

15PD047

From: Lisa Yantes [<mailto:lyantes@yahoo.com>]
Sent: Monday, January 04, 2016 6:51 PM
To: Fisher Vicki
Subject: Re: Cleary Building application for major amendment

Vicki, I am forwarding my previous letter to you in hopes that, once again, you will forward them to the Planning Commission, being that I will not be able to attend the meeting on Thursday, January 7th at 7:00 a.m.

In regards to Black Hills Garage Doors operating there as a professional office, I do not have any disagreement with a business operating within the "professional office guidelines." I believe, in these last couple of months, the agreement with BH Garage doors was that they would plant some trees, enclose the dumpster and their hours of operation were to be from 8-5 Monday through Friday and 8-12 on Saturday. These guidelines have not been met or followed. They have been there many times early in the morning 5-5:30 moving heavy equipment in and out causing a lot of noise early in the morning and the unsightly dumpster is still not enclosed. I don't believe this falls in the category of "professional offices". Again, I am raising concern in this type of business right in my backyard.

Thank you again for your attention to this matter, it is very much appreciated!

On Friday, September 18, 2015 7:36 AM, Fisher Vicki <Vicki.Fisher@rcgov.org> wrote:

Lisa,

Thank you for your comments. We will certainly forward them to the Planning Commission for their consideration. Please note this item will be considered at the October 8, 2015 Planning Commission meeting and not the September 24th meeting. Hopefully, you will be able to attend that meeting. Regardless, we will present your comments to the Planning Commission at the October 8th meeting.

Please let us know if you have any additional comments and/or questions.

Thanks,

Vicki L. Fisher
Planning Manager
Current Planning Division
Community Planning & Development Services
300 Sixth Street
Rapid City, SD 57701
605-394-4120
vicki.fisher@rcgov.org

15PD047

From: Lisa Yantes [<mailto:lyantes@yahoo.com>]
Sent: Thursday, September 17, 2015 6:59 PM
To: Fisher Vicki
Subject: RE: Cleary Building application for major amendment

I live at 6545 Wellington Court which directly backs the Cleary Building Property. I have been informed that on September 24, there will be a meeting at 7:00am regarding a major amendment to a plan development regarding the Cleary Building. I am not able to attend this meeting, but I am very concerned about the outcome.

We have been through various meetings regarding turning this building into a Veterinarian Clinic for small animals, and also even a clinic for large farm animals. A number of us in this area have voiced our opinion regarding these options and what the outcome of these proposals would detrimentally do to our homes and selling value, let alone to the safety of the families that live in this area.

The Cleary Building was grandfathered into this area (because it was already here) and has always been for sale for small professional offices.

I have no qualms about it being used for professional offices. I whole heartedly disagree for it being used for anything else, being that it will directly effect my way of life and my property values. In truth, I can't believe that every year we have to fight for our right to have what we have in our "residential area".

I beg of you to present this letter on my behalf and reiterate once again, that we are a family community, a residential area that we are proud to be homeowners in, and make sure that this area, the Cleary Building, we only be sold for small professional offices that we will be proud to have in our community.

Thank you for your attention to this matter, in which I for one, do not take lightly.

Thank you
Lisa Yantes and Phil Syverson

15PD047

From: Gigi [<mailto:georgichriste@hotmail.com>]
Sent: Tuesday, January 05, 2016 6:59 AM
To: Fisher Vicki
Subject: Fw: Cleary Major Amendment to a Planned Unit Development

Dear Vicki,

We received notification that a Major Amendment to a Planned Unit Development has been applied for by Cleary to allow BH Garage Doors as a professional office. Our work schedules will not allow us to attend the January 7th Planning Commission meeting.

Our concern is that Cleary is not in compliance with stipulations of approval set forth in the Major Amendment passed on 10/22/15,

which allowed Cleary to function as a professional office space with hours from 8:00am to 5:00pm M-F and 8:00am - 12pm Sat.

Cleary employees continue to arrive for work around 5:30am. Pickup trucks are being parked in the cold storage area overnight, and the storage overhead doors are opened between 5:30am and 6:00am as the trucks are being prepared for the day before departing for the day. This activity is not always quiet.

The trash dumpster has not been enclosed with a screening fence.

Evergreens have not been planted nor has the gravel area been landscaped. We realize this is weather/seasonal related.

The grounds have been kept clean and free of construction materials. This represents a noticeable improvement over previous years, and we are appreciative of that. However, there is a rusting white oil barrel outside on the NE corner of the building that is an eyesore and needs to go away.

Black Hills Garage Doors has continued to occupy and utilize the same space in the building since the passage of the Amendment.

Thank you for allowing us to express our observations and concerns to you regarding this matter and please forward to the appropriate staff personnel as necessary. In our opinion, a business like BH Garage Doors belongs in a commercial/ industrial area. We respectfully request that Cleary comply with the stipulated mandates for conducting business as professional office space.

