

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
February 18, 2010

MEMBERS PRESENT: Erik Braun, John Brewer, Gary Brown, Doug Kinniburgh, Dennis Landguth, Linda Marchand, Steve Rolinger, Andrew Scull and Diane Zephier. Karen Gunderson-Olsen, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Bob Dominicak, Vicki Fisher, Karen Bulman, Ali DeMersseman, Jim Flaaen, Mary Bosworth, Ted Johnson, Karley Halsted, Tim Behlings, Mike Schad and Carol Campbell.

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

Scull 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 Rolinger, Seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 19 in accordance with the staff recommendations. (9 to 0 with Braun, Brewer, Brown, Kinniburgh, Landguth, Marchand, Rolinger, Scull and Zephier voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the February 4, 2010 Planning Commission Meeting Minutes.
- *2. No. 09PD096 - Black Hills Center Subdivision
A request by FourFront Design, Inc. for Eagle Ridge Properties, LLC to consider an application for a **Major Amendment to a Planned Residential Development** on Lots 2A and 2B of Block 1 of Black Hills Center, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 121 Stumer Road.

Planning Commission continued the Major Amendment to a Planned Residential Development to the March 4, 2010 Planning Commission meeting.

The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.

3. No. 09PL040 - _____ Subdivision, Section 19, T1N, R8E
A request by Centerline, Inc. for Lazy P-6 Land Co., Inc. to consider an application for a **Layout Plat** for proposed Lot 1 in Block 1 and Lots 1 thru 4 in Block 2 of _____ Subdivision, legally described as a parcel of land located in the W1/2 SW1/4 of Section 19, T1N, R8E and E1/2 SE1/4 of Section 24, T1N, R7E all located in BHM, Pennington County, South Dakota, more

generally described as being located at the southeast corner of the intersection of Fifth Street and Catron Boulevard.

Planning Commission recommended that the Layout Plat be denied without prejudice.

4. No. 09SV015 - _____ Subdivision, Section 19, T1N, R8E
A request by Centerline, Inc. for Lazy P-6 Land Co., Inc. to consider an application for a **Variance to the Subdivision Regulations to reduce the pavement width from 12 feet to 11 feet per lane as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lot 1 in Block 1 and Lots 1 thru 4 in Block 2 of the _____ Subdivision, legally described as a parcel of land located in the W1/2 SW1/4 of Section 19, T1N, R8E and E1/2 SE1/4 of Section 24, T1N, R7E all located in BHM, Pennington County, South Dakota, more generally described as being located at the southeast corner of the intersection of Fifth Street and Catron Boulevard.

Planning Commission recommended that the Variance to the Subdivision Regulations to reduce the pavement width from 12 feet to 11 feet per lane as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice.

5. No. 09PL047 - PLM Subdivision
A request by Centerline, Inc. for PLM Land Development, LLC to consider an application for a **Preliminary Plat** for proposed Lots 36 thru 53 of Block 1 of PLM Subdivision, legally described as the unplatted balance located in the N1/2 NW1/4 and the unplatted SW1/4 NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the eastern extension of Conestoga Court.

Planning Commission recommended that the Preliminary Plat be approved with stipulations:

1. **Prior to Preliminary Plat approval by the City Council, all red lined comments shall be addressed. In addition, the red lined drawings shall be returned to the Growth Management Department:**
2. **Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a water service line to cross another lot or the construction plans shall be revised accordingly;**
3. **Prior to submittal of a Final Plat application, the plat document shall be revised to show the 20 foot wide Major Drainage Easement centered on the existing channel located on Lot 44 extended through Lot 16R to the detention pond;**
4. **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;**
5. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,**
6. **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.

