

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
December 7, 2000

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

STAFF PRESENT: Marcia Elkins, Blaise Emerson, Vicki Fisher, Lisa Seaman, Bill Lass, Dan Hodge, Randy Nelson, Dave Johnson, Doug Aldrich and Risë Ficken

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

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 4, 9, and 10 be removed from the Consent Agenda for separate consideration. Wall requested that Items 22 - 28 be removed from the Consent Agenda for separate consideration. Swedlund requested that Item 17 be removed from the Consent Agenda for separate consideration.

Jorgenson moved, Solay seconded and carried unanimously to recommend approval of the Consent Agenda Items 1 through 29 in accordance with the staff recommendations with the exception of Items 4, 9, 10, 17, and 22-28. (9 to 0)

1. Approval of the November 22, 2000 Planning Commission Meeting Minutes.

2. No. 99PL120 - Spring Canyon Estates

A request by Gary Renner for Larry Teuber to consider an application for a **Preliminary and Final Plat** on Lots 1, 2, 3 and 4 of Block 4 of Spring Canyon Estates (formerly Lot 2B & Lot 1 of Block 1 of Spring Canyon Estates and the NE1/4 of the SW1/4) located in the SW1/4 of the NW1/4, the NW1/4 of the SW1/4 and in the NE1/4 of the SW1/4 of Section 5, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the southern terminus of Clarkson Road.

Planning Commission recommended that the Preliminary and Final Plat be continued to the January 25, 2001 Planning Commission meeting to allow the petitioner to submit the required information by December 29, 2000.

3. 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, all located in Valley Ridge Subdivision, located in NE1/4 of SE1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the current western terminus of South Pitch Drive and Solitaire Drive.

Draft

Planning Commission recommended that the Final Plat be continued to the January 4, 2001, Planning Commission meeting to allow the petitioner to address all stipulations of the Preliminary Plat approval.

5. 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 January 4, 2001 Planning Commission meeting to allow the applicant additional time to submit the required information.

6. No. 00PL108 - Fairway Hills PRD and Sandstone Ridge Subdivision

A request by Fisk Engineering for Sun-Rise Construction to consider an application for a **Lot Split** on Lot 5 Revised of Sandstone Ridge Subdivision and Lot 26-R1 Revised of Fairway Hills P.R.D., formerly all of Lot 5 of Sandstone Ridge Subdivision and all of Lot 26-R1 of Fairways Hills P.R.D. located in the SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Sheridan Lake Road and Holiday Lane.

Planning Commission recommended that the Lot Split be continued to the January 4, 2001 Planning Commission meeting to allow the request to be heard in conjunction with a Major Amendment to a Planned Residential Development at the applicant's request.

7. No. 00PD053 - MJK Subdivision

A request by Ron Baker for Baker Planned Communities to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Parcel D of MJK Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of the intersection of East Minnesota Street and Odde Drive.

Planning Commission recommended that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit for each phase, detail engineering plans shall be submitted for review and approval;

Fire Department Recommendations:

Draft

Draft

2. Prior to Certificate of Occupancy for any dwelling unit in Phase 4, the applicant shall provide a emergency turnaround at the end of the parking lot or the applicant shall provide a paved second access;
3. Prior to issuance of a Building Permit for Phase 7, the applicant shall install and activate all fire hydrants on the west and south side of the project;
4. Prior to construction of any phase, an emergency temporary turnaround shall be installed;

Urban Planning Division Recommendations:

