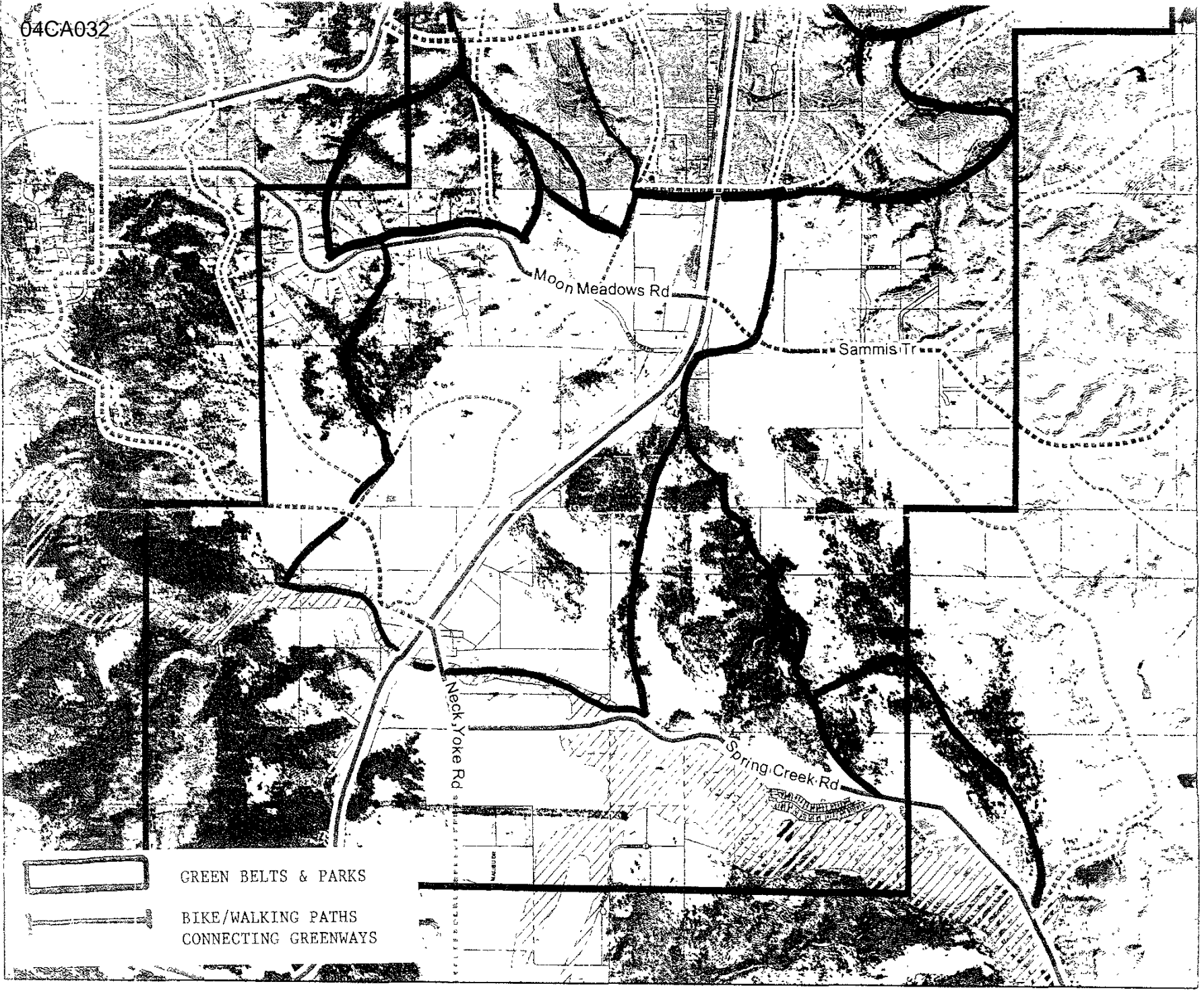
Prepared by
**Rapid City Area
Metropolitan Planning
Organization**