6. No. 09PL072 - Hillsview Subdivision

A request by Renner & Associates for Royal Nielsen to consider an application for a **Preliminary Plat** for proposed Lots A and B of Lot 15 Revised of Hillsview Subdivision, legally described as Lot 15 revised of Hillsview Subdivision and the sought 293 feet of Lot 6 of Marshall Subdivision, located in the NE1/4 of the SE1/4 and in the SE1/4 of the NE1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the north side of East S.D. Highway 44 between Rockhill Road and Hillside Drive.

Planning Commission continued the Preliminary Plat to the March 4, 2010 Planning Commission meeting.

7. No. 09PL086 - Spring Canyon Estates

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** for proposed Lots 1, 2 and 3 of Lots 5R and 6R of Block 1 of Spring Canyon Estates, legally described as Lots 5R and 6R of Block 1 of Spring Canyon Estates, Section 6, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 5703 and 5707 Pioneer Circle.

Planning Commission continued the Layout Plat to the March 4, 2010 Planning Commission meeting.

8. No. 09SV028 - Spring Canyon Estates

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 20 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Pioneer Circle, to reduce the width of the private access and utility easement from 49 feet to a verifying width of 46.9 feet to five feet, to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the private access and utility easement, to reduce the width of the access easement from 49 feet to a verifying width of 40 feet to 20 feet and to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the access easement as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 1, 2 and 3 of Lots 5R and 6R of Block 1 of Spring Canyon Estates, legally described as Lots 5R and 6R of Block 1 of Spring Canyon Estates, Section 6, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 5703 and 5707 Pioneer Circle.

Planning Commission continued the Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 20 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Pioneer Circle, to reduce the width of the private access and utility easement from 49 feet to a varying width of 46.9 feet to 5

feet, to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the private access and utility easement, to reduce the width of the access easement from 49 feet to a varying width of 40 feet to 20 feet and to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the access easement as per Chapter 16.16 of the Rapid City Municipal Code to the March 4, 2010 Planning Commission meeting.

9. No. 09SR048 - Section 23, T2N, R7E

A request by Dream Design International, Inc. to consider an application for a **SDCL 11-6-19 Review to construct a water main, storm sewer and drainage improvements on public property** on the unplatted S1/2 NE1/4 less Rainbow Ridge Subdivision and less right-of-way, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of Sagewood Street and Alma Street.

Planning Commission continued the SDCL 11-6-19 Review to construct a water main, storm sewer and drainage improvements on public property to the March 4, 2010 Planning Commission meeting.

10. No. 09SR115 - Original Town of Rapid City

A request by George Larson for American Cancer Society to consider an application for a **SDCL 11-6-19 Review to allow temporary structures on public property** on the Seventh Street Right-of-way located adjacent to Lots 16 and 17 of Block 84 and alley right-of-way adjacent to Lots 1 and 32 of Block 83 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Seventh Street between Main and St. Joseph Street.

Planning Commission approved the SDCL 11-6-19 Review to allow temporary structures on public property.

11. No. 09SR123 - Section 35, T1N, R7E

A request by Kent Hagg for Hagg Development Inc. to consider an application for a **SDCL 11-6-19 Review to extend public utilities** on the SW1/4 NW1/4, Section 35, T1N, R7E, BHM, and the U.S. Highway 16 Right-of-way and Moon Meadows Right-of-way located adjacent to the SW1/4 NW1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of U.S. Highway 16 and Sammis Trail.

Planning Commission continued the SDCL 11-6-19 Review to extend a public water main be approved and that the SDCL 11-6-19 Review to extend a public sewer main to the March 4, 2010 Planning Commission meeting.

12. No. 10CA001 - Rapid Valley Subdivision

A request by City of Rapid City to consider an application for a **Amendment to the adopted Comprehensive Plan to change the Future Land Use designation from Low Density Residential to General Commercial with a**

Planned Commercial Development on Lots 7-12 of Block 3 and Lots 7-12 of Block 4, and the 20 foot wide E. St. Francis Street right-of-way located adjacent and south of Block 3 and Block 4, and Sedivy Lane located west and adjacent to Block 4 and the 20 foot wide E. St. Francis Street, and the 20 foot wide Pecan Lane located adjacent to Lots 7-9 of Block 3 and the 20 foot wide E. St. Francis Street, and the 40 foot wide Beechwood Lane, all located in Rapid Valley Subdivision, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Sedivy Lane and north of E. St. Francis Street.

