



ITEM 45A

CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Growth Management Department

300 Sixth Street

Vicki Fisher, Planning Manager
Growth Management Department
city web: www.rcgov.org

Phone: 605-394-4120
Fax: 605-394-6636
e-mail: vicki.fisher@rcgov.org

MEMORANDUM

TO: Rapid City Planning Commission
FROM: Vicki L. Fisher, Planning Manager
DATE: December 4, 2009
RE: Review of Sidewalk Cafés

At the June 25, 2009 Planning Commission meeting, the Planning Commission requested staff to review the operation of the sidewalk cafes and to bring forward any recommendations regarding possible changes.

Overall, the sidewalk cafes worked very well and contributed to the downtown atmosphere. Two limited issues were identified:

1. Some barricades and chains used to provide a barrier around the perimeter of the sidewalk café have not been of the quality design, color and workmanship desired to contribute to the overall quality of the experience in the downtown area. In particular, it was noted that some of the barriers were light weight plastic making it difficult to stay in place and/or to hold the chain in place. In addition, the City received complaints regarding the use of orange barriers noting that they resembled construction cones; and,
2. That a minimum five foot wide clear pedestrian path is not being maintained at all times during the operation of the sidewalk café.

Requiring that more accurate samples of the barricades and chains be submitted with the initial application should resolve the first issue. These samples must include a list of the building material, color and dimensions. This change does not require an amendment to the Sidewalk Café Ordinance since it currently states that all elements associated with the sidewalk café must be of quality design, workmanship and materials and that all such elements will be reviewed as part of the permit process.



EQUAL OPPORTUNITY EMPLOYER

The Police Department has noted that it has been difficult to maintain a five foot wide clear pedestrian path when cars park along the adjacent street and overhang onto the sidewalk and when the barricades are moved to expand the sidewalk café area. Staff has since revised the sample site plan to require that the typical two foot overhang of the vehicle be shown on the site plan to insure that a minimum 5 foot wide clear pedestrian path is being provided. (A copy of the sample site plan is attached.)

The original discussions by the Sidewalk Café Ordinance Committee included the possibility of requiring that permanent anchors be installed in the sidewalks to secure the barricades in an approved location. However, there were concerns as to who would place the permanent anchor in the sidewalk, the adjacent property owner or the City. Subsequently, it was decided that the permanent anchors would not be required.

Since the operation of the sidewalk cafes demonstrates that this is an issue, the Planning Commission may want to consider possible amendments the Ordinance to require that permanent anchors be established in the sidewalk to anchor the barricades. This would also require that a specific barricade be used that is designed to attach to the anchor. Please note that this requirement would not apply to the nine existing sidewalk cafes that have already obtained a Sidewalk Café Permit.

Staff Recommendation: If the Planning Commission wishes to consider the adoption of requirements for permanent anchors securing the barricades in place, then the Planning Commission should request that staff draft Ordinance Amendments for further review.