5. Prior to approval by the City Council, the applicant shall provide a detailed landscape plan for the open space along the Minnesota Street for review and approval. A total of 32,000 landscape points shall be located to the area along the Minnesota Street frontage. A minimum of 50 percent of those landscape points shall be provided as evergreen trees;
 6. Prior to issuance of a building permit for each phase, a detailed landscape plan shall be submitted for review and approval;
 7. Prior to issuance of a Certificate of Occupancy for any dwelling unit in Phase 5, the applicant shall construct the entire internal circulation aisle to provide a secondary access for all the dwelling units;
 8. One van accessible parking stall shall be provided adjacent to each building; and,
 9. A total of seventy-two (72) dwellings shall be allowed.
8. No. 00PD054 - Fairway Hills PRD and Sandstone Ridge Subdivision
A request by Ennis and Associates for Mike Tennyson, Pat Hall and Ken Kirkeby to consider an application for a **Major Amendment to a Planned Residential Development to reduce the side yard setback from 30 feet to 15 feet** on Lot 5 of Sandstone Ridge Subdivision and a portion of Lot 26 R-1 of Fairway Hills P.R.D., located in the Southeast One-Quarter (SE1/4) of the Northwest One-Quarter (NW1/4) of Section Fifteen (15), Township One North (T1N), Range Seven East (R7E), of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, as shown on the plat recorded in Book 23 of Plats on Page 187, more fully described as follows: Beginning at the northwest corner of said Lot 26 R-1, said corner being marked by a rebar with a 1019 cap, Thence, S 87°42'21" E, along the northerly property line of Lot 26 R-1, a distance of 166.92 feet to the northeasterly corner of Lot 26 R-1, said corner being marked by a rebar with a 1019 cap, Thence, S 74°13'13" W, a distance of 162.90 feet to a point on the westerly line of Lot 26 R-1, said corner being marked by a rebar with 2199 cap; Thence, N11°07'57"W, along the westerly line of Lot 26 R-1, a distance of 51.96 feet, to the point of beginning. Said tract of land contains 4,218 square feet more or less, more generally described as being located at the intersection of Sheridan Lake Road and Holiday Lane.

Planning Commission recommended that the Major Amendment to a Planned Residential Development to reduce the side yard setback from 30 feet to 15 feet be continued to the January 4, 2001 Planning Commission meeting to allow the applicant to submit additional information and to meet the mailing notification requirement.

Draft

Draft

11. No. 00SE010 - Section 17, T1N, R7E

A request by Scott Kenner for the 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 Lot A Revised in the NW1/4 of the NW1/4 of Section 17, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the northeast bank of Rapid Creek northeast of the intersection of Magic Canyon Road and Trout Court.

Planning Commission recommended that the Special Exception to the Flood Area Construction Regulations to allow water-monitoring structures in the floodway be approved.

12. No. 00UR040 - Section 17, T1N, R7E

A request by Scott Kenner for the South Dakota School of Mines and Technology to consider an application for a **Use on Review to allow a water monitoring structure in the Flood Hazard Zoning District** on Lot A Revised in the NW1/4 of the NW1/4 of Section 17, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the northeast bank of Rapid Creek northeast of the intersection of Magic Canyon Road and Trout Court.

Planning Commission recommended that the Use on Review to allow a water monitoring structure in the Flood Hazard Zoning District be approved.

Engineering Division Recommendations:

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

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.

13. No. 00PD057 - Walpole Heights Subdivision

A request by SDC, Inc. to consider an application for a **Major Amendment to a Planned Commercial Development to allow a motel and restaurant** on Tract A Revised, Tract C Revised and Tract D, Walpole Heights Subdivision, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2710 Mount Rushmore Road.

Planning Commission recommended that the Major Amendment to a Planned Commercial Development be continued to the January 4, 2001 Planning Commission meeting to allow the applicant to submit additional information.

Draft

Draft

14. No. 00PL115 - Autumn Hills Plaza

A request by Dream Design for Stoney Creek Inc. to consider an application for a **Preliminary and Final Plat** on Lot 1 of Autumn Hills Plaza Subdivision located in the SW1/4 of the NW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located approximately 1,050 feet north of the intersection of Catron Boulevard and Sheridan Lake Road.

Planning Commission recommended that the Preliminary and Final Plat be continued to the January 4, 2001 Planning Commission meeting at the applicant's request.

15. No. 00PD058 - Autumn Hills Plaza

A request by Dream Design for Stoney Creek Inc. to consider an application for a **Initial and Final Planned Residential Development** 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 approximately 1,050 feet north of the intersection of Catron Boulevard and Sheridan Lake Road.

Planning Commission recommended that the Initial and Final Planned Residential Development be continued to the January 4, 2001 Planning Commission meeting at the applicant's request.

