

06PD070

----- Original Message -----

From: [Veda Wojciechowski](#)

To: [Mayor Jim Shaw](#) ; [Tom Johnson](#) ; [Mike Schumacher](#) ; [Sam Kooiker](#) ; [Deb Hadcock](#) ; [Karen G. Olson](#) ; [Bill Okrepkie](#) ; [Lloyd LaCroix](#) ; [Ron Kroeger](#) ; [Malcom Chapman](#) ; [Bob Hurlbut](#)

Sent: Wednesday, January 31, 2007 5:36 PM

Subject: Re: Appeal on Planned Residential Development Plan No. 06PD070

Ladies and Gentlemen:

The cold weather has interfered with plans to try to meet with each of you personally so we will address our issue in this e-mail letter.

At the City Council Meeting next Monday (Feb. 5, 2007), you will be required to take action on an appeal of the City Planning Commission's decision on January 4, 2007, for Planned Residential Development Plan No. 06PD070, Evergreen Condominiums project, which lies within the boundaries of the Canyon Lake Overlay District.

Growth Management Staff recommended that the Planned Residential Development Plan be denied because the applicant did not want to bring Evergreen Drive up to the required standards set forth in the Canyon Lake Overlay District guidelines. However, the Planning Commission approved the Planned Development Plan for the Evergreen Condominiums for Bobby Sundby and Jim Scull (Scull Construction) who are the principals of Evergreen Condominiums, LLC. The Planning Commission disregarded Staff recommendations and granted the request for a waiver of the requirement to bring the street (Evergreen Drive) up to current City standards.

During discussion at the Planning Commission meeting, it was not made clear whether the whole street of Evergreen Drive needed to be brought to current standards or just the portion from developer's property line to a major street. Evergreen Drive already has water, sewer, street lights, curb, gutter and sidewalks, but is not the required width of 27 feet. It is only 24 feet wide. When questioned after the meeting, Growth Management personnel said that only the portion from a major artery (Canyon Lake Drive) to the farthest edge of developer's property would be affected, which is about two-thirds of a block. We believe the Planning Commission got the impression that the whole street would need to be completely improved and this may not be the case. The applicant/developer should be held to comply with the Canyon Lake Overlay requirements.

Granting a waiver of the requirement to bring the street to current City standards should not be allowed, as it will set a precedent for all future development in similar situations. The developer should not be granted a waiver for this project. We urge you to deny the Plan as it was presented. In the alternative, we urge you to require that the Canyon Lake Overlay requirements be adhered to and NOT waived.

Pursuant to legal notices published in the Rapid City Journal on January 10, January 17, January 24, and January 31, 2007, a Summons shows that there is a question of ownership of the south 21.9 feet of Lot B where the second condominium is proposed to

be built. We feel this matter should be denied or at least continued until the quiet title action is concluded and the court decides who actually owns this portion of the property.

Please call if you have any questions regarding this letter.

Sincerely,

Veda and Don Wojciechowski - Phone: 342-0500

Adjacent property owners on Evergreen Drive

----- Original Message -----

From: Rick and Terry <rickandterry@rushmore.com>

To: <tom.johnson@rcgov.org>, <mike.schumacher@rcgov.org>, <sam.kooiker@rcgov.org>, <deb.hadcock@rcgov.org>, <karen.olson@rcgov.org>, <bill.okrepkie@rcgov.org>, <lloyd.lacroix@rcgov.org>, <ron.kroeger@rcgov.org>, <malcom.chapman@rcgov.org>, <bob.hurlbut@rcgov.org>

Sent: Thu, 1 Feb 2007 09:54

Subject: Fwd: Evergreen Apts File # 06PD070, Wellsprings Conditional use Permit

Members of the Rapid City Council,
1 Feb. 07

On January 4th 2007 the Planning Commission overrode the Growth Management recommendation that the permit be denied because of the Canyon lake Overlay requirement for street improvement of Evergreen Dr. The Developer was issued a building permit for lots A and B before the Canyon Lake overlay was approved, The Developer decided to change his plans knowing full well the Canyon Lake Overlay was going to be approved. It so happened that the Canyon Lake Overlay was approved by the City Council before the Developers plans were approved. They rolled the dice and lost. I request you up hold the Canyon Lake Overlay and deny the request of the Developer. If the developer gets his way the Canyon Lake Overlay will become null and void because a president will set and other Developers will do the same. The Council recognized the was a problem in The Canyon Lake area when it passed the Overlay. Do not allow the Canyon Lake Overlay be gutted.

On January 4th 07 Wellsprings applied for a Conditional use permit to allow a teenage care center in a MDR District. This will compound the street problem in the Canyon Lake area. The location of Wellsprings is on Evergreen Dr. the same as the Evergreen Apts. I request you deny the conditional use permit.

These items are up for the Council meeting on Feb 5th 07

Rick Robertson
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