July 2004



10 foot contours





Moon Meadows Rd

Sammis Tr

Neck Yoke Rd

Spring Creek Rd

GREEN BELTS & PARKS

BIKE/WALKING PATHS
CONNECTING GREENWAYS

US Highway 16 Corridor Study Future Land Use Map

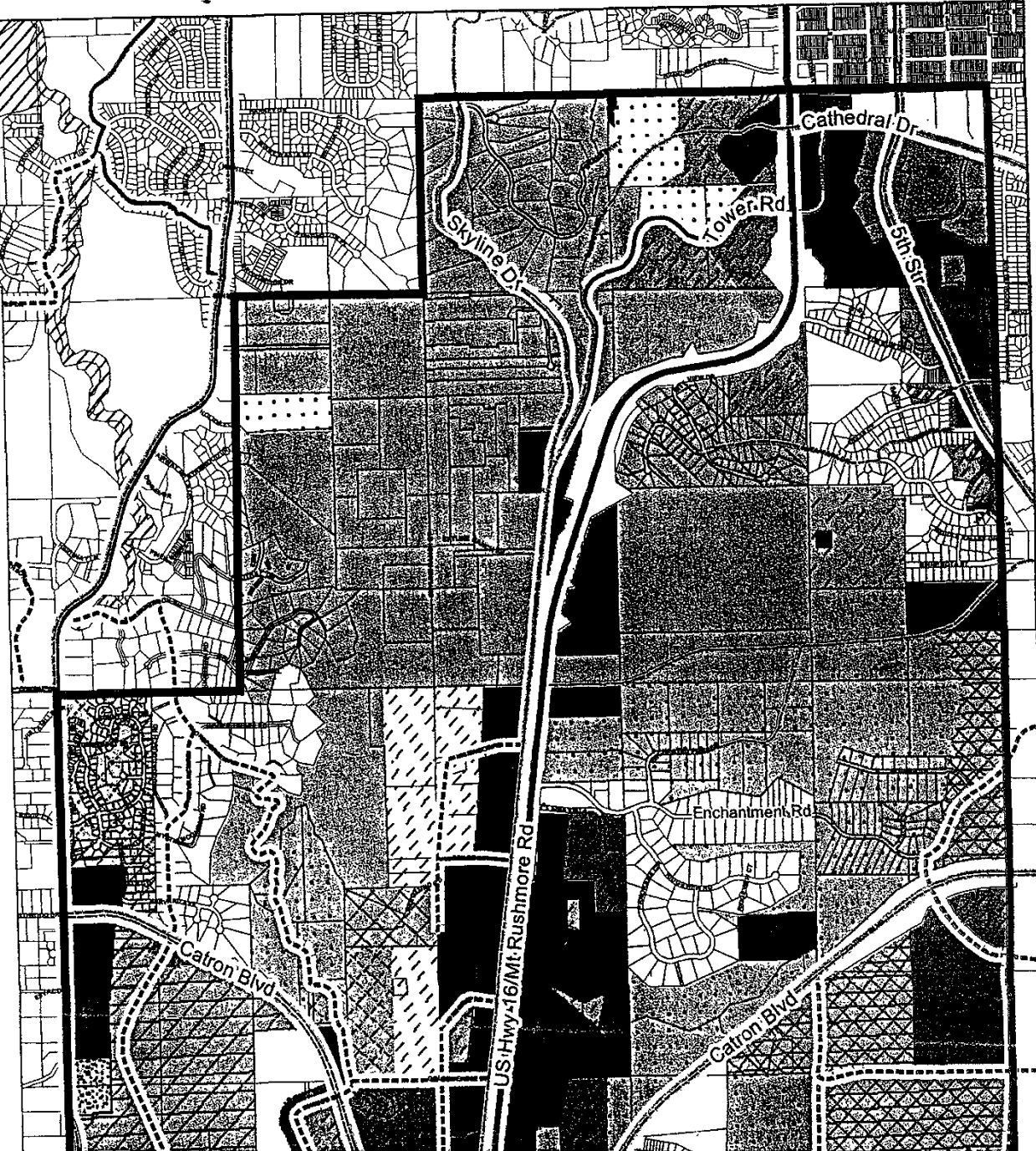
Legend

Future Land Use Designations

- | | |
|-----------------|------------------|
| LDR | NC |
| LDR2 | NC w/PCD |
| LDR w/PRD | OC |
| PF | OC w/PCD |
| MDR | BP w/PCD |
| MDR w/PRD | GC |
| HDR | GC w/PCD |
| MHP | GC w/LBZ |
| MHP w/PRD | Hotel - Motel |
| MHR | LI |
| PRD 1 du / 3 ac | LI w/PLID |
| PRD 1 du / 2 ac | HI |
| PRD 1 du / ac | Public |
| PRD 1.2 du / ac | Public w/FH |
| PRD 1.5 du / ac | ME |
| PRD 2 du / ac | Drainage |
| PRD 2.5 du / ac | Landscape Buffer |
| PRD 3 du / ac | Flood Plain |
| PRD 3.8 du / ac | Flood Hazard |
| PRD 4 du / ac | |
| PRD 4.8 du / ac | |
| PRD 5.5 du / ac | |

Major Street Plan

- | |
|-------------------------|
| Principal Arterial |
| Proposed Pnn Arterial |
| Minor Arterial |
| Proposed Minor Arterial |



RES

RES

Frontage Road
Study Area boundary

Alternate Use 1 - PRD 1 du / ac

04CA032

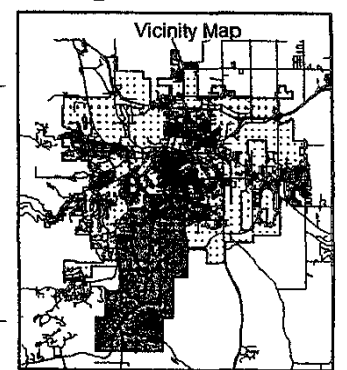
Moon Meadows Rd

Samuel

Neckyoke Rd

Spring Creek Rd

**SUGGESTED
PLAN
CHANGES**



Prepared by
**Rapid City Area
 Metropolitan Planning
 Organization**





July 2004

arterial streets to handle the anticipated increase in traffic flows. The Committee has also proposed locating high traffic generating businesses along the proposed collector and arterial streets to minimize potential neighborhood traffic concerns.

