Bill Clayton spoke on item (PW121217-17). He said he would be present for further questions if the item is pulled. He stated the front page of the Rapid City Journal gave false information about the deer harvest. He said the paper stated that the highest cost is processing the deer. He said that’s not true and the highest cost is what the hunter gets paid which is $65 per deer. The said city is paying the hunters from payroll and they should be paid as contractors.

CONSENT ITEMS – Items 4 – 41
The following items were removed from the Consent Items:

20. PW121217-17 – Approve Authorize Parks and Recreation Department to harvest 150 deer for the 2017/2018 season.

22. PW121217-19 – Approve the Appeal of Denied Exception Request from Sperlich Consulting on Behalf of Freeland Meadows, LLC to not construct Country Road with a minimum 36’ wide paved surface, curb, gutter, street light conduit, sewer, sidewalk at intersections and grading for sidewalk along developable parcels (City Files 17EX211).

25. LF121317-03 – Authorize Mayor and Finance Officer to Sign the Joint Powers Agreement between the South Dakota Department of the Military and the City of Rapid City for Tree Thinning on Property Adjacent to West Camp Rapid

Motion was made by Laurenti, second by Drew and carried unanimously to approve Items 4-41 as they appear on the Consent Items with the exception of Items 20, 22 and 25.

Approve Minutes

Public Works Committee Consent Items
5. PW121217-01 – Confirm the reappointments of Jenn Johnson and Carol Evan Saunders to the Historic Preservation Commission.

6. PW121217-02 – Change Order #1F to J.V. Bailey Co. Inc. for 5th Street Concrete Repair, Project No. 15-2292 / CIP No. 50445 for a decrease of $17,610.60.

7. PW121217-03 – Change Order #1 to R.C.S. Construction, Inc. for E. Idaho, E. Nevada, Ivy Avenue, Street and Utility Reconstruction and Meade/Hawthorne Drainage Element 221 Improvements, Project No. 15-2253 / CIP No. 5421.3.1B for an increase of $4,846.09.

8. PW121217-04 – Change Order #1F to Complete Concrete Inc. for Main Street Water Valve Concrete Repair, Project No. 17-2390 / CIP No. 50705 for a decrease of $28,752.50.

9. PW121217-05 – Change Order #3F to Scull Construction Services for Fire Station 5 Improvements, Project No. 2073 / CIP No. 51158 for an increase of $2,692.46.

10. PW121217-06 – Change Order #3 to Highmark, Inc. for Southside Drive Sanitary Sewer Extension, Project No. 14-2095 / CIP No. 50328 for an increase of $49,790.00.

11. PW121217-07 – Change Order #2 to Lind-Exco, Inc. for West Omaha Drainage and Utility Improvements, Project No. 15-2316 / CIP No. 50904.1 for an increase of $120,454.98.

12. PW121217-08 – Change Order #2F to R.C.S. Construction, Inc. for Baldwin Street Reconstruction, Project No. 14-2189 / CIP No. 50822.1-1 for a decrease of $125,063.76.


14. PW121217-10 – Authorize Mayor and Finance Office to Sign Agreement between the City of Rapid City and West Plains Engineering, Inc. for Annual ADA Compliance Project – 5th Street and New York Street, Project No. 15-2311 / CIP No. 50761 in the amount of $9,507.00.