Planning Commission recommended that the Amendment to the adopted Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial with a Planned Commercial Development be approved.

13. No. 10RZ006 - Rapid Valley Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** of Lots 7-12 of Block 3 and Lots 7-12 of Block 4, and the 20 foot wide E. St. Francis Street right-of-way located adjacent and south of Block 3 and Block 4, and Sedivy Lane located west and adjacent to Block 4 and the 20 foot wide E. St. Francis Street, and the 20 foot wide Pecan Lane located adjacent to Lots 7-9 of Block 3 and the 20 foot wide E. St. Francis Street, and the 40 foot wide Beechwood Lane, all located in Rapid Valley Subdivision, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Sedivy Lane and north of E. St. Francis Street.

Planning Commission recommended that the Rezoning request from No Use District to General Commercial District be approved in conjunction with associated Amendment to the Comprehensive Plan.

14. No. 10RZ004 - Melody Acres No. 2

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Mobile Home Residential District** of Lot 31 of Melody Acres No. 2, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2708 Cactus Drive.

Planning Commission recommended that the Rezoning from No Use District to Mobile Home Residential District be approved.

15. No. 10RZ005 - Melody Acres No. 2

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Mobile Home Residential District** of Lot 10 of Melody Acres No. 2, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2900 East Fairmont Street.

Planning Commission recommended that the Rezoning from No Use District to Mobile Home Residential District be approved.

16. No. 10SR004 - Rapid City Greenway Tract

A request by City of Rapid City to consider an application for a **SDCL 11-6-19 Review to allow temporary structures on public property** on Tract 17 less Lot H1 (also in Section 34, T2N, R7E), Rapid City Greenway Tract, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1520 West Omaha Street.

Planning Commission recommended that the SDCL 11-6-19 Review to allow temporary structures on public property be continued to the March 25, 2010 Planning Commission meeting.

17. No. 10SR005 - Rushmore Business Park and Rushmore Regional Industrial Park
A request by FourFront Design, Inc. for Rapid City Economic Development Foundation to consider an application for a **SDCL 11-6-19 Review to authorize the acquisition of property** on Lot 3 of Block 5 of Rushmore Regional Industrial Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, a portion of the Government Lot 2 less Rushmore Business Park less Lots H7, H8 and right-of-way, the west 660 feet of the Government Lot 1 less Rushmore Business Park and less Lots H6 and H8, the north 1,081.18 feet of the SW1/4 NE1/4 less Rushmore Business park less Lots H4 and H9 less right-of-way, the west 660 feet of the north 1,081.18 feet of the SE1/4 NE1/4 less Rushmore Business Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, A portion of the Government Lot 2 less Rushmore Business Park less Lots H7, H8 and right-of-way, the west 660 feet of the Government Lot 1 less Rushmore Business Park and less Lots H6 and H8, the north 1,081.18 feet of the SW1/4 NE1/4 less Rushmore Business Park less Lots H4 and H9 less right-of-way, the west 660 feet of the north 1,081.18 feet of the SE1/4 NE1/4 less Rushmore Business Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, Lot 3 of Block 5 of Rushmore Regional Industrial Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, Lot H2 located in the unplatted portion of the SW1/4 NE1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, Lot H1 including a portion of Government Lot 2 and a portion of the SW1/4 NE1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located located south of East Anamosa and west of Concourse Drive and north of Lancer Drive.

Planning Commission approved the SDCL 11-6-19 Review to authorize the acquisition of property.