Tim and Gigi Christensen
6657 Wellington Drive

15PD047

From: Pat Hahn [<mailto:patdocmike@rap.midco.net>]
Sent: Tuesday, January 05, 2016 3:55 PM
To: Fisher Vicki; Karen Bulman
Subject: Cleary Building

As a member of this community neighborhood for fifteen years, I am aware, and have lived through, all the changes to the use of this structure since the beginning of the housing development. I have been extremely unhappy with the management of the Cleary Building, from its lack of landscaping, to the travel of trucks and various vehicles through the housing development. I was particularly dissatisfied when Overhead Doors was allowed to share the facility. Vehicles arriving from the east, destined for the Cleary Building, must enter and transit the housing area to reach the Cleary Building. These large tractor trailers and trucks, using the neighborhood thoroughfare on Wellington Drive, encounter a large population of children from toddlers to teenagers who transit this boulevard and play in the streets. The Cleary Management has repeatedly ignored requests to enforce the operational time lines, and has apparently made no attempt to halt the use of large vehicles through the housing development.

I sincerely request this petition be denied and the strongest enforcement of “**Office Commercial**” for this facility be sanctioned. Cleary Management has no track record for abiding by the rules laid down by the city, and should be harshly dealt with for any infraction of the guidelines.

PATRICIA K. HAHN
1105 REGENCY COURT
RAPID CITY, SD 57702
394-9112

Item # 7 – 15PD047 – Major Amendment to a Planned Unit Development to allow Black Hills Garage Doors as a professional office.

To date, the actions of Cleary and Black Hills Garage Doors are not in compliance with the October 22, 2015 Planning Commission approval of a Major Amendment to allow the use of the property for a professional office for Cleary. In addition, they are not compatible with office commercial uses, nor are they commercial uses that serve the neighborhood. The approval included the office hours from 8 AM to 5 PM, Monday through Friday, and 8 AM to noon on Saturday, as requested in the Cleary application, and the vacation of Black Hills Garage Doors.

Since that time, the Cleary operation has not complied with the stipulations of approval and begin operations at 6:30 AM. The garage doors are opened at that time, trucks leave the building and at times employees transfer equipment from one truck to another. Workers also show up at that time to begin their day and prepare to leave for their job site. This is clearly not an office operation. In addition, the dumpster has not been enclosed, and the trees have not been planted. Those items could have been completed before the weather became too cold.

Black Hills Garage Doors have discontinued bringing in the large semi-trucks. However, they are still occupying the premise and continue to use one of the large overhead doors for their trucks or equipment.

The actions of Cleary and Black Hills Garage Door are not compatible with office commercial uses, nor are they commercial uses that serve the neighborhood. They are a disruption to adjacent residences and continue to show disregard by shining lights into homes and making noise that disturbs sleep on a continuing basis.

I agree with the Project Plan recommendation that this current Major Amendment to allow Black Hills Garage Doors to operate as a professional office be denied. It appears that Cleary and Black Hills Garage Doors intend to continue the use of the building as they have in the past, and do not plan to operate solely as office uses.

I also agree with the stipulations in the Project Plan that the hours of operation for the Cleary office be limited to the hours of 8 AM to 5 PM Monday through Friday and 8 AM to Noon on Saturday, with no employee activity on the property before 7:30 AM.

Karen Bulman

1311 Edinborough Drive

15PD047

From: Larry Dempsey [<mailto:dempseyrapidcity@rap.midco.net>]
Sent: Monday, January 4, 2016 9:10 PM
To: 'cpweb@rcgov.org'
Subject: Planned Development Application - 1555 Catron Blvd

My name is Larry Dempsey, and I live at 6626 Wellington Drive (Lot 8, Block 1, South Hill Subdivision, Section 26, Township 1N, Rapid City, Pennington County, South Dakota), a private residence.

I oppose the request to allow further changes to the proposed zoning of 1555 Catron Boulevard (Lot A, Less Lot H1 of Cleary Subdivision, located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota). The property is currently zoned low density residential, and should remain as zoned. Any business that is allowed to occupy this property places increased traffic flow on Wellington Drive. Because of the lack of a left turn lane to the West entrance of Wellington Drive, most people traveling Westbound on Catron Boulevard enroute to the subject property will find it more expedient to turn in on the East entrance of Wellington Drive and travel through the residential neighborhood, thereby increasing traffic volume.

The Cleary Building Corp. structure was originally allowed to be located here with the intent of being a sales office for their business; however, over time it has become a staging area for materials/supplies and Cleary Building Corp. work crews, and this is unacceptable. The hours of operation for the Cleary Building Corp. office are supposed to be 8:00 a.m. to 5 p.m.; however they are continuing to stage work crews from this location as early as 5:30 a.m. , thus disturbing the residents of this subdivision.

It is my understanding that when a previous rezoning proposal was submitted to the Rapid City Planning Commission on Oct 22, 2015, Cleary Building Corp. was made aware of the requirement to operate this property as professional office. Part of the requirement was the above stated hours, as well as no equipment, tools, or job materials being stored on-site; however, they have failed to abide by those requirements, and again, this is unacceptable. It has become apparent to me that the Cleary Building Corp. is not willing to comply with the requirements levied by the Rapid City Planning Commission, and should look to relocate their business to an appropriately zoned location. Because of this property's current zoning, as well as its close proximity to other residential property, serious consideration should be given to a mandate that the Cleary Building Corp. remove the current structure from this property and re-plat it for single-family housing. This would then have the property's use match its zoning designation.

Larry Dempsey