



MINUTES OF THE
RAPID CITY PLANNING COMMISSION
October 26, 2000

MEMBERS PRESENT: Karen Bulman, Pam Lang, Dave Parker, Mel Prairie Chicken, Amber Solay, Paul Swedlund and Stuart Wevik. Alan Hanks, Council Liaison, was also present.

STAFF PRESENT: Marcia Elkins, Blaise Emerson, Bill Lass, Vicki Fisher, Lisa Seaman, Bill Knight, Randy Nelson, Dave Johnson and Rise Ficken

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

Lang welcomed Lisa Seaman to the Planning Department and to her first Planning Commission meeting.

Lang 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.

Staff requested that Items 5, 10, 18 and 19 be removed from the Consent Agenda for separate consideration. Wevik requested that Item 9 be removed from the Consent Agenda for separate consideration. Sandy Runde requested that Item 33 be removed from the Consent Agenda for separate consideration. Ryan Kelly requested that Item 30 be removed from the Consent Agenda for separate consideration. A member of the audience requested that Item 12 be removed from the Consent Agenda.

Wevik moved, Bulman seconded and carried unanimously to recommend approval of the Consent Agenda Items 1 through 39 and Addendum Item 46 in accordance with the staff recommendations with the exception of Items 5, 9, 10, 12, 18, 19, 30, and 33. (7 to 0)

1. Approval of the October 5, 2000 Planning Commission Meeting Minutes.
2. No. 00PL067 - Debra Subdivision
A request by Doug Sperlich for James Letner to consider an application for a **Preliminary Plat** on Lots 1 and 2 and dedicated R.O.W. of Debra Subdivision, (formerly Lots B & C of Lot 2 of OutLot 2 of the SE1/4 of the SW1/4 of Section 4, T1N, R7E, BHM and a portion of Debra Drive R.O.W.) located in the SE1/4 of the SW1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Clifton Street and Debra Drive.

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

Engineering Division Recommendations:

1. **Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the Engineering plans as identified on the red lined drawings;**





2. **Prior to Preliminary Plat approval by the Planning Commission, revised grading and drainage plans shall be submitted for review and approval;**
3. **Prior to Preliminary Plat approval by the Planning Commission, a revised erosion control plan shall be provided for review and approval;**
4. **Prior to Preliminary Plat approval by the City Council, Engineering plans shall be revised to include all regulatory signs in accordance with the Street Design Criteria Manual;**
5. **Prior to Final Plat approval by the City Council, drainage easement(s) shall be shown as required by the Engineering Division;**
6. **Prior to Final Plat approval by the City Council, the structures located within the storm water channel/sewer alignment shall be removed or surety shall be posted for their removal;**

Fire Department Recommendation:

7. **Prior to Preliminary Plat approval by the City Council, the size of the proposed water line(s) shall be coordinated with the Fire Department;**
8. **Prior to Final Plat approval by the City Council, a site plan shall be submitted for review and approval identifying the size and location of water lines and fire hydrant locations within 500 feet of the property and proposed on-site fire hydrant location(s);**

Urban Planning Division Recommendations:

9. **Prior to Final Plat approval by the City Council, a miscellaneous document shall be filed at the Register of Deed's office creating a utility easement for the extension of the storm water and sewer line(s) from 38th Street to the subject property or the plat shall be revised to include Lot 61 of Leisure Hills and identify the utility easement(s) as necessary;**
10. **Prior to Final Plat approval by the City Council, the plat shall be revised to show "Werstern Heights Subdivision" as "Western Heights Subdivision" and the plat shall be relabeled identifying a portion of the "Existing R-O-W to be vacated this plat" as "Existing R-O-W";**
11. **Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted and all subdivision inspection fees paid; and,**
12. **Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.**

3. **No. 00PL080 - Kunze Subdivision**

A request by Fisk Engineering for John and Elaine Kunze to consider an application for a **Lot Split** on Lots 1 and 2 of Kunze Subdivision located in (and formerly all of) Lot G of Lot 2 of the SE1/4 SW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of East Saint Charles Street and Creek Drive.

Planning Commission recommended that the Lot Split be continued to the November 9, 2000 Planning Commission meeting to allow the applicant to submit revised information.





4. No. 00PL082 - Canyon Shadows Subdivision

A request by Renner and Sperlich for Olde Glory Marketing to consider an application for a **Preliminary and Final Plat** on Lots 13 and 14 of Canyon Shadows Subdivision (formerly the unplatted balance of the NW1/4 of the NE1/4 of Section 8, T1S, R7E, BHM) located in the NW1/4 of the NE1/4, Section 8, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the intersection of 47th Avenue West and Bears Loose Road.

Planning Commission recommended that the Preliminary and Final Plat be denied without prejudice at the request of the applicant.

6. No. 00PL092 - Terracita Highlights

A request by Fisk Engineering Company for Builders Preferred to consider an application for a **Preliminary and Final Plat** on Lots 31 through 38 in Block 2 and Lots 9 through 21 in Block 3 of Terracita Highlights Subdivision and dedicated right-of-way located in the S1/2 NE1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of Alta Vista Drive.

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

Engineering Division Recommendations:

1. Prior to City Council approval of the Preliminary Plat, minor corrections to the engineering plans shall be submitted for review and approval;

Urban Planning Division Recommendations:

2. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and,
3. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

7. No. 00UR033 - Spring Brook Acres

A request by Jeff's Construction for Bob & Tina Mysliweic to consider an application for a **Use on Review to allow a private residential garage and accessory structures in excess of 1,000 square feet** on Lot 23, Block 4 of Springbrook Acres, located in the SE1/4 of SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2611 Mountain Meadow Road.

Planning Commission recommended that the Use on Review to allow a private residential garage and accessory structures in excess of 1,000 square feet be continued to the November 9, 2000 Planning Commission meeting to allow staff to complete their review of new information submitted by the petitioner.

8. No. 00PL100 - Section 18, T1N, R8E





A request by Rick Kahler for South Elm Development LLC to consider an application for a **Layout, Preliminary and Final Plat** on Lot C of the N1/2 of Government Lot 4 (formerly a portion of Lot B of the N1/2 of Government Lot 4) located in the SW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located approximately 1/4 mile south of the intersection of Minnesota Street and Parkview Drive.

Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the November 22, 2000 Planning Commission meeting to allow the applicant additional time to submit the required information.

11. No. 00UR036 - Section 34, T2N, R7E

A request by Dream Design International for Dan O'Brien to consider an application for a **Use on Review to allow a warehouse in excess of 5,000 square feet in the General Commercial Zoning District** on Lot 10 of Tract E of Deadwood Avenue Tract, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Plant Street at the intersection of Deadwood Avenue and Lien Street.