16. No. 00PL117 - Elks Country Estates

A request by Doug Sperlich for Dennis Zandstra to consider an application for a **Preliminary and Final Plat** on Lots 1R and 2R of Block 8 of Elks Country Estates (formerly Lots 1 & 2 of Block 8 of Elks Country Estates) located in N1/2 of SE1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Augusta Drive and Jolly Lane.

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

Engineering Division Recommendations:

1. **Prior to Final Plat approval by the City Council, displaced sidewalks shall be repaired;**

Draft

2. **Prior to Final Plat approval by the City Council, existing sureties shall be consolidated into one acceptable surety for all improvements relative to the subject property;**

Urban Planning Division Recommendations:

3. **Prior to Final Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow the lot length to be greater than twice the lot width, or the plat shall be revised to comply with the length to width requirement; and,**
4. **Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted and all subdivision inspection fees paid.**

18. **No. 00RZ049 - Fountain Springs Subdivision**

A request by Franklin Simpson to consider an application for a **Rezoning from General Agriculture District to Medium Density Residential District** on property described by metes and bounds beginning at a point, N 0°07'40" E a distance of 441.02 feet, from the southeast corner of the SE1/4 of the NW1/4 of the SW1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence First Course: S 77°00'00" W a distance of 295.00 feet, Thence Second Course: along an arc to the right, which radius is 125.00 feet an arc distance of 206.86 feet, Thence Third Course: N 17°49'00" W a distance of 113.81 feet, Thence Fourth Course: N 72°11'00" E a distance of 468.32 feet, Thence Fifth Course: along an arc to the left, which radius is 280.00 feet an arc distance of 11.75 feet, Thence Sixth Course: S 0°06'46" W a distance of 52.78 feet, Thence Seventh Course: S 0°07'40" W a distance of 224.06 feet, to the point of beginning, said parcel of land containing 2.500 acres, more or less, more generally described as being located at the intersection of Harmony Heights Lane and Sunny Springs.

Planning Commission recommended that the Rezoning from General Agriculture District to Medium Density Residential be approved in conjunction with the associated Planned Development Designation request.

19. **No. 00PD061 - Fountain Springs Subdivision**

A request by Franklin Simpson to consider an application for a **Major Amendment to a Planned Development Designation to increase the boundaries** on property described by metes and bounds beginning at the southeast corner of the SE¼ NW¼ SW¼ of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence first course: N 0 01'51"E, a distance of 666.45', Thence second course: N 0 00'24"E, a distance of 666.73', Thence third course: S89 47'51"W, a distance of 40.72', Thence fourth course: southwesterly on an arc to the right, which radius point bears N41 27'44"W, 120.31' distance, said arc length being 52.665', delta angle of 25 04'54", Thence fifth course: S73 37'10"W, a distance of 252.00', Thence sixth course: along an arc to the left, which radius is 250.00', delta angle of 75 24'10", an arc distance of 329.01', Thence seventh course: along an arc to the right, which radius is 250.00', delta angle of 68 59'31", an arc distance of 301.03', Thence eighth course: S 0 06'46"W, a distance of 85.05', Thence ninth course: S 0 07'40"W, a distance of 665.09', Thence tenth course: N89 58'21"E, a distance of 661.62', to

the point of beginning, said parcel of land containing 17.3826 acres more or less, and lying in the E½ of the NW¼ of the SW¼ of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota and property described by metes and bounds beginning at a point, N 0°07'40" E a distance of 441.02 feet, from the southeast corner of the SE1/4 of the NW1/4 of the SW1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence First Course: S 77°00'00" W a distance of 295.00 feet, Thence Second Course: along an arc to the right, which radius is 125.00 feet an arc distance of 206.86 feet, Thence Third Course: N 17°49'00" W a distance of 113.81 feet, Thence Fourth Course: N 72°11'00" E a distance of 468.32 feet, Thence Fifth Course: along an arc to the left, which radius is 280.00 feet an arc distance of 11.75 feet, Thence Sixth Course: S 0°06'46" W a distance of 52.78 feet, Thence Seventh Course: S 0°07'40" W a distance of 224.06 feet, to the point of beginning, said parcel of land containing 2.500 acres, more or less, more generally described as being located at the eastern terminus of Harmony Heights Lane.