18. No. 10SR007 - Rapid City Greenway Tract
A request by Mark Olson and Leonard Novak for Black Hills Farmers Market to consider an application for a **SDCL 11-6-19 Review to allow a Farmers Market on public property** on Tract 17 less Lot H1 (also in Section 34, T2N, R7E) Rapid City Greenway Tract, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1520 West Omaha Street.

Planning Commission continued the SDCL 11-6-19 Review request to allow a Farmers Market on public property to the March 25, 2010 Planning Commission meeting.

*19. No. 10UR001 - MacArthur Subdivision

A request by Rural American Initiatives to consider an application for a **Conditional Use Permit to allow a child care center** for Lots A, C, E, F and G, Lots 6 thru 7, Lot 8 less Lot H1, Lot 9 less Lot H1, Lot 10 thru 13, of Block 2 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 415 MacArthur Street.

Planning Commission approved the Conditional Use Permit to allow a child care center with the following stipulations:

1. **A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
2. **The currently adopted International Fire Code and Building Code shall be continually met;**
3. **All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Conditional Use Permit. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be considered a Major Amendment to the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. The Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;**
4. **The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;**
5. **A minimum of 28 parking spaces shall be provided. In addition, one of the spaces shall be a van accessible handicap space. A bus loading and unloading space and four parent drop off spaces shall be maintained at the entrance to the building as shown on the site plan;**
6. **A minimum of 70 square feet of indoor play space shall be provided per child as per Section 17.50.150.C of the Rapid City Municipal Code since no outdoor play area is proposed at this time. If an outdoor play area of 50 square feet per child is provided, then the indoor play space area shall be no less than 35 square feet per child. In addition, if an outdoor play area is provided, fencing in compliance with Chapter 17.50.150.C of the Rapid City Municipal Code shall be provided. In particular, the entire playground area shall be enclosed within a 42 inch high fence and shall be located a minimum distance of 25 feet from any property line which abuts right-of-way or a public street;**
7. **The Conditional Use Permit shall allow the property to be used as a church with a child care center. A maximum of 15 children and four staff members shall be allowed at the child care center. The hours of**

operation for the child care center shall be from 7:00 a.m. to 5:30 p.m. Monday through Friday. In addition, the child care center shall be operated in compliance with Chapter 17.50.150 of the Rapid City Municipal Code;

8. All provisions of the Low Density Residential District and Medium Density Residential District, respectively, shall be met unless otherwise specifically authorized as a stipulation of this Conditional Use Permit or a subsequent Major Amendment;
9. The Conditional Use Permit to allow a child care center in conjunction with a church shall expire if the use is not undertaken within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

*20. No. 09PD032 - Section 24, T1N, R7E

A request by Centerline, Inc. for PLM Land Development, LLC to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on a portion of the unplatted balance of the N1/2 NW1/4 and the unplatted balance of the SW1/4 NW1/4, all in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: commencing from the Point of Beginning, the northeast corner of Lot 33 in Block 1 of PLM Subdivision consisting of a 5/8" rebar with Hanson #6251 cap, thence first course - N85°57'24"E a distance of 32.35', thence second course - N78°30'13"E a distance of 229.00', thence third course - S84°12'27"E a distance of 224.17', thence fourth course - N86°55'12"E a distance of 205.00', thence fifth course - N80°28'46"E a distance of 241.41', thence sixth course - S83°06'22"E a distance of 205.42', thence seventh course - S70°31'14"E a distance of 300.02', thence eighth course - S20°04'47"W a distance of 407.59' to the southwest corner of Lot 16 of Block 1 of PLM Subdivision, thence ninth course - N89°42'39"W a distance of 564.79' along the north boundary of Eastridge Estates Subdivision, thence tenth course - N88°31'55"W a distance of 119.66', thence eleventh course - N72°48'55"W a distance of 309.01', thence twelfth course - N72°34'37"W a distance of 131.54', thence thirteenth course - N90°00'00"W a distance of 164.21', thence fourteenth course - N0°00'00"E a distance of 294.68' to the Point of Beginning. Said Parcel containing 13.1855 acres more or less, more generally described as being located east and north of Stumer Road, south of Enchanted Pines Drive at the eastern terminus of Conestoga Court.