15. PW121217-11 – Authorize Mayor and Finance Officer to Sign Covenant Agreement Between the City of Rapid City and the South Dakota School of Mines and Technology Foundation Authorizing
Salamun read in (PW121217-19) Approve the Appeal of Denied Exception Request from Sperlich Consulting on Behalf of Freeland Meadows, LLC to not construct Country Road with a minimum 36’ wide paved surface, curb, gutter, street light conduit, sewer, sidewalk at intersections and grading for sidewalk along developable parcels (City Files 17EX211). Motion was made by Modrick, to approve the appeal of denied exception as recommended by committee, second by Lewis. Modrick said there was terrific dialogue at public works. She stated with this exception this allows the prices of the homes to stay low. She would like support on this motion. In response to a question from Drury, Tech said staff is being consistent in looking at their criteria which is very specific about what the requirements are. He stated the subdivision improvement ordinance which indicates that all right-of-ways adjacent to the development must be constructed to the current standard. Staff is trying to be consistent with what the rules are. Drury asked who pays for the improvements later if they are waived now. Tech said the costs will be passed onto the tax payers later. In response to a question from Drew, Kale McNaboe, the benefit to not putting in curb and gutter is there is a regional detention cell that will occur on this parcel and when the city does a drainage study, they set up a drainage master plan and establish where the city wants their drainage infrastructure to occur at. In this case there is a low-lying area that traverses the property and dead end on Lacrosse Street. Drew asked how much money the developer would save if the requirements weren’t constructed. McNaboe said roughly $1.2 million dollars. Drew said the city was essentially gifting them $1 million dollars to not require improvements. McNaboe said it typically cost $25K for roads but if you add the infrastructure you add another $10K and it makes the housing less affordable. He said the workforce housing cost they are looking building is between $180K-$225K. Drew thinks this price range is affordable. She would like to see more one-story homes built. Roberts said they are talking about incentivizing a subdivision, which he thinks they need to do. He thinks the council does need to incentivize developers to build affordable housing in Rapid City. Council should help developers and builders build affordable housing. If we want to compete with Box Elder, Summerset, and Sturgis, we have to help builders and contractors’ lower costs. Lewis said they aren’t giving anyone a million dollars. The council would be trying to help consumers buy more affordable homes. Nordstrom agrees with Drury because they are kicking the can down the road. Someone will have to pay these costs later. But he agrees with affordable housing. He said they are going to get more of these requests down the road and a task force needs to review these requirements. He asked how they can incentivize but keep costs down. He will support but the motion, but council has to look larger than this. Modrick said the land has no development on it at all and they need to generate property taxes. She said the time will come for curb and gutter later. She said there is no development across the street. Today they need to contribute to the development of this housing project. The city needs the property tax base. Drury said if there are 105 houses proposed then there will likely be 200 cars out there which is a safety issue. She said the development should be built the right way without the exceptions. She said if master plans need to be looked at than change should start there and not at council with all these exceptions. Lewis said staff has to go through design criteria and that’s why council has to make the exceptions. He made a suggestion that maybe criteria can be added for future developments if they fall under certain price points to incentivize builders to bring in mixed developments. Lewis is in support of the item. Roberts agreed with Drury that some changes need to be made to the process. Bringing the lots in at this price point is going to keep the price down. No one is going to buy a $35K lot and put a million dollar house on it. This will bring in the workforce housing at $200,000 or less. They are moving in the right direction. He thinks council is starting to have vision. They need to find ways to take care of infrastructure and grow the tax base. Drew said there is a sustainability movement that is going toward natural drainage, where you let nature take its course. She said there are some benefits to not paving everything. She said there are some good points on leaving it how it is. Laurenti said that Drury has a good point about changing the design criteria itself, so staff has a chance to tell the applicant they can do this. He said somebody ultimately pays the cost, should it be the developer or the new owners when this gets ordered in. The developer makes more profit if these criteria is waived. Laurenti said the council agreed to say no to exceptions and not approve all these exceptions. Laurenti said if he asked for financials, the developers would say no. He said council will pass the cost on to future owners. He asked council to do it right and vote no. He wants to send the right message. Laurenti said if this developer doesn’t do this development now, someone else will. Motion was approved 7-2 with Laurenti and Drury voting no.
Nicole;

On behalf of the owner, we wish to appeal the denial of Exception Request No. 17EX211 for improvements to Country Road. Please have this item placed on the next available Public Works Agenda, and advise with a date for that meeting.

--
Kale R. McNaboe, P.E.
Principal Engineer

Sperlich Consulting, Inc.
821 Columbus Street, Suite 1
Rapid City, South Dakota 57701
Phone: 605-721-4040
Fax: 605-721-4048

On 11/15/2017 3:07 PM, Donat Susan wrote:
  Any questions please contact Nicole
  Tx
Case No. 17PL101

Existing Legal Description:
A portion of the NE1/4 of the NW1/4 of Section 19, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

Proposed Legal Description:
Proposed Lots 1 through 4 of Block 1, Lots 1 through 10 of Block 2 and Lots 1 through 11 of Block 3 of Prairie Meadows South Subdivision
REQUEST FOR EXCEPTION TO
RAPID CITY DESIGN STANDARD / CRITERIA / REGULATIONS

PROJECT: Prairie Meadows South Subdivision, Phase I

DATE: 10/26/2017

SUBMITTED BY: Kale R. McNaboe - Sperlich Consulting, Inc.