Planning Commission recommended that the Major Amendment to a Planned Development Designation to increase the boundaries be approved.

20. No. 00PD062 - Sunshine Hills Subdivision

A request by FMG, Inc. for Dean Kelly Construction to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Lot 1 less the west 264 feet and less Lot H1, Lot 2 less Lot H1, and Lot 3 less Lot H1 of the SE1/4 NE1/4 of Section 21, located in the SE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Wildwood Subdivision on the west side of Sheridan Lake Road.

Planning Commission recommended that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

Fire Department Recommendations:

1. All driveways over one hundred fifty feet (150') shall have a residential style emergency turnaround and Lots 12, 13, and 14 shall have a residential style emergency turnaround. The design of the turnaround shall be reviewed and approved by the Fire Department;

Urban Planning Division Recommendations:

2. All townhouses having Sheridan Lake Road frontage shall be allowed a five foot (5') high front yard fence or wall. The fence or wall shall be located a minimum of fifteen feet (15') from the Sheridan Lake Road right-of-way. The fence or wall shall not extend beyond the building setback established by the townhouse;
3. A minimum of three (3) shrubs and one (1) evergreen tree shall be located in front of each townhouse unit having Sheridan Lake Road frontage. The landscape material shall be located within fifteen feet (15') of the Sheridan Lake Road right-of-way;
4. A maximum of sixteen (16) townhouses and six (6) single family detached dwelling units shall be allowed; and,

Draft

5. All bulk, height and density requirements of the Low Density Residential Zoning District shall apply to this development.

21. No. 00PL118 - Sunshine Hills Subdivision

A request by FMG, Inc. for Dean Kelly Construction to consider an application for a **Preliminary and Final Plat** on Lots 1 through 14 of Sunshine Hills Subdivision and dedicated public right of way shown as Sunshine Trail, Coneflower Lane and Sheridan Lake Road, formerly Lots 1, 2 and 3 of the SE1/4 NE1/4 of Section 21, located in the SE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Wildwood Subdivision on the west side of Sheridan Lake Road.

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; revised engineering plans shall be submitted for review and approval;

Fire Department Recommendations:

2. Prior to City Council approval of the Final Plat, a note shall be placed on the plat stating Lots 12, 13, and 14 shall be required to install a residential style emergency turnaround to be reviewed and approved by the Rapid City Fire Department;

Urban Planning Division Recommendations:

3. 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,
4. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

29. No. 00AN011 - Section 18, T1N, R8E

A request by City of Rapid City to consider an application for a **Resolution of Annexation** on Lot A Revised, Lot B, and Well Lot of the N1/2 of Government Lot 4, Section 18, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4310 and 4314 Parkview Drive.

Planning Commission recommended that the Resolution of Annexation be approved.

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

4. No. 00PL094 - Valley East Addition

A request by City of Rapid City to consider an application for a **Layout, Preliminary and Final Plat** on Lot 1 of the Valley East Addition (formerly S1/2 SW1/4 NE1/4 less Lot H2 & less R.O.W.) all located in NE1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of S.D. Highway 44 East (Rapid Valley).

Draft

Draft

Elkins advised that the Public Works Department has requested that this item be denied without prejudice.

Discussion followed.

Wall moved, Scull seconded and unanimously carried to recommend that the Layout, Preliminary and Final Plat be denied without prejudice at the applicant's request. (9 to 0)

9. No. 00PD055 - Woodridge of Cathedral Heights

A request by Robert Pagan to consider an application for a **Major Amendment to a Planned Residential Development to reduce the rear yard setback from 25 feet to 8 feet** on Lot 35R of Woodridge of Cathedral Heights located in the NE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of Flormann Street and Ponderosa Place.