Planning Commission recommended that the Use on Review to allow a warehouse in excess of 5,000 square feet in the General Commercial Zoning District be approved with the following stipulations:

Fire Department Recommendation:

1. The proposed building shall be sprinkled as shown on the site plan and the sprinkler system shall be designed for the most hazardous type/classification of storage;

Building Inspection Recommendation:

2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted;

Transportation Planning Division Recommendations:

4. All truck traffic shall enter and/or exit the property from Plant Street. No trucks shall be allowed to enter or exist the property from Deadwood Avenue. In addition, a sign shall be posted on the property directing all truck traffic to the Plant Street approach;

Urban Planning Division Recommendations:

5. Prior to City Council approval, the site plan shall be revised to show a minimum of seven (7) handicap parking spaces and a loading space area adjacent to the loading dock with a 45 foot turning radius;
6. Prior to City Council approval, a bond shall be secured to insure that the required landscaping be planted no later than May 1, 2001;
7. That approval of this Use On Review allows vehicles exceeding 1 ½ ton rated capacity to access the property in the General Commercial District.





8. **That approval of this Use On Review shall expire if the use for which it was granted has ceased for a period of two years or more, or if the use as approved has not been completed within two years of the approval.**

13. No. 00PD046 - Section 24, T2N, R7E

A request by McMahon Investments, Inc. to consider an application for a **Planned Development Designation** on property described by metes and bounds commencing at the Center of Section 24, travel east 46 feet, thence turn South and travel 140 feet to the point of beginning. From the point of beginning, travel east 417.42 feet, thence South 430.97 feet, thence west 417.24 feet, thence north 430.97 feet to the Point of Beginning. All located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota containing 4.19 acres, more or less; and commencing at the Center of Section 24, travel west 54 feet, thence turn south and travel 375 feet to the Point of Beginning. From the Point of Beginning, travel South 1588.50 feet, thence west 400 feet, thence north 1548.01 feet thence 272.76 feet at a bearing of N 81°56'08" E thence east 114.24 feet to the Point of Beginning. All located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota. Containing 14.45 Acres, more or less, more generally described as being located approximately 1/4 mile north of Mall Drive on Haines Avenue.

Planning Commission recommended that the Planned Development Designation be approved in conjunction with the associated rezoning request with the stipulations that no off-premise signs shall be allowed until a Final Development Plan is approved.

14. No. 00AN010 - Section 21, T1N, R7E

A request by Don Ward for BGW Development to consider an application for a **Petition for Annexation** on a tract of land located in the Southeast One Quarter of the Southwest One Quarter (SE1/4 SW1/4) of Section Twenty-One (21), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian (BHM), Pennington County, South Dakota, more fully described as; Beginning at the southwest corner of Lot 16R Revised in Block 3 of Wildwood Subdivision, Rapid City, Pennington County, South Dakota, said corner being marked by a rebar; thence, easterly along the southern line of said Lot 16R, a distance of 158.11 feet, more or less, to the southeast corner of said Lot 16R which is also the southwest corner of Lot 17 in Block 3 of Wildwood Subdivision, said corner being marked by a rebar with survey cap No. 1771; thence, easterly along the southern line of said Lot 17, a distance of 171.43 feet, more or less, to the southeast corner of said Lot 17 which is also the northwest corner of Lot 18 in Block 3 of Wildwood Subdivision, said corner being marked by a rebar with survey cap No. 1771; thence, southerly along the western line of said Lot 18, a distance of 384.90 feet, more or less, to the southwest corner of Lot 18 which is also the southwest corner of Lot 19 in Block 3 of Wildwood Subdivision, said corner being located on the southern section line of Section Twenty-One (21) of Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian (BHM) and said corner being marked by a rebar with survey cap No. 1771;





thence, westerly along said section line, a distance of 370.00 feet, more or less; thence, northerly, a distance of 33 feet, more or less, to the edge of section line right-of-way, said corner being marked by a rebar with survey cap No. 1771; thence, northeasterly, a distance of 215.82 feet, more or less, said corner being marked by a rebar with survey cap No. 1771; thence, northerly, a distance of 140.00 feet, more or less, to the point of beginning. Said tract of land contains 2.76 acres, more or less, more generally described as being located southwest of Wildwood Subdivision and north of Rolling Thunder Trail.

Planning Commission recommended that the Petition for Annexation be approved with the following stipulation:

Pennington County Fire Coordinator Recommendations:

1. **Prior to City Council approval of the annexation, the Whispering Pines Fire Department shall be reimbursed for any long-term debt.**

15. **No. 00RD003 - Sections 21 and 28, T1N, R7E**

A request by Leo Hamm Family Ranch and Harley Taylor to consider an application for a **Resolution changing that portion of the road named Rolling Thunder Trail located within the city limits of Rapid City, the unnamed portion of the section line right-of-way, and the unnamed access easement to Shooting Star Trail** on the 66 foot access easement shown on Lot 2, Block 3 of the Plat of Wildwood Subdivision, including Lots 1 thru 5, Block 1 Lots 1 thru 4, 7 thru 17, 32 thru 42, Block 2, Lots 1 thru 5 and Lots 22 & 23, Block 3 located in W1/2 SE1/4 & portions of the E1/2 SE1/4 & E1/2 SW1/4 of Section 21, T1N, R7E, BHM, Pennington County, South Dakota and that portion of the section line highway lying between the SW1/4 SE1/4 Section 21 and the NW1/4 NE1/4 Section 28, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south and west of Wildwood Subdivision.

Planning Commission recommended that the Resolution changing the road named Rolling Thunder Trail, the unnamed section line right-of-way, and the unnamed access easement to Shooting Star Trail be approved with the following stipulation:

Pennington County Highway Department Recommendations:

1. **Prior to City Council approval of this request, the petitioner shall either install the street sign(s) or post financial surety with the City in an amount necessary to cover the cost of installing the required street name sign(s).**

16. **No. 00SV020 - Shooting Star Subdivision**

A request by Dream Design International to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for paving, curb, gutter, sidewalks street light service, sewer and water** on Lot 1 of Shooting Star Subdivision, located in the unplatted portion of the SE1/4 SW1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of Wildwood Subdivision and north of Rolling Thunder Trail.





Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement for paving, curb, gutter, sidewalks, street light service, sewer and water be denied; and, Planning Commission recommended that the Variance to the Subdivision Regulations to allow the platting of one-half of a public right-of-way be approved.

17. No. 00PL087 - Shooting Star Subdivision

A request by Dream Design International to consider an application for a **Preliminary and Final Plat** on Lot 1 of Shooting Star Subdivision, located in the unplatted portion of the SE1/4 SW1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of Wildwood Subdivision and north of Rolling Thunder Trail.

