

**MINUTES**  
**PIERRE CITY PLANNING COMMISSION MEETING**  
**COMMISSION ROOM**  
**Monday, June 24, 2019 5:15 P.M.**

*Members present* were: Chair Dave Templeton, Rick Dockter, Emeline Hoblick, and Terry Keller.

*Staff members present:* Sharon Pruess and John Childs.

*Guests present:* Jim Thompson.

Chairperson Templeton called the meeting to order at 5:15 p.m. A review of the minutes from the 4/29/19 meeting found one error on the last page. A second needs to be added to the motion and the approval needs to be noted. With that correction, Commissioner Keller moved, seconded by Commissioner Hoblick to approve the minutes of the 4/29/19 meeting. Approval was unanimous.

The first item on the agenda is the **Plat of Lot 1R, McKinley Addition & Lot 2, Avera St. Mary's Addition. Petitioner – Avera St. Mary's Hospital.**

City Planner Sharon Pruess provided a summary of the request. Avera St. Mary's is proposing a replat to take care of some clean up items after completion of construction of the Helmsley Cancer Center. The project rerouted sewer, water and electric service in this area to accommodate the new building. The proposed plat vacates the other half of MAC Lane, vacates an east/west alley, and puts into place some utility easements for the reroute of sanitary sewer and water mains. The south half of MAC Lane was vacated quite a number of years ago when the Avera Clinic was constructed. This replat vacates the remaining north half of MAC Lane. So MAC Lane in effect becomes part of the Avera Clinic parking lot. The plat also vacates an east/west alley. The City has retained a utility easement in vacated MAC Lane and the alley. Water main was rerouted along Sioux Avenue so we have a new 25' utility easement running east/west along Sioux Avenue for water service. Sewer service was rerouted north and south through the Avera clinic parking lot so we have a new 36' wide sanitary sewer easement. The City Planning Commission and the City Commission approved the replat of Lot 1, Avera Saint Mary's Addition in January & February of 2017. The replat facilitates the reconfiguration of some utilities and allows Avera to vacate the other half of MAC lane and an east/west alley. The new utility easements allow the City to have access to the utilities. Staff recommends approval of the plat.

Commissioner Dockter made a motion to recommend approval of the plat of Lot 1R, McKinley Addition and Lot 2, Avera St. Mary's Addition. Petitioner –Avera St. Mary's Hospital. The motion was seconded by Commissioner Keller and approval was unanimous.

The second item on the agenda is the **Preliminary Plat of Thompson's Homestead Subdivision in Sections 29 & 30. Petitioners – Jim Thompson & Ron Young.**

City Planner Sharon Pruess provided a summary of the request. The City Planning Commission and the City Commission approved a replat of Thompson's Homestead Subdivision in 2001. Jim Thompson moved a residential structure off of Lots 2A & 2B along the river in 2001 due to

geologic instability. The City also had trouble maintaining sewer and water services due to instability in the area. Mr. Thompson replatted the 7 lots into 2 lots, and vacated a portion of Riverside Drive. The City required a geotechnical opinion for any future structures on these lots and in lieu of this requirement the developer added language to the plat as follows:

“The owners are intentionally ignoring the advice of city officials and are willing to assume all risks associated with building in an area known for geological risk subject to high water table, erosion, active landslide movement, and other geological factors that no geotechnical engineer would deem adequate for the intended residential use. The owners and their assignees hold the city harmless for all liability related to use of this property for residential purposes and shall maintain their own roads, utilities, and all other improvements.” (drafted by City Engineer)

Additionally the developer was required to provide an engineered foundation design for the proposed structure(s) based upon the known geological factors. The City abandoned responsibility for the water and sewer lines in the area to be replatted. The plat specified that the 2 new lots were required to remain in common ownership so future problems didn't develop regarding access, utilities, etc. The City Attorney reviewed the plat and notified the abstract company that an exception should be noted on the title policy regarding the geological risk of the property.