Elkins noted that there was a very large public notice mailing for this request and at least two parties were inadvertently omitted. She explained that because the notice requirement has not been met, staff would recommend that this item be continued. She asked if the Planning Commission would be available for a special Planning Commission meeting next Thursday to allow the applicant to mail the remaining letters and hold the public hearing for this item in time for City Council consideration on December 18th.

A brief discussion followed.

Jorgenson moved, Prairie Chicken seconded and unanimously carried to continue the public hearing for the Major Amendment to a Planned Residential Development to reduce the rear yard setback from 25 feet to 8 feet to Friday, December 15th at 7:00 a.m.

10. No. 00PD056 - Northern Heights Subdivision

A request by Barbara Van Ekeren to consider an application for a **Major Amendment to a Planned Commercial Development to reduce the rear yard setback** on Lot 2 of Lot A of Block 6 of Northern Heights Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of the intersection of Haines Avenue and Anamosa Street.

Emerson advised that because new information was received from the applicant staff has revised the recommendation for continuation of this item to approval with stipulations as outlined in the revised staff report. He indicated that if the applicant wanted to incorporate an on-sale liquor establishment in the future a Major Amendment to the Planned Commercial Development would be required.

Discussion followed.

Draft

Wall moved, Solay seconded and unanimously carried to recommend that the Major Amendment to a Planned Commercial Development to reduce the rear yard setback be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of either a grading or building permit, a detailed drainage plan and calculations prepared by a Professional Engineer shall be submitted for review and approval;
2. Prior to issuance of either a grading or building permit, engineering plans for all retaining walls prepared by a Professional Engineer shall be submitted for review and approval;
3. Prior to issuance of either a grading or building permit, engineering plans for the all improvements in Haines Avenue right-of-way prepared by a Professional Engineer shall be submitted for review and approval;
4. Prior to issuance of either a grading or building permit, engineering plans for the water and sewer services lines by a Professional Engineer shall be submitted for review and approval;
5. Prior to issuance of either a grading or building permit, an easement or written agreement from adjacent property owners shall be provided for all off-site grading;
6. Prior to issuance of either a grading or building permit, an erosion/sedimentation control plan shall be submitted for review and approval;

Air Quality Recommendations:

7. Prior to issuance of either a grading or building permit, an Air Quality Permit shall be obtained;

Urban Planning Division Recommendations:

8. Prior to City Council approval of the Major Amendment, a complete sign package shall be submitted for review and approval. No off-premise signage shall be allowed;
9. Prior to City Council approval of the Major Amendment, elevations of the building shall be provided which include the type and color of materials;
10. Prior to issuance of either a grading or building permit; a detailed landscape plan identifying the location, size and type of all proposed landscape materials in accordance with the Landscape Regulations shall be provided for review and approval;
11. All parking shall be in compliance with Parking Regulations of the Rapid City Municipal Code; and,
12. The uses of the structure shall be limited to retail sales, personal, professional, and business service establishments, offices, and restaurant. Additional uses may be allowed with the approval of a Major Amendment to the Planned Commercial Development.

17. **No. 00PD060 - Riverside Addition**

A request by Lee Geiger for First Western Bank Sturgis to consider an application for a **Major Amendment to the Initial Development Plan - Planned Commercial Development** on Lots 1-16, Block 4 of Riverside Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more

Draft

generally described as being located at the southwest corner of the intersection of Omaha Street and West Boulevard.

In response to a question from Swedlund, Elkins indicated that the area property owners see the addition of a traffic signal as a positive improvement.

Swedlund requested clarification concerning whether the Planning Commission can require that the billboard on the property be removed.

Elkins responded that the Planning Commission has the authority to require that the billboard be removed. She noted that the billboard is shown on the site plan and was approved by the Planning Commission as part of the original initial development plan. Elkins noted that staff was not recommending that the billboards be removed based on the Planning Commission and City Council's previous actions.

Mike Derby, Vice President of Lamar Advertising and owner of the property, noted that that through the Planned Development process they have already relocated one billboard. He added that the billboard on West Boulevard is going to be downsized. He noted that a permanent easement will be filed on that property so that the billboard can remain there. He indicated that the billboard is an integral part of the deal to sell the property.

Discussion followed concerning the billboard.