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

Urban Planning Division Recommendations:

1. That the associated annexation request is approved;
2. That prior to City Council approval of the Final Plat, the petitioner shall have entered into a Waiver of Right to Protest Agreement with the City regarding all subdivision improvements including: sanitary sewer, water, paving, curb and gutter, sidewalks and street lighting unless the accompanying Subdivision Variance request is granted. This waiver shall apply to the section line highway and shall also apply to any additional easements or right-of-way required;
3. That prior to City Council approval of the Final Plat, the petitioner shall have received approval of that portion of the Subdivision Variance request to allow platting of only one-half of a public right-of-way;
4. Any further platting of the unplatted balance will require the submittal of a master plan showing general lot layouts and road connections;
5. Prior to City Council approval of the Final Plat, the petitioner must submit evidence showing that Lot 1 will be able to use the access easement located at the east end of the section line roadway;
6. Prior to City Council approval of the Preliminary Plat, the petitioner shall submit a document prepared by a professional surveyor showing the location of the existing gravel roadway with respect to the section line highway and the proposed property lines. If the roadway or a portion thereof is located outside of the existing section line highway then an access easement or additional right-of-way must be dedicated to accommodate the road, subject to Staff approval;
7. Prior to City Council approval of the Preliminary Plat, the petitioner shall submit a document prepared by a professional surveyor showing the location of the existing entry gate feature with respect to the section line highway and proposed property lines. If the feature or a part thereof is located within the section line highway then it shall be removed prior to City Council approval of the Final Plat;





8. **Prior to Final Plat approval, the street name on the plat shall be revised to read the same as that approved in the associated street renaming request;**
9. **Prior to City Council approval of the Final Plat, the petitioner shall submit a rezoning application for the subject property and the City shall have approved of the application;**

Engineering Division Recommendations:

10. **Prior to City Council approval of the Preliminary Plat, all required drainage easements shall be shown on the plat subject to Staff review and approval; and,**
11. **Prior to City Council approval of the Preliminary Plat, the required utility easement shall be identified across Lot 1 subject to review and approval of Staff.**

20. **No. 00UR037 - Rapid City Greenway Tracts**

A request by City of Rapid City to consider an application for a **Major Amendment to a Use On Review** to all public recreational structures, including: a softball field, an expanded parking lot, restrooms, a concession stand, a skateboard park, basketball courts, exercise stations, bike paths and lighting, as well as allowing transient amusement enterprises, including carnivals and festivals on Tract 24 of Rapid City Greenway Tracts, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of 3rd Street and New York Street.

Planning Commission recommended that the Major Amendment to a Use On Review be continued to the November 22, 2000 City Council meeting to allow the petitioner to submit additional information and a revised site plan by October 27, 2000.

21. **No. 00PL101 - Olesen Subdivision**

A request by James L. Olesen to consider an application for a **Layout Plat** on Tract B of Olesen Subdivision located in the NW1/4 of the SW1/4 of Section 26, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately two miles south of South Dakota Highway 44 on Reservoir Road.

Planning Commission recommended that the Layout Plat be continued to the November 22, 2000 Planning Commission meeting to allow the petitioner to submit the additional required information by October 27, 2000.

22. **No. 00AN009 - Section 3, T1N, R8E**

A request by Dream Design for Doyle Estes to consider an application for a **Petition for Annexation** on the west 340 feet of the unplatted portion of the S1/2 of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1000 feet north of Jolly Lane Road off of Race Track Road.





Planning Commission recommended that the property listed in the attached Petition for Annexation, an area of 2.539 acres, more or less, be approved for annexation.

23. No. 00PL106 - Section 3, T1N, R8E

A request by Dream Design for Doyle Estes to consider an application for a **Layout Plat** on the west 340 feet of the unplatted portion of the S1/2 of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1000 feet north of Jolly Lane Road off of Race Track Road.

Planning Commission recommended that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat, a topographic survey by a licensed surveyor and grading plans shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat, a complete drainage plan per the Racetrack Drainage Basin Design Plans shall be submitted for review and approval. The drainage plan shall include the design of an outlet channel for the proposed detention facility to insure that adequate drainage easements are provided;
3. Upon submittal of the Preliminary Plat, a Utility Master Plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and water mains to the subject property and the property located directly north of the subject property shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, street light conduit and sidewalk improvements;
5. Prior to Final Plat approval by the Planning Commission, major drainage easements shall be shown on the plat as required by the Engineering Division;

Urban Planning Division Recommendations:

6. Prior to Final Plat approval by the City Council, the plat shall be revised to show East 39th Street as Jolly Lane;
7. Prior to Final Plat approval by the City Council, the plat shall be revised to preclude the construction of a cul-de-sac in excess of 1,200 feet or a Special Exception to the Street Design Criteria Manual shall be obtained;
8. Prior to Final Plat approval by the City Council, the rezoning request from No Use District to Low Density Residential District shall be effective;
9. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
10. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.





24. No. 00RZ044 - Section 3, T1N, R8E

A request by Dream Design for Doyle Estes to consider an application for a **Rezoning from No Use District to Low Density Residential District** on the west 340 feet of the unplatted portion of the S1/2 of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1000 feet north of Jolly Lane Road off of Race Track Road.

Planning Commission recommended that the Rezoning from No Use to Low Density Residential be approved in conjunction with the Planned Development Designation.

25. No. 00PD049 - Section 3, T1N, R8E

A request by Dream Design for Doyle Estes to consider an application for a **Planned Development Designation** on the west 340 feet of the unplatted portion of the S1/2 of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1000 feet north of Jolly Lane Road off of Race Track Road.

Planning Commission recommended that the Planned Development Designation be approved in conjunction with the associated rezoning request with the condition that no sign permits or billboards shall be allowed unless approved as part of a Final Development Plan.

26. No. 00CA011 - Section 3, T1N, R8E

A request by Dream Design for Doyle Estes to consider an application for a **Amendment to the Elk Vale Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 3.04 acre parcel from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential** on the west 340 feet of the unplatted portion of the S1/2 of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1000 feet north of Jolly Lane Road off of Race Track Road.

Planning Commission recommended that the Amendment to the Elk Vale Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 3.04 acre parcel from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential District be approved with the stipulation that prior to City Council approval, a Comprehensive Plan Amendment request be submitted to amend the future land use designation on property located directly east of the subject property from Public with an alternate designation of General Commercial to Low Density Residential.

27. No. 00PL103 - Autumn Hills Plaza - Phase II





A request by Dream Design International for Rushmore Carwash, Inc. to consider an application for a **Layout Plat** on Lot 1A of Autumn Hills Plaza, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Catron Boulevard and Sheridan Lake Road.

