

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
December 8, 2011

MEMBERS PRESENT: Sandra Beshara, Erik Braun, John Brewer, Patrick Fink, Linda Marchand, Dennis Popp, Andrew Scull, Jan Swank and Len Weimer. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: Kay Rippentrop, Steve Rolinger and Josh Snyder.

STAFF PRESENT: Brett Limbaugh, Vicki Fisher, Kip Harrington, Patsy Horton, Dale Tech, Ted Johnson, Tim Behlings, Allison Marsland and Risë Ficken.

Brewer called the meeting to order at 7:00 a.m.

Brewer reviewed the Consent Agenda and asked if any member of the Planning Commission, staff or audience would like any item removed from the Consent Agenda for individual consideration.

Motion by Marchand, seconded by Braun and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 8 in accordance with the staff recommendations. (9 to 0 with Beshara, Braun, Brewer, Fink, Marchand, Popp, Scull, Swank and Weimer voting yes and none voting no)

---CONSENT CALENDAR---

1. Planning Commission approved the November 17, 2011 and November 23, 2011 Planning Commission Meeting Minutes.
2. No. 11PL051 - Harley-Davidson Subdivision
A request by Renner & Associates, LLC for Hog Wild, Inc. to consider an application for a **Preliminary Plat** for proposed Tracts 1-3 of Harley-Davidson Subdivision, legally described as Lots 1-3 of R&L Subdivision and a portion of the SW1/4 of Section 22 and a portion of the N1/2 of Section 27 located in T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of the intersection of Tatanka Road and Harley Drive.

Planning Commission recommended approval of the Preliminary Plat with the following stipulations:

1. **Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the site plan and plat document as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Community Planning and Development Services Department;**
2. **Prior to Preliminary Plat approval by the City Council, road construction plans for Harley Drive shall be submitted for review and approval. In particular, the plans shall show the street constructed with sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
3. **Prior to Preliminary Plat approval by the City Council, road**

- construction plans for Tatanka Road shall be submitted for review and approval. In particular, the plans shall show Tatanka Road located west of Harley Drive constructed with sidewalk, street light conduit and water or a Variance to the Subdivision Regulations shall be obtained. In addition, the plans shall show Tatanka Road located east of Harley Drive constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
4. Prior to Preliminary Plat approval by the City Council, road construction plans for Interstate 90 shall be submitted for review and approval. In particular, the plans shall show the street constructed with water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 5. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
 6. Prior to Preliminary Plat approval by the City Council, water plans prepared by a Registered Professional Engineer showing the extension of water mains, including water service to the proposed lots, shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the water plans shall demonstrate that adequate flows are being provided. The plat document shall also be revised to provide utility easements as needed;
 7. Prior to Preliminary Plat approval by the City Council, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the sewer plans shall demonstrate that the sewer facility currently existing within the area has the capacity to serve the proposed subdivision. The plat document shall also be revised to provide utility easements as needed;
 8. Prior to Preliminary Plat approval by the City Council, a grading plan and a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval if subdivision improvements are required;
 9. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval if any subdivision improvements are required;
 10. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid;
 11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 12. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner

or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

3. No. 11SV018 - Harley-Davidson Subdivision

A request by Renner & Associates, LLC for Hog Wild, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb and gutter, pavement, sidewalk, sewer, water and street light conduit on Tatanka Road and to waive the requirement to install sidewalk, sewer, water and street light conduit for Harley Drive and to waive the requirement to install sewer and water on Interstate 90 as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Tracts 1-3 of Harley-Davidson Subdivision, legally described as Lots 1-3 of R&L Subdivision and a portion of the SW1/4 of Section 22 and a portion of the N1/2 of Section 27 located in T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of the intersection of Tatanka Road and Harley Drive.

Planning Commission recommended approval of the Variance to the Subdivision Regulations to waive the requirement to install street light conduit and water along Tatanka Road as it abuts Tract 2, to install pavement curb, gutter, sidewalk, street light conduit, sewer and water along Tatanka Road as it abuts Tract 1, to install sewer, water and street light conduit along Harley Drive and to install sewer and water along Interstate 90 as per Chapter 16.16 of the Rapid City Municipal Code with the following stipulations:

- 1. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the street improvements;**
- 2. Prior to submittal of a Final Plat application, the applicant shall enter into a Covenant Agreement securing the timing of the required extension of an eight inch City water main along Harley Drive; and,**

That the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Tatanka Road as it abuts Tract 2 and Harley Drive be denied.

4. No. 11PL062 - Rushmore Crossing

A request by Arleth & Associates to consider an application for a **Preliminary Plat** for proposed Lots 4A and 5A of Block 2 of Rushmore Crossing, legally described as Lots 4 and 5 of Block 2 of Rushmore Crossing and the north 1/2 of vacated Sunnyside Avenue, the east 1/2 vacated Riley Avenue and the vacated portion of Cambell Street adjacent to said Lot 5 located in the W1/2 SW1/4 of Section 29 and the E1/2 SE1/4 of Section 30 all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Eglin Street and east of Luna Drive.