Fisher presented the staff recommendation to approve the Planned Residential

Development – Initial and Final Development Plan with stipulations. Fisher stated that the applicant is requesting a reduction in the front yard setback in front of the garage from 25 feet to 20 feet. Fisher noted that previously the Planning Commission has indicated that they will no longer support a reduction in the front yard setback. Fisher identified the placement of the sidewalk in relation to the residence and the garage and the requested setback reduction distance.

In response to Scull's question, Lawrence Kostaneski for PLM Development identified the requested reduction in the front yard setback. Discussion followed.

In response to Brewer's question, Kostaneski expressed his opinion regarding the appropriateness of the setback reduction request. Kostaneski stated that the requested setback reduction allows for adequate pedestrian safety.

Brewer expressed his concern for the importance of accommodating pedestrian safety in new developments.

Kostaneski reviewed the dimensions of parking spaces and drive aisle. Kostaneski expressed his opinion that the proposed driveway dimensions are adequate for vehicles to park in front of the garage and would not encroach over the property line.

In response to Rolinger's question, Kostaneski stated that the distance from the garage to the sidewalk is 24' 10".

Lengthy discussion followed regarding setbacks.

In response to Kinniburgh's question, Kostaneski identified construction challenges created by the terrain on the subject property.

Kinniburgh expressed his support for the requested setback reductions for the garage portion of the residences on the proposed development. Discussion followed.

Elkins stated that if Planning Commission's desire to approve the setback reduction request that Stipulation No. 4 should be modified to read "a minimum 20 foot setback."

Brewer moved, Rolinger seconded and unanimously carried to approve the Planned Residential Development - Initial and Final Development Plan with the following stipulations:

- 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. Prior to issuance of a building permit, a Preliminary Plat shall be submitted for review and approval;**
- 3. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be reviewed and approved;**
- 4. A minimum 20 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence. In addition, a minimum eight**

foot side yard setback for one story structures and a minimum 12 foot side yard setback for two story structures shall be provided. A minimum 25 foot rear yard setback shall also be provided;

5. A minimum of 1,000 gallons per minute fire flow at 20 psi residual pressure shall be provided for residential structures of up to 3,600 square feet in area. Fire flows of up to 1,750 gallons per minute at 20 psi residual pressure shall be provided for residential structures 3,601 to 4,800 square feet in area as per the International Fire Code Table B105.1. Residential structures larger than 4,800 square feet shall meet fire flow requirements as stated in International Fire Code Table B105.1. If the fire flow requirements cannot be provided, then residences shall be protected throughout with an approved residential fire sprinkler system;
6. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment;
7. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Initial and Final Planned Residential Development; and,
8. The Planned Residential Development shall allow for the construction of single family residence(s). However, the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for two years. (9 to 0 with Braun, Brewer, Brown, Kinniburgh, Landguth, Marchand, Rolinger, Scull and Zephier voting yes and none voting no)

The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.

In response to Brown's question, Elkins advised that the completion of Enchanted Pines Drive would be development driven. Discussion followed.

*21. No. 09PD048 - Stoney Creek South Subdivision

A request by Sperlich Consulting, Inc. for J. Scull Construction to consider an application for a **Planned Commercial Development - Initial and Final Development to include an on-sale liquor establishment** on Lot 1A of Block 1 of Stoney Creek South Subdivision, located in the NW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5550 Sheridan Lake Road.

Scull stated that he would be abstaining from discussion and voting due to a conflict of interest.

DeMersseman presented the staff recommendation to continue the Planned Commercial Development - Initial and Final Development to include an on-sale

liquor establishment to the March 25, 2010 Planning Commission meeting.