Density

To arrive at the anticipated development density of the Southwest Connector Neighborhood Area, the Committee compared the existing density of the various uses to the maximum density allowed by the Rapid City Municipal Zoning Code. The Committee also considered gross density in surrounding and adjacent neighborhood areas for additional comparisons. Figure 5 below provides the options used in determining the anticipated development densities. The anticipated density value for dwelling units or square footage per acre is used as a multiplier to determine the total number of dwelling units or total square footage for the undeveloped property within the Southwest Connector Neighborhood Area. The Appendix includes, for reference, a comparison of the Rapid City Area Gross Housing Density Calculations.

Figure 5

**Southwest Connector Neighborhood Area
Land Use Density Comparisons**

	Option A Existing Density	Option B Maximum Density	Option C Anticipated Density
<u>Residential Uses</u>			
Low Density Residential w/ PRD	1.7 DU / acre	6.7 DU / acre	2.4 DU / acre
Mobile Home Residential	0.7 DU / acre	6.7 DU / acre	2.4 DU / acre
Planned Residential Development 1	0 DU / acre	1 DU / 3 acres	1 DU / acres
Planned Residential Development 2	0 DU / acre	1 Du / acre	1 DU / acre
Planned Residential Development 3	0 DU / acre	3 DU / acre	3 DU / acre
Planned Residential Development 4	0 DU / acre	4 DU / acre	4 DU / acre
Planned Residential Development 5	0 DU / acre	4.8 DU / acre	4.8 DU / acre
Planned Residential Development 6	0 DU / acre	5.5 DU / acre	5.5 DU / acre
Medium Density Residential w/ PRD	0 DU / acre	25 DU / acre	15 DU / acre
<u>Commercial Uses</u>			
Business Park	3,281 SF / acre	7,000 SF / acre	3,200 SF / acre
Neighborhood Commercial w/ PCD	0 SF / acre	5,445 SF / acre	2,600 SF / acre
Office Commercial w/ PCD	0 SF / acre	6,353 SF / acre	3,000 SF / acre
General Commercial	4,040 SF / acre	13,613 SF / acre	9,800 SF / acre
General Commercial w/ PCD	1,117 SF / acre	13,613 SF / acre	9,800 SF / acre
<u>Other Uses</u>			
Public	0 SF / acre	21,780 SF / acre	9,000 SF / acre

Source: Pennington County-Rapid City Planning Department

The anticipated densities under each type of land use are influenced by the topography, the cost effectiveness in providing municipal water and sewer, and ~~compatibility with~~ ~~development~~. A variety of residential land use classifications are used to accommodate housing demand, provide housing choices, and ~~protect existing residential~~

██████████ Additionally, several non-residential uses were also identified to provide development flexibility in addressing the community's commercial and industrial growth needs.

The office commercial and industrial land use densities are based upon existing development. However, because of the large quantities of undeveloped land in the Southwest Connector Neighborhood Area, for many land uses, there is no existing land development of the same type. In these cases representative density numbers were sampled from other areas in Rapid City. There is no developed Neighborhood Commercial Zoning District in the Southwest Connector Neighborhood Area so the anticipated density of development square feet per acre is taken from various neighborhood commercial developments in the community. Similarly, the density under general commercial/planned development is modeled after recent mini malls constructed on Cambell Street and North Haines Avenue.

Year 2025 Residential Growth Projections

The Year 2025 projections indicate how much of the total build out will be achieved in twenty-eight years. The projections provide the basis for planning many public services, including sewer and water, storm drainage, and road networks. The Future Land Use Study Committee determined the Future Land Use Study Area Year 2025 population to be 103,000, based on numerous methodologies. Both the Rapid City Planning Commission and Rapid City Council have adopted this population projection as well. This population projection was then allocated to all the neighborhood areas based on the assumption that residential growth will continue in a pattern similar to the 1990-1997 residential growth. The individual neighborhood area growth projections were determined by dividing the 103,000 population estimate by 2.55 which is the average number of persons per household within the Study Area. This calculation provides the total number of dwelling units in the Year 2025, or 40,392 total dwelling units in the Future Land Use Study Area. The total number of dwelling units was then allocated to the type of dwelling unit according to the historical patterns within each neighborhood area, i.e., single family units or multi-family units.

During the period from 1990-1997, only 0.13 percent of residential building permits for the entire Future Land Use Study Area occurred in the Southwest Connector Neighborhood Area. As shown in Figure 1 above, the Southwest Connector Neighborhood Area had 26 dwelling units in 1997, all single family units. During the next twenty-eight years, the Committee anticipates a 6.13 percent growth in the Southwest Connector Neighborhood Area, mainly attributed to the construction of the Southwest Connector Route. The remaining residential growth percentages within the Future Land Use Study Area were adjusted to accommodate this anticipated growth. By the Year 2025, the Committee anticipates an increase of 563 new single family residential dwelling units in the Southwest Connector Neighborhood Area, for a total of 589 units. Figure 6 identifies the breakdown of dwelling unit increases for the years 1998 to 2025 and a total dwelling unit projection by dwelling unit type for the Year 2025.