Planning Commission recommended approval of the Preliminary Plat with the following stipulations:

- 1. Prior to Preliminary Plat approval by the City Council, road construction plans for the access easements shall be submitted for review and approval. In particular, the plans shall show the streets**

located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;

2. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
3. Prior to Preliminary Plat approval by the City Council, a grading plan and a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval if subdivision improvements are required;
4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval if any subdivision improvements are required;
5. Prior to submittal of a Final Plat application, the note on page one of the plat document shall be revised to show "Riley St." as "Riley Avenue";
6. Prior to submittal of a Final Plat application, the note on page two of the plat document shall be revised to show "Lots 4 and 4" as "Lots 4 and 5";
7. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

5. No. 11SV021 - Rushmore Crossing

A request by Arleth & Associates to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer and to reduce the width of the access easement from 59 feet to 26 feet as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 4A and 5A of Block 2 of Rushmore Crossing, legally described as Lots 4 and 5 of Block 2 of Rushmore Crossing and the north 1/2 of vacated Sunnyside Avenue, the east 1/2 vacated Riley Avenue and the vacated portion of Cambell Street adjacent to said Lot 5 located in the W1/2 SW1/4 of Section 29 and the E1/2 SE1/4 of Section 30 all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Eglin Street and east of Luna Drive.

Planning Commission recommended approval of the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer and to reduce the width of the access easement from 59 feet to 26 feet as per Chapter 16.16 of the Rapid City Municipal Code.

6. No. 11TP029 - Rapid City Area Metropolitan Planning Organization Public Participation Plan Update – Final Report

Planning Commission recommended approval of the Rapid City Area Metropolitan Planning Organization Participation Plan - Final Report.

7. No. 11TP033 - Piedmont Valley Neighborhood Area Future Land Use Plan – Draft Report

Planning Commission recommended approval of the Piedmont Valley Neighborhood Area Future Land Use Plan - Draft Report.

8. No. 11TP034 - 2012-2016 Transportation Improvement Program Amendment #12-004

Planning Commission recommended approval of the 2012-2016 Transportation Improvement Program Amendment #12-004.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

9. No. 11TP032 - Arterial Street Safety Study – Draft Report

Harrington provided a summary review of the draft Arterial Street Safety Study report. Harrington explained the crash diagrams for the top 10 arterial crash segments and reviewed recommendations to resolve the issues identified.

In response to a question from Brewer, Harrington advised that the segment of 5th Street extending south to Flormann Street did not meet the criteria for inclusion in the top ten arterial crash segments during the 2007 to 2009 analysis period. Discussion followed.

Discussion followed concerning statistics associated with motorcycle accidents.

In response to a question from Brewer, Harrington stated that traffic medians can enhance traffic movements and improve safety by lowering the number of conflict points. Discussion followed.

In response to a question from Braun, Harrington advised that property owners adjacent to the crash segments identified for improvement will be notified before any improvements are implemented and will have the opportunity for input on the proposed improvements. Discussion followed.

Scull expressed concern that the installation of medians can have a negative impact on small businesses.

In response to a question from Scull, Harrington reviewed the process for approval of the Draft Report and the Final Report, including opportunities for public input, noting that the approved Final Report can be used by the Capital Improvement Committee as a guideline when prioritizing future road improvements. Discussion followed.

Popp moved, Marchand seconded and unanimously carried to recommend approval of the Arterial Street Safety Study - Draft Report. (9 to 0 with Beshara, Braun, Brewer, Fink, Marchand, Popp, Scull, Swank and Weimer voting yes and none voting no)

10. Discussion Items

A. Sidewalk Vendor Ordinance Amendment

Limbaugh advised that the Sidewalk Vendor Permit regulations are a subsection of Chapter 12 of the Rapid City Municipal Code noting that the Engineering Division is currently rewriting all of Chapter 12. He stated the amended Sidewalk Vendor Permit language will be included along with the other amendments to Chapter 12 as drafted by the Engineering Division. Limbaugh stated that amendments to Chapter 12 do not require action by the Planning Commission noting that the amendments will be considered by the Legal and Finance Committee and approved by the City Council.

Limbaugh advised that the attached memorandum and ordinance revisions summarize the work of the Planning Commission's Sidewalk Vendor Permit Subcommittee.

Brewer thanked Limbaugh and the members of the Sidewalk Vendor Permit Subcommittee for all of their work on the proposed amendments to the ordinance.

Brewer thanked the Commission and staff for their work during the past year and wished everyone a safe and happy holiday season.

11. Staff Items

None.

12. Planning Commission Items

None.

13. Committee Reports

None.

There being no further business, Scull moved, Popp seconded and unanimously carried to adjourn the meeting at 7:27 a.m. (9 to 0 with Beshara, Braun, Brewer, Fink, Marchand, Popp, Scull, Swank and Weimer voting yes and none voting no)