Jorgensen requested clarification concerning the minimum parking stall requirements for the proposed development.

Lee Geiger, agent for applicant, reviewed the minimum parking requirements noting that as the plans develop they will be working with staff to adjust the parking. He expressed his belief that the parking needs for banking facilities will be reduced in the future as a result of on-line banking. He identified one way that the plans can be adjusted to provide additional parking.

In response to a question from Jorgenson, Emerson noted that staff will review any other national parking standards presented by the applicant. He indicated that when a specific floor plan is presented in conjunction with the Final Development Plan the actual parking requirements can be calculated.

Lang indicated that she works in a bank building and there is inadequate parking available at that site.

Swedlund stated that he feels this is a great project and commended the applicants for working toward a substantial improvement of this corner. He added that he feels the elimination of the billboard on West Boulevard will further improve this property.

Swedlund moved to recommend that the Major Amendment to a Planned Commercial Development be approved with the stipulations as outlined by

Draft

Draft

staff, with the additional condition that the billboard on West Boulevard be eliminated.

The motion failed due to a lack of second.

Discussion followed concerning the size of the proposed bank and parking requirements in comparison to existing banking facilities and on street parking in the vicinity of the subject property.

Swedlund requested clarification concerning whether additional billboards could be constructed on the property.

Emerson explained that two billboards were identified on the site plan and a Major Amendment to the Planned Commercial Development would be required to place any additional billboards on the property.

Swedlund requested clarification concerning whether the existing billboards could be expanded and whether the size of the billboards could be specified as a condition of approval.

Emerson responded that the size of the signs will be specified in the Final Development Plan.

In response to a question from Swedlund, Emerson stated that staff is recommending that the requirements of the Landscaping Ordinance be met.

Jorgenson noted that she will expect to see the minimum off-street parking requirements being met when the Final Development Plan is submitted.

Jorgenson moved, Parker seconded and unanimously carried to recommend that the Major Amendment to the Initial Development Plan - Planned Commercial Development be approved with the following stipulations:

Engineering Division Recommendations:

- 1. Prior to Final Development Plan approval by the Planning Commission, site grading and drainage plans shall be submitted for review and approval;**
- 2. Prior to Final Development Plan approval by the Planning Commission, complete engineering plans shall be submitted for any improvements in public right-of-ways;**
- 3. Prior to Final Development Plan approval by the Planning Commission, the applicant shall coordinate with the South Dakota Department of Transportation on the location of the center median in Omaha Street. The center median shall extend past the access point of the property;**

Fire Department Recommendations:

- 4. Prior to Final Development Plan approval by the Planning Commission, a site plan shall be provided documenting the location of all fire hydrants within 500 feet of the property;**

Urban Planning Division Recommendations:

Draft

Draft

5. **Prior to Final Development Plan approval by the Planning Commission, the site plan shall be revised eliminating the two way aisle on the north side of the building. A one way aisle shall be provided access to the east. A landscape island shall be provided between the driving aisle and the Omaha Street sidewalk;**
6. **Prior to Final Development Plan approval by the Planning Commission, a landscape plan shall be submitted for review and approval;**
7. **Prior to Final Development Plan approval by the Planning Commission, a parking plan shall be submitted for review and approval in compliance with the Rapid City Municipal Code. However, in conjunction with the Final Development Plan application, the applicant may submit additional information regarding the off-street parking requirements based industry standards for review and possible incorporation into the Final development Plan approval;**
8. **Prior to Final Development Plan approval by the Planning Commission, a sign package shall be submitted for review and approval; and,**
9. **Prior to Final Development Plan approval by the Planning Commission, a site plan identifying the location of exterior lighting shall be submitted for review and approval. (9 to 0)**

Elkins requested that Items 22 through 27 be considered after Item 28.

28. No. 00RZ053 - Section 21, T1N, R7E

A request by Dream Design International to consider an application for a **Rezoning from No Use District to Low Density Residential District** on a tract of land located in the Southeast One Quarter of the Southwest One Quarter (SE1/4 SW1/4) of Section 21, T1N, R7E, BHM, Rapid City, 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 21, T1N, R7E, 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 at the western terminus of Shooting Star Road.