LAW OFFICES**Lynn, Jackson, Shultz & Lebrun, P.C.**

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909 ST. JOSEPH STREET
EIGHTH FLOOR
P.O. BOX 8250
RAPID CITY, SD 57709-8250
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FAX 605-342-5185

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FAX 605-332-4249

RECEIVED

From the offices of Donald R. Shultz
e-mail address: dshultz@lynnjackson.com

RECEIVED

OCT 11 2004

October 8, 2004

OCT 11 2004

Rapid City Growth
Management Department

Rapid City Growth
Management Department

Marcia Elkins Buskerud,
Growth Planning Director
Debra Hadcock, Commissioner
Martha Rodriguez, Commissioner
Ethan Schmidt, Commissioner
Gary Brown, Commissioner

Scott Nash, Commissioner
Mel Prairie Chicken, Commissioner
Peter Anderson, Commissioner
Ida Marie Fast Wolf, Commissioner
Patsy Horton, City Planner

RE: Postponed Public Meeting, October 14, 2004
Public Meeting, 8/12/04 – Future Land Use Plan – 2004; US 16 Corridor Study: Schmid
/ Shultz 5 parcels, Catron Boulevard and US Highway 16

Dear Ladies and Gentlemen:

I had hoped that my schedule would allow me to personally present the following remarks. However, as I advised you at the last meeting, I was scheduled to be out of town and that has not changed.

Our primary objections and comments are as follows:

1. The plan is incomplete. Specifically, the proposed interchange does not delineate the access that our properties will have after the construction of the proposed interchange.
2. More engineering input will be required, by the landowners, after a complete plan has been received. Therefore, we believe in order to adopt the present land plan use as it relates to our property on Highway 16 and Catron Boulevard is premature.
3. The frontage road is uncertain. The access on the north frontage road loop does not delineate the present access to our property. Specifically, it does not delineate the planned traffic light at the intersection of the Catron Boulevard and the north frontage loop on the west. This was contained in the construction completed in 2000.
4. The existing frontage road on Highway 16 is indefinite and does not delineate the access to our properties.

Planning Commission

10/8/2004

Page 2

5. There is now a proposed bike path, which appears to be a new plan, which goes along the loop road. This creates a danger for bicycles along the proposed frontage road because the frontage road was built for access on the east and the west. The right-of-way is insufficient to accommodate the traffic and a separate bike path.
6. The access of Promise Road to the north loop road contemplates a 3-way highway connecting with a 2-lane frontage road. This, we believe, is also dangerous and will require a re-configuration of Promise Road and the loop road as has been discussed with you and our engineer.
7. Incomplete Plan
 - a. As we previously mentioned, the overpass of Highway 16 renders any planning temporary until the overpass is located and access determined along it. It is obviously an incomplete plan. Access roads, frontage roads, intersections on Catron Boulevard and traffic lights all should be decided before the “comprehensive plan” is adopted. The last comprehensive plan was adopted in the year 2000. It appears more time is required.
 - b. Rush to Judgment. We also believe that there is a rush to judgment. The July 2004 plan was not distributed until August 12th to this landowner. Discussion with the adjoining landowners indicate they were unaware of the Planning Commission’s intent to adopt a new proposed roadways location, overpass and frontage road. It would be prudent to wait until DOT has made its final plans for any proposed overpass of Highway 16.
8. Land use change – 17 Acres.
 - a. The Southwest 17 Acres of our property is divided into triangles, which cannot be developed economically. The collector Road should be located in cooperation with the landowner and any proposed developer.
 - b. The location of the Northeast/Southwest collector should be left to the developer. The proposed unusable and uneconomical pieces of land would be alleviated.
9. We have been advised by engineers and land planners and realtor that the proposed triangular pieces of ground in your proposed alignment of newly constructed roads to Catron Boulevard across our properties would make the land unusable and unmarketable. Again, traffic lights should be considered and located for the protection of the traveling public and ingress and egress onto the property.

Planning Commission
10/8/2004
Page 3

I wish to radiate the background and comments, which we made on August 12, 2004:

I

BACKGROUND.

George Schmid, Bernard Schmid (now deceased) and myself ("Landowners") have owned the property along US Highway 16 Catron Boulevard, west of Highway 16 since 1963. In 1999, after solicitation and planning by the City Engineering Department and City Planning Department, as Landowners we donated to the City, 15 acres for the right-of-way required for the construction of Catron Boulevard and the US 16 Frontage Road Loop through our property. The donation was a result of a long-term plan and study by the City, DOT and the Landowners, to have the Southwest Connector become a reality, as proposed by the City and DOT. The City had proposed that access be limited along Catron Boulevard on our property, so the Loop Road was planned and engineered by the City, and constructed to provide the Landowners access to their 5 parcels along Catron Boulevard to be serviced by the Frontage Road. Planning for future traffic requirements, the City agreed that electrical traffic lights would be installed at the four corners of the intersection of Catron Boulevard and the Frontage Loop Road, to be activated in the future when the traffic counts required. At no time during the negotiations, planning or design did DOT or the City include a future interchange on Highway 16/Catron Boulevard. All planning and design for access by City and DOT on the Frontage Loop contemplated access by the Frontage Loop to our properties. In good faith, based upon the plans and designs by the City of the Frontage Loop/Catron Boulevard, the Landowners, at the direction of the City, designed and constructed at our expense in excess of \$320,000, drainage culverts including a 72" culvert across Lot One and under the north Frontage Loop Road. All planning, design and construction of the Loop Road and the drainage pipe was based on the requirements of the City.