Rolinger moved, Marchand seconded and carried to continue the Planned Commercial Development - Initial and Final Development Plan to the March 25, 2010 Planning Commission meeting. (8 to 0 to 1 with Braun, Brewer, Brown, Kinniburgh, Landguth, Marchand, Rolinger and Zephier voting yes and none voting no and Scull abstaining)

The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.

22. No. 09SR124 - Section 20, T1N, R9E

A request by Rapid City Regional Airport to consider an application for a **SDCL 11-6-19 Review to construct a sign on public property** on Lot A located in the SW1/4 of Section 20, T1N, R9E, BHM, Rapid City and the S.D. Highway 44 right-of-way lying adjacent to Lot A located in the SW1/4 of Section 20, T1N, R9E, BHM, all located in Pennington County, South Dakota, more generally described as being located at 4550 Terminal Road.

DeMersseman presented the staff recommendation to continue the SDCL 11-6-19 Review to construct a sign on public property request to the March 4, 2010 Planning Commission meeting.

Kinniburgh stated that he would be abstaining from discussion and voting due to a conflict of interest.

Brewer moved, Marchand seconded and carried to continue the SDCL 11-6-19 Review to construct a sign on public property to the March 4, 2010 Planning Commission meeting. (8 to 0 to 1 with Braun, Brewer, Brown, Landguth, Marchand, Rolinger, Scull and Zephier voting yes and none voting no and Kinniburgh abstaining)

23. No. 10TI001 - Sections 26 and 35, T2N, R7E

A request by Mike Tennyson and Pat Tlustos for Founder's Park, LLC to consider an application for a **Third Revised Project Plan for Tax Increment District #50 - Federal Beef** on the southern most 950 feet of I-190 right-of-way and the southern most 950 feet of West Boulevard right-of-way located in the SE1/4 SE1/4, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; the west 932 feet of the south 377 feet of the SE1/4 SE1/4 less the north 35 feet dedicated as Thrush Drive (including the vacated Gold Street and the north 45 feet of vacated Anamosa Street adjacent to said parcel) and the

adjacent West Boulevard, I-190, Thrush Drive and Gold Street rights-of-way in the SE1/4 SE1/4, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; the NE1/4 NE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; the S1/2 NE1/4 lying west of I-190 right-of-way, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Tract 17 less Lot H1, Rapid City, Greenway Tract, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; the SE1/4, Section 35, T2N, R7E lying north of the Omaha Street right-of-way and west of I-190 right-of-way and the adjacent Omaha Street and I-190 rights-of-way located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; and the northern most 160 feet of dedicated 12th Street lying south of Omaha Street located in the SE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of US I-190 and West Boulevard North, and north of Omaha Street.

Bulman presented the Tax Increment District Committee's recommendation to approve the Third Revised Project Plan for Tax Increment District No. 50. Bulman reviewed the proposed cost reallocation.

In response to Scull's question, Bulman stated that the applicant is ready to certify their final costs.

In response to Brewer's question, Bulman stated that once the Tax Increment Finance boundary is established all the costs are required to be expanded within the boundary itself. Discussion followed.

Rolinger moved, Landguth seconded and unanimously carried to recommend that the Third Revised Project Plan for Tax Increment District #50 - Federal Beef be approved. (9 to 0 with Braun, Brewer, Brown, Kinniburgh, Landguth, Marchand, Rolinger, Scull and Zephier voting yes and none voting no)

24. 10TP007 – Mount Rushmore Corridor Development Plan – Draft Report

Elkins introduced the Mount Rushmore Corridor Development Plan – Draft Report. Elkins stated that Rod Senn from Kadrmas Lee and Jackson would present the Draft Report.