Planning Commission recommended that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat, a complete drainage plan per the Arrowhead Drainage Basin Design Plans shall be submitted for review and approval. In particular, a plan shall be submitted identifying on-site drainage and drainage from the major channels located west and south of the subject property;
2. Upon submittal of the Preliminary Plat, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, street light conduit and sidewalk improvements. The street design plans shall also include geotechnical evaluations and testing information on the pavement design;
3. Prior to Preliminary Plat approval by the City Council, the existing public access easement located directly north of the subject property shall be converted to public right-of-way or a Special Exception shall be obtained to allow an easement to serve as legal access to more than four (4) lots. In addition, that portion of Autumn Hills Place shown on this plat shall be identified as public right-of-way or an easement dependent upon approval of the Special Exception;
4. Upon submittal of the Preliminary Plat, a Utility Master Plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and water mains to the subject property shall be submitted for review and approval;
5. Prior to Final Plat approval by the City Council, the lowest floor elevations for the proposed buildings shall be shown on the plat;

Register of Deed's Office Recommendation:

6. Prior to Final Plat approval by the City Council, the plat shall be revised to show Lot 1A as Lot 1;

Emergency Services Communication Center:

7. Prior to Final Plat approval by the City Council, the plat shall be revised to show Autumn Hills Place as Autumn Place;

Urban Planning Division Recommendations:

8. That a Special Exception shall be granted to allow an easement to serve as the principal means of access to more than four lots;
9. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
10. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.





A request by Dream Design International for Rushmore Carwash, Inc. to consider an application for a **Planned Development Designation** on a parcel of land located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, being more particularly described as follows: Beginning at the NE Corner of the intersection of Sheridan Lake Road and Catron Boulevard Right-of-ways, thence N00°03'41"W, 558.15 feet to the True Point of Beginning; thence N00°03'41"W along said right of way line 362.92 feet; thence departing said right of way line, N89°21'15"E, 13.92 feet to a point lying on the southerly boundary line of Autumn Hills Subdivision; thence along said southerly boundary line the following three courses: thence N89°20'21"E, 60.09 feet; thence N89°21'08"E, 64.99 feet; thence N89°19'52"E, 84.47 feet; thence departing said southerly line, S11°18'01"E, 244.96 feet; thence S65°11'42"W along the northerly line of Lot 1 of Autumn Hills Plaza Subdivision, 298.61 feet to the True Point of Beginning, containing 1.747 acres, more or less, more generally described as being located at the intersection of Catron Boulevard and Sheridan Lake Road.

Planning Commission recommended that the Planned Development Designation be approved in conjunction with the associated rezoning request with the condition that no sign permits or billboards shall be allowed unless approved as part of a Final Development Plan.

29. No. 00RZ043 - Autumn Hills Plaza - Phase II

A request by Dream Design International for Rushmore Carwash, Inc. to consider an application for a **Rezoning from General Commercial District to Low Density Residential District** on a parcel of land located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: Beginning at the NE corner of the intersection of Sheridan Lake Road and Catron Boulevard right of ways; thence N0°02'33"E along the easterly right of way line of Sheridan Lake Road, 760.00 feet to the True Point of Beginning; thence S89°57'27"E, 255.75 feet; thence S11°18'01"E, 79.31 feet; thence S65°11'42"W, 298.61 feet to a point lying on said easterly right of way line of Sheridan Lake Road, thence N0°02'33"E, along said easterly right of way line, 203.24 feet to the True Point of Beginning, containing 0.861 acres, more or less, more generally described as being located at the intersection of Catron Boulevard and Sheridan Lake Road.

Planning Commission recommended that the Rezoning from General Commercial District to Low Density Residential District be approved in conjunction with the Planned Development Designation.

31. No. 00RZ042 - Robbinsdale Addition No. 10

A request by Walgar Development Corp. to consider an application for a **Rezoning from Low Density Residential District to Low Density Residential II District** on a portion of Tract A of Robbinsdale Addition No. 10, and a portion of the NE1/4 of the SE1/4, Section 13, T1N, R7E, B.H.M. Rapid City, Pennington County, South Dakota More fully described as follows: Commencing at the southeast corner of Lot 16 Revised of Block 23 of Robbinsdale Addition No. 10, common with the northerly edge of right-of-way for East Minnesota Street, and





the Point of Beginning; Thence, first course: N24 39'00"W, along the easterly boundary of said Lot 16 Revised of Block 23, a distance of 113.92 feet; Thence, second course: N65 42'16"E, a distance of 119.46 feet; Thence, third course: N67 31'50"E, a distance of 60.09 feet; Thence, fourth course: N65 37'01"E, a distance of 124.03 feet, to a point on the southwesterly boundary of Lot 4 of Block 24 of Robbinsdale Addition No. 10; Thence, fifth course: S24 20'00"E, along the southwesterly boundary of said Lot 4 of Block 24, a distance of 106.08 feet, to the southwesterly corner of said Lot 4 of Block 24, common with the northerly edge of right-of-way for East Minnesota Street; Thence, sixth course: S64 33'00"W, along the northerly edge of right-of-way for said East Minnesota Street, a distance of 302.98 feet, to the southeast corner of said Lot 16 Revised of Block 23, and the Point of Beginning; Said Parcel contains 33,335 square feet or 0.765 acres more or less, more generally described as being located at the intersection of Minnesota Street and Maple Street.

Planning Commission recommended that the Rezoning from Low Density Residential District to Low Density Residential II District be continued to the November 9, 2000 Planning Commission meeting as the required mailing has not been completed.

32. No. 00CA012 - Adams Subdivision

A request by Sandra Runde to consider an application for an **Amendment to the North Rapid Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 1.47 acre parcel from General Commercial to Light Industrial with a Planned Light Industrial Development Overlay** on Lot D of Lot 1 of Adams Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1055 East Chicago Street.

Planning Commission recommended that the Amendment to the North Rapid Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 1.47 acre parcel from General Commercial to Light Industrial with a Planned Light Industrial Development Overlay be approved.

34. No. 00RZ041 - Adams Subdivision

A request by Sandra Runde to consider an application for a **Rezoning from General Commercial District to Light Industrial District** on Lot D of Lot 1 of Adams Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1055 East Chicago Street.

Planning Commission recommended that the Rezoning from General Commercial District to Light Industrial District be approved in conjunction with the associated Planned Light Industrial Development.





35. Summary of Adoption Action – Amendment to the South Robbinsdale Neighborhood Area Future Land Use Plan – Comprehensive Plan Amendment

Planning Commission approved the summary and authorized publication in the Rapid City Journal.

36. Summary of Adoption Action – Amendment to the South Robbinsdale Neighborhood Area Future Land Use Plan – Comprehensive Plan Amendment

Planning Commission approved the summary and authorized publication in the Rapid City Journal.

37. Rapid City Infrastructure Development Partnership Fund Request - Elm Avenue Extension

Planning Commission recommended that the Infrastructure Development Partnership Fund request for the Elm Avenue Extension be approved with stipulations.

38. Rapid City Infrastructure Development Partnership Fund Request - 15" Sanitary Sewer Service Extension from Highway 79 to Fifth Street

Planning Commission recommended that the Infrastructure Development Partnership Fund request for the Sanitary Sewer Service Extension in the South Robbinsdale area be approved with stipulations.