Draft

In response to a question from Wall, Elkins identified the existing access to the subject property along the section line highway.

Discussion followed.

Wall moved, Scull seconded and unanimously carried to recommend that the Rezoning from No Use District to Low Density Residential District be approved. (9 to 0)

Wall requested that Items 22 through 27 be considered concurrently.

22. No. 00RZ050 - Plum Creek Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Office Commercial District** on a tract of land located in the Southwest one-quarter of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Described in more details as follows: Beginning at the northwest corner of said Southwest one-quarter of Section 16; thence North 89° 53'45" East along the north line of said Southwest one-quarter a distance of 1404.49 feet; Thence South 25°29'36" West a distance of 1072.85 feet to a point of curve; Thence along the arc of said curve to the right having a radius of 204.00 feet a distance of 27.20 feet; Thence departing said curve North 60°47'57" West a distance of 304.64 feet; Thence North 64°12'46" West a distance of 736.41 feet to the west line of said Southwest one-quarter; Thence North 0°02'47" West a distance of 520.56 feet to the Point of Beginning, containing 21.4 acres, more or less, more generally described as being located at the southern terminus of South Valley Drive.

23. No. 00PD063 - Plum Creek Subdivision

A request by City of Rapid City to consider an application for a **Planned Development Designation** on a tract of land located in the Southwest one-quarter of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Described in more details as follows: Beginning at the northwest corner of said Southwest one-quarter of Section 16; thence North 89° 53'45" East along the north line of said Southwest one-quarter a distance of 1404.49 feet; Thence South 25°29'36" West a distance of 1072.85 feet to a point of curve; Thence along the arc of said curve to the right having a radius of 204.00 feet a distance of 27.20 feet; Thence departing said curve North 60°47'57" West a distance of 304.64 feet; Thence North 64°12'46" West a distance of 736.41 feet to the west line of said Southwest one-quarter; Thence North 0°02'47" West a distance of 520.56 feet to the Point of Beginning, containing 21.4 acres, more or less, more generally described as being located at the southern terminus of South Valley Drive.

24. No. 00RZ051 - Plum Creek Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** on a tract of land located in the Southwest one-quarter of Section 16, T1N, R8E, BHM, Rapid City,

Pennington County, South Dakota. Described in more details as follows: Beginning at a point on the west line of said Southwest One-Quarter of Section 16 from which the northwest corner of said Southwest One-Quarter bears North 0°02'47" West a distance of 520.56 feet; Thence South 64°12'46" East a distance of 736.41 feet; Thence South 60°47'57" East a distance of 304.64 feet to a point on a curve from which the radius point of said curve bears North 56°52'02" West; Thence along the arc of said curve to the right having a radius of 204.00' a distance of 35.82 feet; Thence South 43°11'23" West a distance of 1323.28 feet to the west line of said Southwest One-Quarter of Section 16; Thence North 0°02'47" West a distance of 1461.86 feet to the Point of Beginning, containing an area of 15.8 acres, more or less, more generally described as being located at the southern terminus of South Valley Drive.

25. No. 00PD064 - Plum Creek Subdivision

A request by City of Rapid City to consider an application for a **Planned Development Designation** on a tract of land located in the Southwest one-quarter of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Described in more details as follows: Beginning at a point on the west line of said Southwest One-Quarter of Section 16 from which the northwest corner of said Southwest One-Quarter bears North 0°02'47" West a distance of 520.56 feet; Thence South 64°12'46" East a distance of 736.41 feet; Thence South 60°47'57" East a distance of 304.64 feet to a point on a curve from which the radius point of said curve bears North 56°52'02" West; Thence along the arc of said curve to the right having a radius of 204.00' a distance of 35.82 feet; Thence South 43°11'23" West a distance of 1323.28 feet to the west line of said Southwest One-Quarter of Section 16; Thence North 0°02'47" West a distance of 1461.86 feet to the Point of Beginning, containing an area of 15.8 acres, more or less, more generally described as being located at the southern terminus of South Valley Drive.