II

PROPOSED HIGHWAY 16/CATRON BOULEVARD INTERCHANGE.

Although we had been privy to speculation that at some time in the long-term future a Highway 16 interchange may be considered, we were assured by the City Engineering Department that it was at least 35-45 years away. Then in 2003, 4 years later, we were advised that the City and DOT were considering an overpass interchange at Highway 16 and Catron Boulevard, to be built in 10 to 20 years. The Study proposes that the Loop Road to be closed and relocated to an unspecified "west" location, "Rearage Road."(ES-1, 2; 7-3, 4) We attended open house meetings on April 28, 2003, November 18, 2003, January 2004, and September 14, 2004 meetings. After these meetings, we also met with DOT and the City Planning and Public Works Departments. At all times, we have expressed our concerns, orally and in writing, that the interchange and proposed destruction of the Loop Road contemplated by DOT/City would severely adversely impact our properties. During those meetings, we were advised by DOT that

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the City was in charge of the Study on the west side of Highway 16 and the DOT was in charge of the Study on the east side of Highway 16.

III

LANDOWNERS' POSITION.

It is the Landowners' position that the destruction of the access from Catron Boulevard to the Frontage Loop Road with a substituted "Rearage Road" is in violation with our agreements with the City of Rapid City. We relied on those representations by the City for our donation of the land to the City for the construction of Catron Boulevard, the Frontage Road Loop and the intersection, including the proposed traffic signal lights. In the past, we have requested copies of all related studies and designs for the proposed interchange, destruction of the Frontage Road and the construction of the Rearage Road by DOT, the City's consulting engineers, the City Planning and Engineering Departments for review by our engineers. To the present time, none have been received. The last advice from the City was that the proposed interchange was only "conceptual" and that the proposed "Rearage Road" had not been located, was conceptual, and subject to change. To date, no one has been able to advise us of any studies that exist for the location of the Rearage Road, or access for our properties, or the footprint of the interchange as it relates to our access to our properties, or the proposed destruction of the Frontage Road, as mentioned in the Study.

IV

2004 STUDY.

In the March 2004 Study, we note the following:

Attachment 1. STAFF RECOMMENDATIONS – DATED DECEMBER 3, 2003.

At a meeting on December 3, 2003 with DOT and City Planning and Engineering Department, the Study opines that the existing Frontage Road access locations be closed and traffic directed to another location, undefined, as noted on pages 3 and 4 of the "Staff Recommendations." Paragraph J (page 3) recommends the construction of the interchange and Paragraph K (page 4) recommends relocating the Loop Road intersection to the west to avoid ramp conflicts.

Throughout the Study there are various maps (ES-1, 2; 7-3, 4) recommending access modifications; specifically closing and relocating the Frontage Road on Highway 16 further to the west, but not further defined.

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Attachment 2. PAGE “v” OF THE EXECUTIVE SUMMARY

Catron Boulevard – this paragraph indicates “even within the next 10 years, an interchange will be built at this intersection” and a “relocation of the US 16 Frontage Road intersection at Catron Boulevard as well as any other existing intersection that may fall inside the necessary right-of-way. In addition, other intersections spaced closely to the interchange may need to be closed or relocated.”

Attachment 3. PAGE 37

“7.4.5 Catron Boulevard” recites a “relocation and closure of US 16 Frontage Roads and “perhaps within 10 years, “an exchange will be built at this intersection.””

Attachment 4. SECTION 8.0 – SUMMARY (page 45)

indicates that “DOT plans to build an interchange at US 16 Catron Boulevard within the next 10 years.” “The footprint (undefined) of this interchange as well as interchange spacing requirements dictates that the intersections in close proximity to Catron Boulevard be closed or relocated. These intersections include: “...the existing US 16 Frontage Road, where it intersects Catron Boulevard west of US Highway 16.” “To mitigate these closures, it is recommended that a frontage/rearage road network be implemented (Figures 7-3, 4) that is consistent with the Rapid City Major Street Plan and logically follows the topography of the land.”

V

July 2004 “US Highway 16 Corridor Study Future Land Use Map

At your August 5, 2004 meeting, we were shown, for the first time, the July 2004 “US Highway 16 Corridor Study Future Land Use Map.” To our knowledge, this was never shown or discussed at any public meetings.

We have briefly reviewed, and have not had an opportunity to review it with our consultants, but we have the following comments:

1. The Frontage Road and North Loop on the map is shown as a “Bike Route” – we are uncertain what a “Bike Route” is. Does it change the classification of the Loop Road from “Frontage Road”?
2. The Frontage Road, South Loop is not shown any classification. What is its status?
3. Is the Frontage Road to be destroyed along Highway 16 – adjacent to our properties? And also adjacent to the campground, Landstrom Gold Factory and Stamper’s Gold Manufacturing?

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VI

LANDOWNERS' REQUEST.

As Landowners, whose property is directly affected by the Study, (1) all actions be postponed until the interchange planning is complete; (2) we would appreciate being notified of all meetings including DOT and the City of Rapid City relating to our property; (3) we have an opportunity to review all proposals, studies, drawings and plans as they relate to our property; (4) we need to be furnished with the final "footprint," complete with access roads, of the proposed Highway 16 Interchange as soon as possible; and (5) all plans to destroy the Loop Road.