39. No. 00PL089 - Valley Ridge Subdivision

A request by Dream Design International to consider an application for a **Final Plat** on Lots 4-8, Block 1 and Lots 10-17, Block 3, Lot 8, Block 4 and Lots 1-15, Block 5 and Lots 4-7, 18, Block 6 and Lots 1-7, Block 7 and Lot 1, Block 8, of Valley Ridge Subdivision, located at the current western terminus of South Pitch Drive and Solitaire Drive.

Planning Commission recommended that the Final Plat request be continued to the November 9, 2000 Planning Commission meeting to allow the petitioner to address all stipulations of the Preliminary Plat approval.

Consent Calendar Addendum Item

46. Reimbursement to City of Rapid City for Design Costs incurred on Infrastructure Development Partnership Fund Projects

Planning Commission recommended that the City Council approve a resolution requiring that those Infrastructure Development Partnership Fund projects which utilize existing design plans previously funded by the City of Rapid City reimburse the City for the cost of said design plans as a stipulation of loan approval.

---END OF CONSENT CALENDAR; BEGINNING OF REGULAR AGENDA ITEMS---





5. No. 00PL086 - Deadwood Avenue Tract

A request by Dream Design International to consider an application for a **Preliminary and Final Plat** on Lots 10A and 10B of Lot 10 of Tract E of Deadwood Avenue Tract, formerly all of Lot 10 of Tract E of Deadwood Avenue Tract located in the NE1/4 NW1/4 of Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Deadwood Avenue and Plant Street.

Elkins advised that staff recommends approval with the deletion of stipulation no. 2 concerning the shared approach.

Solay moved, Wevik seconded and unanimously carried to recommend that the Preliminary and Final Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. **Prior to City Council approval of the Preliminary Plat, non-access easements shall be provided along all property frontage except for approved approach locations;**
2. **Prior to City Council approval of the Preliminary Plat the petitioner shall provide for Staff Review all necessary grading and drainage plans. All site drainage must be directed to rights-of-way without adverse impacts to adjoining properties. Additionally, the plat shall be revised to reflect required drainage easements; and,**
3. **Prior to City Council review of the Preliminary Plat all red-line corrections to the plans shall be made. (7 to 0)**

9. No. 00UR035 - Section 8, T1N, R8E

A request by Scott J. Kenner for South Dakota School of Mines and Technology to consider an application for a **Use on Review to allow a water monitoring device in the Flood Hazard Zoning District** on Tracts 1-3, Thompson Tract, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Rapid Creek downstream of East Saint Patrick Street bridge.

In response to a question from Wevik, Elkins explained that the outstanding fees had not been paid.

Wevik moved, Bulman seconded and unanimously carried to recommend that the Use on Review to allow a water monitoring device in the Flood Hazard Zoning District be continued to the November 9, 2000 Planning Commission meeting as the required fees have not been paid. (7 to 0)

10. No. 00SE009 - Section 8, T1N, R8E

A request by Scott J. Kenner for South Dakota School of Mines and Technology to consider an application for a **Special Exception to the Flood Area Construction Regulations to allow water-monitoring structures in the floodway** on Tracts 1-3, Thompson Tract, Section 8, T1N, R8E, BHM, Rapid





City, Pennington County, South Dakota, more generally described as being located on Rapid Creek downstream of East Saint Patrick Street bridge.

Elkins stated that staff removed this item from the consent agenda in error and she recommended that the Special Exception be approved.

Bulman moved, Parker seconded and unanimously carried to recommend that the Special Exception to the Flood Area Construction Regulations to allow water-monitoring structures in the floodway be approved. (7 to 0)

12. No. 00RZ040 - Section 24, T2N, R7E

A request by McMahon Investments, Inc. to consider an application for a **Rezoning from General Agriculture District and Low Density Residential District to General Commercial District** on property described by metes and bounds commencing at the Center of Section 24, travel east 46 feet, thence turn south and travel 140 feet to the point of beginning. From the point of beginning, travel east 417.42 feet, thence south 430.97 feet, thence west 417.24 feet, thence north 430.97 feet to the Point of Beginning. All located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota containing 4.19 acres, more or less; and commencing at the center of Section 24, travel west 54 feet, thence turn south and travel 375 feet to the Point of Beginning. From the Point of Beginning, travel south 1588.50 feet, thence west 400 feet, thence north 1548.01 feet thence 272.76 feet at a bearing of N 81°56'08" E thence east 114.24 feet to the Point of Beginning. All located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota. Containing 14.45 Acres, more or less, more generally described as being located approximately 1/4 mile north of Mall Drive on Haines Avenue.

Melvin Sleeping Bear, area property owner, advised that the Rezoning notice was sent to the attention of his deceased wife. He requested that the Rezoning application be continued to allow him to confer with his attorney concerning the property request.

Elkins indicated that the applicant has no immediate development plans for the property.

Prairie Chicken moved and Solay seconded to recommend that the Rezoning from General Agriculture District and Low Density Residential District to General Commercial District be continued to the November 9, 2000 Planning Commission meeting.

Bulman requested clarification regarding Sleeping Bear's concerns with the proposed rezoning of this property.

Sleeping Bear responded that he has concerns with access to the property.

Elkins explained that the applicant has indicated that he has no objection to the continuation of the request, but the applicant will not be available to attend the meeting on November 9th.





A brief discussion followed.

The motion carried unanimously to recommend that the Rezoning from General Agriculture District and Low Density Residential District to General Commercial District be continued to the November 9, 2000 Planning Commission meeting. (7 to 0)

18. No. 00SV023 - Green Valley Estates

A request by Fisk Engineering for Donna V. Spitzer to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for sidewalk, curb, gutter, street lights and dry sewer** on Lots 13A and 13B of Lot 13 in Block 4 of Green Valley Estates, formerly all of Lot 13 in Block 4 of Green Valley Estates, located in the SE1/4 and S1/2 NE1/4 of Section 23, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of the intersection of Greenwood Lane and Green Drive on the south side of Green Drive.

19. No. 00PL105 - Green Valley Estates

A request by Fisk Engineering for Donna V. Spitzer to consider an application for a **Preliminary and Final Plat** on Lots 13A and 13B of Lot 13 in Block 4 of Green Valley Estates, formerly all of Lot 13 in Block 4 of Green Valley Estates, located in the SE1/4 and S1/2 NE1/4 of Section 23, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of the intersection of Greenwood Lane and Green Drive on the south side of Green Drive.

Elkins indicated that the applicant has requested that Items 18 and 19 be continued to the November 9, 2000 Planning Commission meeting. She noted that the certified mailing receipts have not been returned to staff as of this date.

Bulman moved, Wevik seconded and unanimously carried to recommend that the Variance to the Subdivision Regulations to waive the requirement for sidewalk, curb, gutter, street lights and dry sewer and the Preliminary and Final Plat be continued to the November 9, 2000 Planning Commission meeting at the request of the applicant. (7 to 0)

30. No. 00PL104 - Sunshine Hills Subdivision

A request by FMG, Inc. for Dean Kelly Construction to consider an application for a **Layout Plat** on Lots 1 through 10 of Sunshine Hills Subdivision, Section 21, T1N, R7E, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road and north of Wildwood Subdivision.