Rod Senn, Kadrmas Lee and Jackson reviewed the Draft Report. Senn identified the key elements of the Draft Report as being the Future Land Use Plan, streetscape and landscape and roadway improvements. Senn identified the study area boundaries. Senn further reviewed the potential options identified in the Study regarding parking street and landscaping and pedestrian access and bicycle pathways. Senn added that possible Ordinance change would need to be created. Senn commented on cost and possible funding sources.

Elkins identified issues that the Planning Commission may wish to consider prior to approving the Draft Report. Elkins noted that there would need to be Ordinance Amendments to create an Overlay District to implement the design guidelines recommended in the plan. She noted that this would create an

additional level of regulations for property in this area although the regulations could also provide additional flexibility as well. Elkins further noted recommendations from the Study. Elkins noted that the Planning Commission has struggled with the boundary between commercial activity and residential activity in these neighborhoods. Elkins requested that the Planning Commission closely review the proposed boundaries.

Zephier left the meeting at this time.

In response to Brown's question, Deb Jensen, President of the Mount Rushmore Road Association stated that the community supports the project and identified parking concerns raised by area businesses. Discussion followed.

Elkins reviewed the proposed parking options identified in the Study.

Sam Fischer, Carpet Mart, expressed his concerns regarding access from Rushmore Road. Fischer expressed support for the proposed improvements and the positive aspects of the plan; however he stated that he would like to request that the City consider specific concerns of the local businesses.

Landguth expressed his opinion that local business would need to work together with the City as a community to accomplish the proposed project.

In response to Landguth's question regarding possible funding from Federal Agencies, Elkins stated that the design concepts have been reviewed by federal agencies. Discussion followed.

Sam Fischer stated that the improvements are viewed as a positive from local business and reiterated access and other concerns. Discussion followed.

In response to a comment from Landguth regarding the possible removal of the road from the State Highway system, Jensen expressed her concern with possible negative impact to tourism traffic if the traffic is redirected away from Mt. Rushmore Road.

In response to Landguth's question, Elkins reviewed possible Overlay District regulations regarding the location and design of structures, parking, landscaping and signage.

Landguth expressed his support for the proposed project. Landguth requested additional information regarding the parking design concepts.

Braun expressed his support for the project and his concerns for individuals that have not been heard from yet. Discussion followed.

Rolinger expressed his support of the proposed project. Rolinger commented on the varying degrees of support from the area residents and business owners. Rolinger commented on the possible use of 2012 funds for the proposed project.

Brewer expressed his support for the Mt. Rushmore Corridor project and the

connection to the Downtown Business improvements. Brewer commented on the improvements to Sixth Street and pedestrian safety. Discussion followed.

Kinniburgh commented on the potential overlay issues that the Planning Commission should consider with regard to streetscaping and the cruising problems that have occurred. Discussion followed.

Marchand expressed her support for the project with regard to fitness and health and creating a friendly atmosphere in the community.

Scull expressed his support for the proposed project keeping in mind the concerns of the land owner. Discussion followed.

Gunderson-Olsen commented on the possibility of placing inter-connecting sidewalks to benefit pedestrian and business traffic.

Elkins suggested that the Planning Commission may wish to continue the Draft Mount Rushmore Road Corridor Development Plan to allow the consultant to review the issues identified by the Planning Commission.

Brown moved, Rolinger seconded and unanimously carried to continue the Draft Mount Rushmore Road Corridor Development Plan to the March 4, 2010 Planning Commission meeting. (8 to 0 with Braun, Brewer, Brown, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)

26. Staff Items

A. Work Program Update

Elkins presented the staff recommendation to continue the Work Program Update to the March 4, 2010 Planning Commission meeting.

Rolinger moved, Marchand seconded and unanimously carried to continue the Work Program Update to the March 4, 2010 Planning Commission meeting. (8 to 0 with Braun, Brewer, Brown, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)

There being no further business, Rolinger moved, Braun seconded and unanimously carried to adjourn the meeting at 8:39 a.m. (8 to 0 with Braun, Brewer, Brown, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)