Mr. Thompson is now proposing to replat the area and amend the existing P.U.D. to allow 3 residential structures on Lots 1A, Lot 3 and Lot 4. He is proposing a private street and private sewer and water mains/services to be constructed and maintained by the Property Owner's Association (P.O.A.). The proposal requires the property owners to construct their own infrastructure (street, sewer and water) rather than the developer constructing the infrastructure prior to the sale of lots. A geotechnical report has been submitted by Core Engineering out of Chamberlain. The report recommends that the single family residences be built with reinforced concrete crawl spaces founded on drilled pier deep foundations. The report also recommends that the piers and structural slabs be designed by a qualified structural engineer with experience designing drilled piers for structural support. Pruess noted that the proposal for private streets and utilities and to require the property owners to construct their own infrastructure improvements requires additional discussion and consideration.

Commissioner Dockter asked if a firetruck could turn around on the street proposed. Jim Thompson replied that the turn-around has a 48' radius and the street is 28' in width. Commissioner Dockter asked Thompson if he was planning to do all the infrastructure and Thompson replied “yes”. John Childs, City Engineer, added that all the utilities would be private. Commissioner Keller asked if the street would handle an aerial truck and will the lots have a private hydrant. Childs said the firetruck would likely hook on to the nearest public hydrant. Commissioner Templeton asked Thompson how he envisioned the proposal working if one couple bought a lot and wanted to build right away and the other lots did not sell for several years. Thompson said that all 3 lots are already spoken for and will be sold upon approval of the plat and plans. Commissioner Dockter asked if there would be a bond provided to insure completion of the infrastructure improvements. Thompson said that a bond was not necessary as the infrastructure improvements are to

be done by the lot purchasers. John Childs said that he is comfortable doing this for a limited number of lots. He would not do this for 10-15 houses and the City does not want to own the infrastructure due to problems in the past in this area. Commissioner Keller asked if federal requirements would be met such as is the POA able to accommodate ADA sidewalks. Thompson said that the development would not have sidewalks and the existing development adjacent to this proposal does not have sidewalks either. Templeton said there should be additional consideration given to the P.U.D. Specifically under item number 8, Report of Geological and Geotechnical Engineering, that each purchaser should sign a written statement that they have received a copy of the geotechnical report. And under item number 10, Construction of infrastructure improvements, that an independent third party inspector should certify that the infrastructure improvements have been installed according to the plan set approved by the City. John Childs said there will need to be documentation and testing, including what is there for base, surfacing, thickness and density. Commissioner Keller asked what the cul-de-sac will be – is it going to be more like a private driveway. Childs said that the cul-de-sac will function more like a driveway but that he did insist on specific thicknesses for base course and surfacing of the street. Pruess said that the City will require a minimum 8” of base course and 4” of asphalt similar to what is required for other streets. Commissioner Templeton asked if the development would have gravity sewer or if a lift station would be required. Childs said that the development would include gravity sewer. Commissioner Keller asked if the property owner’s association would have their own maintenance and operations personnel. Thompson said that the three property owners would make decisions on who to hire for maintenance and operations. Keller noted in item 1 of the P.U.D., Lot Size and Purpose, that Lot 2 shall be owned by the property owner’s association or by the owner of Lot 1A, or Lot 3 or Lot 4. He asked if Lot 2 shouldn’t be owned by the property owner’s association and how do you distinguish who owns it. Thompson said that the plat notes that Lot 2 and Lot 5 are common use lots. And then the P.U.D. notes who will own and maintain those areas. Pruess noted that item 1 in the P.U.D. could be expanded to include that there will be no residence on Lot 2.

Commissioner Dockter made a motion to recommend approval of the preliminary replat of Thompson’s Homestead Subdivision with construction oversight to ensure compliance with the city of Pierre’s approved plans and specifications. Commissioner Hoblick seconded the motion and it passed with unanimous approval.

**Old/New Business** - Pruess noted there was no old or new business.

**Public Comment Period per SDCL 1-25-1** - No public comments.

With no further business, Commissioner Hoblick moved to adjourn the meeting, seconded by Commissioner Dockter. Chairperson Templeton declared the meeting adjourned at 5:42 p.m.

*Minutes by Sharon Pruess*