Ryan Kelly, applicant, requested that the Planning Commission consider removing Stipulations 11 and 12 from staff's recommendation for approval. He noted that this is the second layout plat they have submitted for this development. He stated that he does not feel they should be required to pave the portion of the right-of-way extending west of the north-south street. He also





asked that the Planning Commission waive the requirement to dedicate an additional 19 feet of right-of-way. He indicated that the proposed density has been reduced from the original layout plat. He noted that they have agreed to remove the second entrance to the property and explained that he feels it would be appropriate for the City to strike these requirements.

Elkins clarified that this Layout Plat proposes to increase the density from the existing three lots to 26 lots. She noted that the Planning Commission and City Council have consistently required that improvements be extended to the property line in this type of development scenario. She indicated that due to topographic constraints staff was not recommending that the road be extended to the west property line. Elkins added that the applicant could request an assessment project or apply for Out of the Dust funds to assist in funding the required improvements for this right-of-way as other property owners would benefit. Elkins noted that the property owner's home would be served by the gravel roadway. She noted that a Special Exception to the Street Design Criteria Manual and a Variance to the Subdivision Regulations would be required to grant the changes as requested by the applicant.

Kelly stated that the potential for traffic on the western portion of the east-west road would be decreased from what they had proposed in the original layout plat. He added that they could get a building permit today to add one additional home that would take access from the existing gravel road. He emphasized that they intend to complete all required improvements to the point where they are currently developing.

In response to a question from Wevik, Emerson indicated that the gravel road currently provides access to four existing homes, including the property owner's. At Wevik's request, Emerson identified the area on the subject property where a 12% driveway grade would occur.

In response to a question from Wevik, Kelly estimated that the length of the right-of-way to be improved and currently under discussion is approximately 150 to 200 feet in length.

Swedlund moved to recommend that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

- 1. Prior to Preliminary Plat approval by the Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval;**

Fire Department Recommendations:

- 2. A residential style turnaround shall be constructed on proposed Lots 8, 9, and 10. Prior to Final Plat approval, a note shall be placed on the plat stating these lots require a residential style turnaround to be reviewed and approved by the Rapid City Fire Department;**





3. A fire hydrant shall be located within five hundred feet of any structure located on Lot 9 and 10 or a residential sprinkler system shall be required in any dwelling units constructed on Lots 9 and 10;

4. The minimum width for any driveway shall be twelve feet;

Air Quality Recommendations:

5. Prior to any construction, an air quality permit shall be obtained;

Transportation Planning Division Recommendations:

6. Prior to Final Plat approval, an additional eleven feet of right-of-way shall be dedicated along Sheridan Lake Road;

7. A non-access easement shall be retained along the Sheridan Lake Road frontage except for street intersection;

Urban Planning Division Recommendations:

8. Access to proposed Lots 9 and 10 shall be constructed as a twenty foot paved section to the west boundary of proposed Lot 8 and individual driveways shall be extending to each lot from that point;

9. Lot 10 shall be revised to exclude the long flagpole configuration. The lot shall not extend past the boundary of proposed Lot 7;

10. Prior to Preliminary Plat approval, a Final Development Plan shall be submitted for review and approval by the City Council;

11. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and,

12. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

The motion died due to the lack of a second.

Bulman moved and Solay seconded to recommend that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to Preliminary Plat approval by the Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval;

Fire Department Recommendations:

2. A residential style turnaround shall be constructed on proposed Lots 8, 9, and 10. Prior to Final Plat approval, a note shall be placed on the plat stating these lots require a residential style turnaround to be reviewed and approved by the Rapid City Fire Department;

3. A fire hydrant shall be located within five hundred feet of any structure located on Lot 9 and 10 or a residential sprinkler system shall be required in any dwelling units constructed on Lots 9 and 10;

4. The minimum width for any driveway shall be twelve feet;

Air Quality Recommendations:

5. Prior to any construction, an air quality permit shall be obtained;

Transportation Planning Division Recommendations:





6. **Prior to Final Plat approval, an additional eleven feet of right-of-way shall be dedicated along Sheridan Lake Road;**
7. **A non-access easement shall be retained along the Sheridan Lake Road frontage except for street intersection;**

Urban Planning Division Recommendations:

8. **Access to proposed Lots 9 and 10 shall be constructed as a twenty foot paved section to the west boundary of proposed Lot 8 and individual driveways shall be extending to each lot from that point;**
9. **Lot 10 shall be revised to exclude the long flagpole configuration. The lot shall not extend past the boundary of proposed Lot 7;**
10. **Prior to Preliminary Plat approval, a Final Development Plan shall be submitted for review and approval by the City Council;**
11. **Prior to Preliminary Plat approval, construction plans for the extension of Sunshine Trail to the point where it exceeds 12 percent grade shall be submitted for review and approval;**
12. **Prior to Final Plat approval, a minimum of 52 feet of right-of-way shall be dedicated for Sunshine Trail and the proposed cul-de-sac;**
13. **Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and,**
14. **Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted. (6 to 1 with Swedlund voting no)**

Swedlund stated that he concurs with the applicant. He noted that if the existing residents do not want the road paved, the applicant should only be required to service the improvements that he is making. He suggested that the existing residents taking access from the gravel road could request an assessment or apply for Out of the Dust funds at such a time when they want the road paved.

Bulman stated that she feels that the developer should improve the road at the time the property is developed. She noted that the applicant has the opportunity to pursue the options identified and potentially defray the costs of improvement.

Discussion followed concerning the potential for elimination of the requirements for curb and gutter and the need for the applicant to work with the Engineering Division to address these issues.

Elkins indicated that the Air Quality Department will become a division of the Rapid City Planning Department in January. She discussed on-going requests from the Environmental Protection Agency and the State of South Dakota to pave all gravel roadways within the City of Rapid City in an effort to address air quality issues.

Discussion followed concerning the City's Out of the Dust program.

Wevik explained to the applicant that between Layout Plat approval and Final Plat approval the applicant will have time to obtain additional information and investigate alternatives for this development.