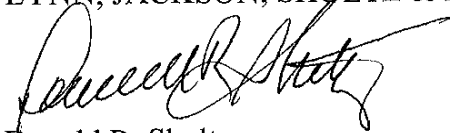
The proposed changes in the Study to our properties and access relocation have created uncertainty and confusion. The past expensive planning, design and construction by the Landowners to meet the planning requirements of the City and the donation of the right-of-way to the City was done in good faith. The proposed changes violate the City's representations and agreement, and make development by the Landowners very uncertain and difficult. The past uncertainty and the future proposed 10-20 year interchange directly affects the marketability of our properties.

Your kind consideration and response is greatly appreciated.

Thank you.

Yours truly,

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.



Donald R. Shultz

DRS:cam

cc: George P. Schmid
Bob Piacesi
Hani Shafai
Pat Hall

December 3, 2003

Present: Terry Keller, Monica Heller, Joel Jundt, Doug Adelman, Dave LaFrance, Klare Schroeder, Vicki Fisher, Marcia Elkins, Kip Harrington and Patsy Horton

City and SDDOT Region staff met to discuss proposed interim access locations along US Highway 16 between Fairmont Boulevard and Neck Yoke Road. The following summarizes those discussions.

Currently, the US Highway 16 Draft Report identifies access locations for 2025 based on projected development and what improvements would be needed at those locations, whether it is necessary to install a signal once warrants were met or the location would be closed and traffic redirected to another access location. Access will be closed through negotiation and compensation will occur when legally warranted ✓

The SDDOT Region staff developed proposed interim access locations and potential improvements to address impending development. These interim access locations will help address access for current development proposals until the 2025 recommendations are required. ✓

The group concurred that "interim recommendations" as identified below are to be incorporated into the US Highway 16 Report and would be required when one or more of the following criteria are met:

1. development improvements are proposed
2. safety issues arise
3. capacity issues arise
4. operational issues need addressed
5. may be implemented with scheduled SD-DOT maintenance

Staff concurred that after the Study has been adopted, all traffic would be monitored on US 16 and if traffic warrants, changes to address safety issues would be critical. Additionally, if the property experiences a change of use, a new approach permit would be required (this is always required). ✓

Additionally, the following items need to be addressed in the study:

- intermediate steps to get to study recommendations
- include language to identify potential physical improvements to the roadway
- identify where interim left in capabilities should be included
- identify where interim removes left out capabilities should be included

Those in attendance also discussed that when the Heartland Expressway is finish traffic north of Catron Boulevard would likely change the functionality of this segmen

in an urban, full-time business roadway section, with fewer and fewer tourism businesses while the land development pattern along this portion of the corridor may change, it is not SD-DOT's intention to revise the classification to allow for more access points). Based on the anticipated traffic flow changes, the 2025 access recommendations and the interim access recommendations are identified below, and intersection improvements would occur when the above-mentioned criteria have been met.

A. Cathedral Drive/Fairmont Boulevard

2025 Recommendation – improve intersection to accommodate future traffic volume.

Interim Recommendation – same. Marcia noted that discussions have surfaced regarding potential development of the area between Fairmont Boulevard and Tower Road on the west side of Mt. Rushmore Road. (Concerns with this development include eliminating the proposed offset access to Tower Road, dual lefts for southbound to eastbound, programmed projects moving forward, need for a traffic impact study, turn lane improvements, cul-de-sac variances, not making connection to Tower).

B. Echo Ridge

2025 Recommendation – restrict access to right in/right out with accel/decel lanes, and construct connector road from Fox Run to Tower Road.

Interim Recommendation – directional median opening – right in/right out/left in. Need median modifications to make it more challenging for drivers to make the left out and to provide safety for queued left ins.

C. Lazy "J"

2025 Recommendation – restrict access to right in/right out.

Interim Recommendation – directional median opening – right in/right out/left in. Need median modifications to make it more challenging for drivers to make the left out.

D. Private Drive

2025 Recommendation – close access and redirect traffic to Zion Lutheran.

Interim Recommendation – close access and redirect traffic to Zion Lutheran.

E. Zion Lutheran Church

2025 Recommendation – upgrade intersection, provide lane storage and signalize intersection if and when warranted. Staff discussions indicated that either Zion Lutheran access or Enchantment Road access would need to be closed because of

State access spacing requirements. (CAC and TCC at their November 19, 2003, meeting discussed the potential to close Zion Lutheran and redirect traffic to Enchantment Road, action recommended, but no action was taken by the EPC.) Discussion also included the potential for a signal at one, directional at the other.

Interim Recommendation – full median opening, if not at Enchantment – signalize if and when warranted. (one full median opening and one directional median opening, either at Zion Lutheran Church or Enchantment Road – directional to include right in/right out/left in).

F. Enchantment Road

2025 Recommendation – upgrade intersection, provide lane storage, signalize intersection if and when warranted and construct frontage road to Table Rock

Interim Recommendation – full median opening, if closed at Zion Lutheran, signalize if and when warranted. (one full median opening and one directional movement opening, either at Zion Lutheran Church or Enchantment Road – directional to include right in/right out/left in).