(Please use back of sheet if additional room is needed)

LEGAL DESCRIPTION: A portion of the NE1/4 of the NW1/4 of Section 19, T2N, R8E, B.H.M.,
Rapid City, Pennington County, South Dakota

EXCEPTION REQUESTED: SECTION 1192-1+3-1 STD / CRITERIA / REG STD

DESCRIPTION OF REQUEST: Exception to not construct Country Road with a minimum of 36-foot
wide paved surface, curb, gutter, street light conduit, a second water main, sewer and sidewalk at intersections
and grading for sidewalk along developable parcels.

JUSTIFICATION:
The existing Country Road has a 20-foot wide asphalt surface, having no curb, gutter, etc.
The road is built to rural standards with curves. The nearest utility road section of Country Road exists at the named Avenue intersection, which is approximately 3000 linear feet west of the site.
The City recently constructed the water main on the north side of Country Road, building a new water main on the south side would create a dry main with no connections either east or west of the site.
No sewer currently exists in Country Road with the exception of that leading to the existing lift station, building a trunk sewer would create a dry main with no connections either east or west of the site.

SUPPORTING DOCUMENTATION:

PROPERTY OWNER'S SIGNATURE: X Yes □ No DATE: 10-27-17

☑ For Staff Only

STAFF COMMENTS: See attached letter dated 11/14/17.

STAFF RECOMMENDATION: Approve dual water main. Deny the balance of the request. See attached letter dated 11/14/17

REVIEWED BY: DATE: 11/14/17

AUTHORIZATION:

☑ APPROVED ☐ DENIED

COMMUNITY PLANNING DIRECTOR

☑ APPROVED • DENIED

PUBLIC WORKS DIRECTOR

☑ For Staff

FILE #: 17RL211

ASSOCIATED FILE#: 17RL101

Copy to Utility Maintenance: Copy to Water: Copy to Waste Water: Copy to Streets: Copy to Traffic: Copy to Construction:
November 15, 2017

Sperlich Consulting, Inc.
Kale McNaboe
821 Columbus St Suite 1
Rapid City, SD 57701

Re: Exception File No. 17EX211

Dear Kale McNaboe:

Enclosed please find a copy of the original exception request that was filed with the assigned file number and the decision details.

In the event that an exception request is denied, the Director of Public Works or the Director of Community Planning will advise the applicant of such denial in writing. Any applicant that disputes the denial of an exception may appeal such denial. In order to appeal the denial the applicant shall file a written request of appeal to the Director within ten (10) working days of the denial. The appeal will be placed on the next Public Works Committee agenda, which will then go to The City Council for final consideration.

If you have any questions or need additional information, please contact our office at 605-394-4154.

Sincerely,

Susan Donat

Susan Donat
Administrative Secretary

Enclosure
November 14, 2017

Sperlich Consulting, info@sperlichconsulting.com
605-721-4040
821 Columbus Street
Rapid City, South Dakota 57701

Re: Request to not construct Country Road with a minimum 36' wide paved surface, curb, gutter, street light conduit, a second water main, sewer, sidewalk at intersections and grading for sidewalk along developable parcels.
City File #17EX211, Related Files 17PL101

Dear Sperlich Consulting, Inc.,

The request to waive the requirement to install a second water main in Country Road is approved.

Country Road has an existing 12” water main in the north boulevard which was recently installed by the City. The proposed development is on the south side of the road and it is anticipated this development will be served by an internal water main network with internal coping, therefore, a second water main in Country Road does not appear to be warranted at this time.

The request to waive the requirement to construct Country Road with a minimum 36' wide paved surface, curb, gutter, street light conduit, sewer, sidewalk at intersections and grading for sidewalk along developable parcels is denied.

Subdivision improvements including pavement, curb, gutter, sidewalk, street light conduit, water main and sewer main are triggered during the platting process for all adjacent roadways. The proposed Prairie Meadows South Subdivision Phase 1 plat has frontage to Country Road for approximately 1125’ and Country Road exists today with a 20’ wide rural pavement section, ditches for drainage, and a 12” water main in the north boulevard. Country Road is identified as an arterial street on the City’s major street plan requiring a minimum 36’ wide pavement with curb, gutter, sidewalk and street light conduit. Country Road needs to be constructed to arterial street standards to accommodate the proposed plat that includes 25 single family residential lots with Phase 1 and ultimately a total of 105 single family and multi-family residential lots within the subdivision. The existing street is not constructed to safely handle traffic in the area and the development creates additional usage on the adjacent roadways. Street improvements need to be extended in Country Road to achieve the goals of the City’s comprehensive street plans to provide public infrastructure for future growth and surrounding development and should be installed at the time of plat, as required by Ordinance.
Grading for the construction of Country Road will impact the adjacent lots, thus there is a significant benefit to the road being improved before the lots are developed. The Developer is platting single family lots in which the rear yard will abut Country Road with a proposed lot depth of 110’. This is a typical lot depth for a single family residence today and does not provide for extra depth where substantial grading is needed for County Road to be constructed. A preliminary vertical alignment of the future Country Road indicates at the centerline of the road will need to be raised by approximately 5’ at the highest point and lowered by approximately 7’ at the lowest point for the street to meet arterial street standards.