The motion carried by majority vote to recommend that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to Preliminary Plat approval by the Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval;

Fire Department Recommendations:

2. A residential style turnaround shall be constructed on proposed Lots 8, 9, and 10. Prior to Final Plat approval, a note shall be placed on the plat stating these lots require a residential style turnaround to be reviewed and approved by the Rapid City Fire Department;
3. A fire hydrant shall be located within five hundred feet of any structure located on Lot 9 and 10 or a residential sprinkler system shall be required in any dwelling units constructed on Lots 9 and 10;
4. The minimum width for any driveway shall be twelve feet;

Air Quality Recommendations:

5. Prior to any construction, an air quality permit shall be obtained;

Transportation Planning Division Recommendations:

6. Prior to Final Plat approval, an additional eleven feet of right-of-way shall be dedicated along Sheridan Lake Road;
7. A non-access easement shall be retained along the Sheridan Lake Road frontage except for street intersection;

Urban Planning Division Recommendations:

8. Access to proposed Lots 9 and 10 shall be constructed as a twenty foot paved section to the west boundary of proposed Lot 8 and individual driveways shall be extending to each lot from that point;
9. Lot 10 shall be revised to exclude the long flagpole configuration. The lot shall not extend past the boundary of proposed Lot 7;
10. Prior to Preliminary Plat approval, a Final Development Plan shall be submitted for review and approval by the City Council;
11. Prior to Preliminary Plat approval, construction plans for the extension of Sunshine Trail to the point where it exceeds 12 percent grade shall be submitted for review and approval;
12. Prior to Final Plat approval, a minimum of 52 feet of right-of-way shall be dedicated for Sunshine Trail and the proposed cul-de-sac;
13. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and,
14. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted. (6 to 1 with Swedlund voting no)

33. **No. 00PD047 - Adams Subdivision**

A request by Sandra Runde to consider an application for a **Planned Light Industrial Development - Initial and Final Development Plan** on Lot D of Lot 1 of Adams Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington





County, South Dakota, more generally described as being located at 1055 East Chicago Street.

Sandra Runde, applicant, advised that her client, Crum Electric, has expressed concern with the continuing maintenance required by wooden fencing. She explained that they have proposed a six foot chain link fence with slatted inserts and have assured her that the fencing and landscaping improvements will be an asset to the neighborhood. She indicated that if any of the inserts blew out of the chain link fencing they would be replaced as soon as possible.

In response to a question from Bulman, Emerson stated that the Light Industrial Zoning District requires a seven foot high screening fence. He noted that chain link fencing does not provide the same level of screening that a wooden fence does. He emphasized that the applicant has requested to change the zoning on the property from General Commercial, which does not allow outdoor storage, to Light Industrial, which allows outdoor storage with proper screening.

Discussion followed.

Bulman moved, Wevik seconded and unanimously carried to recommend that the Planned Light Industrial Development - Initial and Final Development Plan be approved with the following stipulations:

Engineering Division Recommendations:

- 1. Prior to City Council approval, the applicant shall provide a triangle shaped major drainage easement provided north and east of the existing major drainage easement to the corner of the property. This easement shall extend along the portion of vacated Riley Avenue that is located on this property.**





Fire Department Recommendations:

2. Prior to City Council approval, the applicant shall provide an on-site fire hydrant as required as part of the original Building Permit approval. The location of the fire hydrant shall be coordinated with the Fire Department;
3. Access to within 150 feet of all points of the building shall be maintained at all times;

Urban Planning Division Recommendations:

4. Prior to issuance of Certificate of Occupancy, all outdoor storage shall be screened by seven foot solid wood screening fence. The finished side of the fence shall face towards all neighboring properties;
5. All outdoor storage areas shall be either paved or a dust palliative approved by the Rapid City Engineering Division shall be utilized to insure the area is maintained in a dust free manner;
6. The outdoor storage identified on the south portion of the lot shall not include any area identified as grass on the site plan;
7. Prior to issuance of a Building Permit, the applicant shall submit a revised parking plan identifying 32 parking spaces of which 2 parking spaces shall be accessible for person with disabilities;
8. That 85 percent of the required landscaping points be allowed in the public right-of way. If in the future the landscaping needs to be removed for a street or utility project, the owner of the property will be responsible to provide the required landscaping on the property;
9. No fencing shall be allowed in the shared access easement;
10. A twenty foot side yard setback shall be allowed on the west side of the property; however, no additional encroachments or expansions of the existing building shall be allowed unless a Major Amendment is approved; and,
11. The use of the property shall be limited to a retail and distribution establishment. Any change of use will require a Major Amendment to the Planned Light Industrial Development.

Runde requested clarification concerning the motion on the floor.

The motion, with the above listed conditions of approval, carried unanimously. (7 to 0)

Emerson requested that Items 40 and 41 be considered concurrently.

40. **No. 00SV022 - Winton Subdivision No. 2**

A request by FMG, Inc. for Dave Olson to consider an application for a **Variance to the Subdivision Regulations to allow lots twice as long as they are wide, waive the requirement for curb and gutter and sidewalk requirements along southside drive, waive the requirement for sanitary sewer construction and street lights** on Lots 1, 2, and Tract A of Winton Subdivision #2 and dedicated right-of-way, formerly Lots 3 and 4 of Eisenbraun Subdivision and unplatted, located in NW1/4 NE1/4 Section 26, T1N, R8E, BHM, Pennington





County, South Dakota, more generally described as being located south of Southside Drive and west of Anderson Road.

41. No. 00PL102 - Winton Subdivision No. 2

A request by FMG, Inc. for Dave Olson to consider an application for a **Layout Plat** on Lots 1, 2, and Tract A of Winton Subdivision #2 and dedicated right-of-way, formerly Lots 3 and 4 of Eisenbraun Subdivision and unplatted, located in NW1/4 NE1/4 Section 26, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of Southside Drive and west of Anderson Road.

Emerson presented the requests, reviewed the slides and the staff reports. He explained that this development has been identified as an area that can be served by City water and sewer services in the next 20 years. He stated that staff supports the Variance to the Subdivision Regulations for Lots 1, 2 and Tract A; however, staff does not recommend approval of the Subdivision Regulations Variance for the subdivision Master Plan.

Discussion followed.

Dave Olson, applicant, expressed concern that he is located within the Rapid City three mile platting jurisdiction and there is no elected official on the City Council to represent his interests. He requested clarification concerning a projected date when this development is likely to be served by City sewer and water. Olson discussed ground water issues in the area and the need to configure the lot lines in this subdivision to obtain long term financing.

Elkins advised that the South Dakota Planners Association is working on a bill to present to the South Dakota Legislature in the next year that will allow cities and counties to cooperatively address development in the areas surrounding the municipalities. She noted that such a cooperative agreement could address the representation issue raised Mr. Olson.

Bulman noted that the residents in the area of this development have expressed concerns about people walking in the street because there are no sidewalks. She indicated that it may be appropriate to include a bike path or sidewalks in the Master Plan that could be used for safe pedestrian travel.

Bulman moved, Swedlund seconded and unanimously carried to recommend that the Variance to the Subdivision Regulations to allow lots twice as long as they are wide, waive the requirement for curb and gutter and sidewalk requirements along Southside Drive, waive the requirement for sanitary sewer construction and street lights be approved for proposed Lots 1, 2, and Tract A of Winton Subdivision #2 and shall not apply to the proposed master plan of the subject property.