G. Table Rock

2025 Recommendation – Close access and redirect traffic to Enchantment via new frontage road.

Interim Recommendation – directional median opening – right in/right out/left in

H. Promise Road

2025 Recommendation – upgrade to full access and signalize intersection.

Interim Recommendation – full median opening.

I. Tucker Road

2025 Recommendation – close access and redirect vehicles to Promise Road via frontage road.

Interim Recommendation – remove, access via frontage road recently constructed.

J. Catron Boulevard (US16/US16B)

2025 Recommendation – construct interchange.

Interim Recommendation – single point interchange.



K. US 16 Frontage

2025 Recommendation – relocate intersection further to west when interchange is built.

Interim Recommendation – relocate intersection further to west to avoid ramp conflicts.

L. Addison Drive

2025 Recommendation – relocate access to Catron Boulevard when interchange is complete.

Interim Recommendation – leave as full access until safety or operational issues arise or service road or collector street constructed connecting the existing development at Addison to section line and/or when interchange is constructed. Provide notice to property owners that direct access onto US Highway 16 at Addison will be removed when access to the section line is approved and constructed.

M. Future Overpass (Section Line) – Take out the “Future Overpass”

2025 Recommendation – build overpass in this vicinity, to provide local access between properties on the east and west sides of US16 when warranted by development and increased traffic volumes.

Interim Recommendation – full median opening, signalized if and when warranted. Construct a service road on the east side from Addison to the existing median opening at the Section Line. Turning lanes will potentially be required, with a three lane east/west section. (What happens to this access if/when an overpass is constructed?)

N. Moon Meadows

2025 Recommendation – realign Sammis Trail with Moon Meadows and signalize intersection.

Interim Recommendation – full median opening.

O. Sammis Trail

2025 Recommendation – relocate access and realign with Moon Meadows.

Interim Recommendation – all access removed.

P. Ft. Hayes

2025 Recommendation – relocate access to Moon Meadows.

- Additionally, a frontage road built on the east side of the US 16 corridor between this intersection and Table Rock Road would allow for closure of the Table Rock Road intersection.

Table Rock Road

- Due to its proximity to the other intersections, it is recommended that this intersection be closed by the Year 2025, and a frontage road be built between Table Rock Road and Enchantment Road.

Promise Road

- The location of the fire station at this intersection necessitates full access and, when warranted by traffic volumes, operation of a fully actuated signal to replace the emergency signal that is currently in place.
- The US 16 corridor should be adequately signed to make drivers aware that they are either approaching or in the vicinity of a fire station.
- To accommodate future vehicle volumes, including diverted traffic from Tucker Road, upgrades to intersection geometrics will be necessary for the north-, south- and westbound approaches.
- A connection in the form of a frontage road built between Promise Road and Tucker Road (to the south).

Tucker Road

- To accommodate the footprint for the future Catron Boulevard interchange, the Tucker Road intersection will have to be closed.
- Prior to closure of this intersection, a new frontage road connecting Tucker Road to Promise Road will need to be built on the east side of the US 16 corridor.

Catron Boulevard

Within the US 16 study corridor, the Catron Boulevard intersection serves the highest volume of traffic. If, in the future, this intersection is widened to accommodate the geometrics necessary to service the forecasted Year 2025 traffic volumes, then it can be expected that this intersection will operate at a LOS D or above. However, the SDDOT plans that by the Year 2025, and perhaps even within the next 10 years, an interchange will be built at this intersection. In this case, additional right-of-way could potentially be required to accommodate the footprint of this interchange. Therefore, this requires relocation of the US 16 Frontage Road intersection at Catron Boulevard, as well as any other existing intersection that may fall inside the necessary right-of-way. In addition, other intersections spaced closely to the interchange may need to be closed or relocated. However, an interchange at this location will significantly improve the LOS along Catron Boulevard and along the US 16 study corridor, which would allow the existing two-lane cross-section to remain.

Addison Drive

- To satisfy spacing requirements and to accommodate the potential footprint and right-of-way necessary for the future Catron Boulevard interchange, the Addison Drive intersection will have to be closed and a new access provided.

Direct access to US 16 at the *Promise Road* intersection is imperative, since there is a fire station located west of US 16 at Promise Road. This intersection is currently equipped with an emergency signal however, based on projected future traffic volumes, is expected that this intersection will be fully signalized by the Year 2025. Therefore, in order to accommodate Year 2025 traffic volumes, it is recommended that the existing lane configuration for the eastbound approach (a separate left-turn lane, and a shared right-through lane), be maintained and mirrored for the westbound approach. Additionally, it is recommended that slower moving, turning vehicles be removed from the through traffic on US 16 with the use of a decel/turn lane for left-turning maneuvers in the northbound direction, and a decel/turn lane for right-turning maneuvers in the southbound direction. The signal at this intersection should be actuated and coordinated with the other the signals along the US 16 study corridor yet, with preferential treatment for emergency vehicles. In addition to this, US 16 should be sufficiently signed to make highway drivers aware that they are in the vicinity of a fire station. In the future this intersection will accommodate traffic volumes associated with Tucker Road as well. Tucker Road is just to the south of Promise Road and a connection between these two roads, is currently under construction. The impact of vehicle volumes diverted from Tucker to Promise will be more evident when the interchange at US 16 and Catron Boulevard is built, since it will influence the closure of Tucker Road.