Sewer in Country Road is needed to serve property to the west and southwest of the proposed development, unless an alternative alignment is identified. No sanitary sewer main exists in Country Road today. Current master planning identifies a future 24” gravity sanitary sewer main along the Country Road alignment adjacent to this development. However, at a quick glance we believe a 24” sewer main is excessive for the area it would serve. Along with the development of this parcel, the developers engineer shall determine the appropriate size of the trunk sewer in adjacent Country Road based on the sub-basin and anticipated development from the comprehensive plan. Also, alternative alignments may be considered for the large diameter main to serve the basin, such as a potential alignment through the proposed development. If an alternative alignment of the sewer main is provided, then Staff would support the request to not construct sewer main within Country Road.

Street light conduit is required during a platting process in all adjacent roadways to allow for the installation of street lights per IDC 2.19. Street lights are important for vehicle navigation, and vehicle and pedestrian safety. Street lights also have been documented as a means of preventing crime. Street light conduits should be installed at the time of platting to support the adjacent development.

The Request for Exception to Figure 2-1 of the Infrastructure Design Criteria Manual (IDCM) to waive the requirement to provide sidewalk is not an exception request. Waiving the requirement to construct sidewalk requires a variance from City Council, per Rapid City Municipal Code 12.08.060. Therefore this request is not applicable. Please note that construction plans for sidewalk are a requirement of the platting process with the developer responsible to construct sidewalk at intersections, handicap ramps, sidewalk on unbuiltable parcels, and provide grading for the installation of sidewalks along all public right-of-ways. However, sidewalks along buildable parcels is not required until a building permit is obtained on a parcel. If sidewalk is not desired at the time of building permit, a sidewalk variance must be obtained from the City Council as allowed for by Rapid City Municipal Code. When the road is reconstructed to an urban street section, it is appropriate to grade for sidewalks.

It should be noted that City Staff did approve a similar design exception to not improve Country Road adjacent to Prairie Meadows Subdivision, located northwest of this proposed development. The approval was contingent upon the City and the developer coming to an agreement prior to Final Plat outlining the terms and conditions for the developer’s share in the cost of the future water main in Country Road (City File 16EX014, reviewed March 2016). It should be noted that the commitment to not reconstruct Country Road with Prairie Meadows Subdivision was determined well before exception 16EX014 on was acted on. Staff does not believe we have any other choice but to deny this request with the exclusion of the second water main for the following reasons: 1) waiving this this request will pass a large financial responsibility on to all tax payers to reconstruct this street at some point to support the surrounding development; and 2) Staff has not
been in support of recent similar exceptions to existing arterial/collector streets not constructed to current standards.

The developer will need to provide turn lanes, if needed for the development. Should this exception be appealed to the City Council and the pavement width be approved by the City Council, the approval should not negate the developer from any responsibility to construct turn lanes, if needed.

The denial of this exception request may be appealed to the City Council by requesting it be placed on the next Public Works Committee agenda. The City Council has final approval of exception requests. In order to appeal the denial the applicant shall file a written request of appeal to the Public Works Director within 10 working days of the denial. Please contact the Public Works Engineering Department if you desire to appeal.

Sincerely,
City of Rapid City

Nicole Lecy, Project Engineer
Subject Property

Low Density Residential-1

Suburban Residential, PC

Rapid City Limits

Medium Density Residential

Planned Development

General Agriculture

General Ag. District, PC

Planned Development Designation

SE of the intersection of Marino Drive and Country Road

Rapid City/Pennington County Zoning

General Agriculture

Low Density Residential-1

Rapid City Limits

Subject Property
Major Street Plan

- Subject Property
- Collector
- Principal arterial
- Proposed minor arterial
- Rapid City Limits
- Minor arterial
- Proposed collector