And, to further recommend that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:





1. Prior to Preliminary Plat approval by the Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval;
2. Prior to Preliminary Plat approval by the Planning Commission, revised drainage plans and calculations in compliance Rapid City Drainage Criteria Manual shall be submitted for review and approval;
3. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall submit information on the water supply proposed for the development;
4. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide an evaluation for on-site waste water system(s);
5. Prior to Preliminary Plat approval by the Planning Commission of any lot after the initial three lots as identified in the master plan, a master plan for all utilities, water and sanitary sewer, shall be provided for review and approval;
6. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall submit a revised master plan identifying the proposed intersection with Southside Drive meets the minimum separation between intersection or a Special Exception to the Street Design Criteria Manual shall be approved;

Pennington County Fire Coordinator Recommendations:

7. Prior to Preliminary Plat by the Planning Commission of any lot after the initial three lots as identified in the master plan, a central water system shall be provided meeting all requirements of the Uniform Fire Code which includes fire hydrants and adequate water pressure;

Transportation Planning Division Recommendations:

8. Prior to Preliminary Plat approval by the Planning Commission, a non-access easement shall be identified along Southside Drive except for approved approach locations by the Engineering Division and Pennington County Highway Department;
9. If the thirty-three feet of section line highway has not been previously dedicated, the applicant shall dedicate it as public right-of-way;

Pennington County Planning Recommendations:

10. Prior to Final Plat approval, the applicant shall submit a rezoning application with Pennington County for the portion of the property currently zoned General Agriculture District requesting it be rezoned to Suburban Residential District. The zoning request must be approved and become effective prior to Final Plat approval by the City Council;

Urban Planning Division Recommendations:

11. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid;
12. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be





posted or Subdivision Variance(s) shall be granted waiving required improvement(s) ;

13. Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide a revised master plan eliminating all flagpole lot configurations from the master plan and shall revise the master plan identifying the north east/west street as a through street; and,
14. Prior to Final Plat approval by the City Council, no more than forty dwelling units based on the combination of all developments shall have exclusive access from the development before a second access shall be developed. (7 to 0)

Wevik moved, Bulman seconded and unanimously carried to reconsider Item 9.

9. No. 00UR035 - Section 8, T1N, R8E

A request by Scott J. Kenner for South Dakota School of Mines and Technology to consider an application for a **Use on Review to allow a water monitoring device in the Flood Hazard Zoning District** on Tracts 1-3, Thompson Tract, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Rapid Creek downstream of East Saint Patrick Street bridge.

Elkins advised that Dr. Kenner, applicant, had provided vouchers indicating payment of the required fees has been mailed. Elkins recommended that Stipulation 4 be revised to state "That all currently unpaid fees for mailing lists in the amount of \$120 associated with the current and previously approved Use on Reviews for water monitoring stations be paid prior to City Council's consideration of the current request."

Prairie Chicken moved, Parker seconded and unanimously carried to recommend that the Use on Review to allow a water monitoring device in the Flood Hazard Zoning District be approved with the following stipulations:

Engineering Division Recommendations:

1. That a Special Exception to the Flood Area Construction Regulations is granted;
2. That any changes in the final location of the structure shall be allowed subject to review and approval of the Engineering Division;

Urban Planning Division Recommendations:

3. This Use on Review shall automatically expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years; and,
4. That all currently unpaid fees for mailing lists in the amount of \$120 associated with the current and previously approved Use on Reviews for water monitoring stations be paid prior to City Council's consideration of the current request. (7 to 0)





42. Discussion Items
A. Zoning of Cleghorn Canyon

Emerson advised that these properties were annexed in the City of Rapid City and need to be rezoned from the current No Use District. He noted that the majority of the properties in this area were developed in 1930's and bringing this existing development to current standards raises a number of issues. He discussed access and wildland fire concerns and noted that public water and sewer services are available. He indicated that the topography and existing construction in this development make Low Density Residential zoning the most viable option for creating the least number of nonconforming uses. He added that the Future Land Use Committee recommended that the property be zoned Low Density Residential with a Planned Residential Development overlay to mitigate any potential impact further development may have on the surrounding properties. Emerson requested that the Planning Commission authorize staff to advertise a zoning change for these properties from No Use District to Low Density Residential with a Planned Development Designation.

In response to a question from Lang, Emerson identified the two properties currently under consideration. He noted that how these two properties are zoned will set the precedent for this development and area. He reviewed the surrounding zoning.

Wevik requested clarification concerning what benefits can be gained from a Future Land Use perspective.

Emerson reviewed the differences between the Park Forest and Low Density Residential Zoning Districts, emphasizing that Low Density Residential zoning would create less non-conformities as additional properties were annexed in to the Rapid City limits. Elkins concurred.

In response to a question from Wevik, Emerson discussed the development potential for these two properties.

Discussion followed concerning the potential for another access into this development.

Wevik requested clarification regarding how the rezoning would impact the existing uses on these properties.

Emerson noted that a Major Amendment to a Planned Residential Development would be required for a major expansion of the house. He noted that topography on the site would not permit significant expansion of the home.





Wevik moved, Solay seconded and unanimously carried to authorize staff to advertise for the rezoning of these properties from No Use District to Low Density Residential District and to proceed with a Planned Development Designation for the properties. (7 to 0)

B. Paperless Agenda

Elkins noted that the initial trial for the paperless agenda identified several problems from a production standpoint. She requested feedback from the commissioners concerning how the agenda worked for them.

Swedlund stated that he could use more training, noting that he feels the laptops are more cumbersome and not as convenient to use as paper packets.

Lang indicated that she feels printing capabilities would be helpful, particularly when reviewing plans on-site.

Hanks explained that use of the paperless agenda gets easier with time. He noted that the City Council members are provided with printers.

Swedlund concurred that printing capability would be helpful.

Discussion followed.

C. Wildfire Issues Training Session – November 13, 2000

Elkins advised that a Wildfire training session will be presented by the Fire Department on November 13, 2000 from 11:30 a.m. to 1:00 p.m. Lang advised that she will not be able to attend. Swedlund stated that he would need to check his calendar.

Elkins added that City Council members will be invited to attend the training session.

43. Staff Items

Elkins introduced and welcomed Lisa Seaman. She indicated that Seaman had recently accepted the Planner I position and the other Planning Staff are transitioning to other duties as her training proceeds. She noted that Lass is looking forward to focusing on long range activities.

44. Planning Commission Items

Swedlund stated that he was approached by a couple of members of the public with complaints and concern that the ice rink project will be a visual monstrosity. He noted that the specific concern was expressed that insufficient funding has been allowed for the exterior appearance of the building. He expressed concern that if only minimum standards are met the structure will create an unappealing atmosphere.





Hanks encouraged Swedlund to contact his local alderman to express these concerns. He emphasized that the City Council will note consider putting any kind of structure there that will degrade the quality of the Civic Center.

45. Committee Reports
None.

There being no further business, Solay moved, Prairie Chicken seconded and unanimously carried to adjourn the meeting at 8:43 a.m.