When an interchange is built at Catron Boulevard, the proximity of the *Tucker Road* intersection to the interchange, dictates that the intersection would have to be closed to accommodate the footprint of the interchange and any additional right-of-way that may be needed. Development on the east side of US 16 around Tucker Road will be accommodated via a frontage road between Tucker Road and Promise Road, which is currently under construction. On the west side of US 16, the existing frontage road should be maintained. ✓

7.4.5 Catron Boulevard

As depicted in Tables 7-2 and 7-3, LOS D can be expected during PM Base-Case conditions at this intersection if it remains at-grade. Similarly, several of the individual movements at the intersection are expected to be at LOS D or worse. If US 16 were improved to three lanes in each direction, a significant improvement in LOS could be achieved. This improvement however, could potentially require extensive right-of-way as well as relocation or closure of the US 16 Frontage Roads. SDDOT has indicated that by the Year 2025, and perhaps even within the next 10 years, an interchange will be built at this intersection. It is expected that an interchange at this intersection would significantly improve the LOS along Catron Boulevard and along US 16. This would also allow the existing two-lane cross section within the study area to remain. Build-Out traffic volumes however, might require US 16 to be three lanes in each direction if at-grade intersections are maintained.

When the Catron Boulevard interchange is built (as described above), the proximity of the interchange to the existing US 16 frontage road intersection (on the west side of US 16) with Catron Boulevard, may require relocation but the decision to do so cannot be determined until the future interchange type and accompanying footprint is determined. when? ✓

7.4.6 South of Catron Boulevard to the Reptile Gardens

The current spacing between Addison Drive and Catron Boulevard is too close. When an interchange at Catron Boulevard is constructed, the current location of *Addison Drive* would also be too close to the interchange and would require closure and relocation when the interchange is built. The *Orthopedic and Spine Center*, which would be directly affected by the closure of this access, would access US 16 via a new connection to Catron Boulevard. This new connection is based on the City's Major Street Plan, and it is recommended that the new network of (rearrange)

SECTION 8.0 - SUMMARY 04CA032

As previously stated, Catron Boulevard forms a natural division between the northern and the southern sections of the US 16 study corridor, specifically in the functionality of each. North of Catron Boulevard, US 16 not only serves as a primary connection to the city, but it provides access to a number of abutting commercial and residential land uses. South of Catron, US 16 does not service as many abutting land uses, simply because there aren't as many; therefore it primarily serves as a thoroughfare to Mt. Rushmore and the Black Hills regions. Growth in the northern section is occurring rapidly and almost creates an urban-like atmosphere, where arterial speeds would generally be lower to accommodate the frequency of vehicles turning on to and off of the highway. The southern section of US 16 is more rural, and with minimal access points could sustain higher speeds. In order to accommodate both forms of functionality, the future US 16 corridor must be able to provide corridor mobility as well as provide access to the rapid growth surrounding the corridor.

Based on the expected growth north of Catron Boulevard, it is recommended that this section of the corridor operate similar to an urban arterial and be classified as Urban Developed. Every effort was made to keep established access locations open, as long as mobility could be maintained along US 16. The Base-Case alternative recommends intersection improvements for all intersections that remain open. Additionally, each full-access intersection would need to be signalized and the signal timings coordinated throughout the study corridor. (Please note that future signalization of individual intersections should be addressed when warranted by traffic volumes.) The following bullets highlight a few key issues regarding the northern section of the study corridor:

- Due to its location along US 16, mitigation at Echo Ridge Drive will be necessary in the near future. Direct access to US 16 is imperative for emergency vehicles. However, in the interest of safety and sight distance, it is recommended that the existing access be restricted to right-in/right-out (RI/RO) movements only, and the appropriate accel/decel lanes built on US 16. Additionally, a connector route between Fox Run and Tower Road should be constructed to accommodate all other movements.
- To maintain safety and efficiency of the US 16 study corridor, the minor access drives for private properties along the northern section of the corridor should be closed or restricted to RI/RO movements only. Property owner access should be rerouted to existing and future access roads where feasible.
- The SDDOT plans to build an interchange at US 16 and Catron Boulevard within the next 10 years. The footprint of this interchange as well as interchange spacing requirements dictates that the intersections in close proximity to Catron Boulevard be closed or relocated. These intersections include Tucker Road (just north of Catron), Addison Drive (just south of Catron) and the existing US 16 Frontage Road, where it intersects Catron Boulevard, west of US 16. To mitigate these closures, it is recommended that a frontage/rearage road network be implemented (as depicted on Figures 7-3 & 7-4) that is consistent with the Rapid City Major Street Plan and logically follows the topography of the land. The affected properties will take access to this new road network and subsequently be redirected to US 16. Therefore, the frontage/rearage road network will need to be built prior to any closure and construction of the interchange.

South of Catron Boulevard, US 16 should operate more like a rural arterial, with limited access points and higher travel speeds and be classified as Free Flow Urban. This can be achieved through the recommended closures at Ft. Hayes, the unnamed road (north of the Happy Holiday