26. No. 00RZ052 - Plum Creek Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Low Density Residential-II District** on a tract of land located in the North One-Half of the Southwest One-Quarter of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Described in more detail as follows: Commencing at the northwest corner of said Southwest One-Quarter of Section 16; Thence North 89°53'45" East along the north line of said Southwest One-Quarter a distance of 1404.49 feet; Thence South 25°29'36" West a distance of 1027.55 feet to the Point of Beginning; Thence South 25°29'36" West a distance of 45.30 feet to a point of curve; Thence along the arc of said curve to the right having a radius of 204.00 feet a distance of 63.02 feet; Thence South 43°11'32" West a distance of 414.73 feet to the south line of said North One-Half of the Southwest One-Quarter of Section 16; Thence North 89°56'08" East along said south line a distance of 2024.60 feet to the east line of said North One-Half of the Southwest One-Quarter of Section 16; Thence North 0°00'00" West along the east line of said North One-Half of the Southwest One-Quarter of Section 16 a distance of 113.40 feet; Thence North 90°00'00" West a distance of 269.72 feet; Thence North 0°00'00" East a distance of 154.40 feet; Thence North 90°00'00" West a distance of 330.00 feet; Thence North 0°00'00"

East a distance of 125.00 feet; Thence North 90°00'00" west a distance of 1086.11 feet to the Point of Beginning, containing an area of 14.0 acres, more or less, more generally described as being located at the southern terminus of South Valley Drive.

27. No. 00PD065 - Plum Creek Subdivision

A request by City of Rapid City to consider an application for a **Planned Development Designation** on a tract of land located in the North One-Half of the Southwest One-Quarter of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Described in more detail as follows: Commencing at the northwest corner of said Southwest One-Quarter of Section 16; Thence North 89°53'45" East along the north line of said Southwest One-Quarter a distance of 1404.49 feet; Thence South 25°29'36" West a distance of 1027.55 feet to the Point of Beginning; Thence South 25°29'36" West a distance of 45.30 feet to a point of curve; Thence along the arc of said curve to the right having a radius of 204.00 feet a distance of 63.02 feet; Thence South 43°11'32" West a distance of 414.73 feet to the south line of said North One-Half of the Southwest One-Quarter of Section 16; Thence North 89°56'08" East along said south line a distance of 2024.60 feet to the east line of said North One-Half of the Southwest One-Quarter of Section 16; Thence North 0°00'00" West along the east line of said North One-Half of the Southwest One-Quarter of Section 16 a distance of 113.40 feet; Thence North 90°00'00" West a distance of 269.72 feet; Thence North 0°00'00" East a distance of 154.40 feet; Thence North 90°00'00" West a distance of 330.00 feet; Thence North 0°00'00" East a distance of 125.00 feet; Thence North 90°00'00" west a distance of 1086.11 feet to the Point of Beginning, containing an area of 14.0 acres, more or less, more generally described as being located at the southern terminus of South Valley Drive.

In response to a request from Wall, Emerson presented a slide showing the master plan of the property and the proposed zoning.

Wall expressed concern that commercial zoning would be adjacent to residential zoning.

Emerson advised that the applicant has proposed a large boulevard style street between the residential and commercial properties. He stated that staff feels that the Planned Development will help to ensure that sufficient buffers and open areas are provided within the development.

Wall noted that the lot configuration will be determined by the road system through the development.

Wall moved, Wevik seconded and unanimously carried to recommend that Items 22 through 27 be approved as follows:

that the Rezoning (No. 00RZ050) from No Use District to Office Commercial District be approved;

Draft

that the **Planned Development Designation (No. 00PD063)** be approved in conjunction with the associated rezoning request and with the following stipulation:

Urban Planning Division Recommendations:

1. **No sign permits shall be issued for the property until such time that a Planned Commercial Development/Initial and Final Development Plan have been approved;**

that the **Rezoning (No. 00RZ051)** from **No Use District** to **General Commercial District** be approved only for that portion that is currently zoned as **No Use District** and only for that portion north of **Minnesota Street**;

that the **Planned Development Designation (No. 00PD064)** be approved in conjunction with the associated rezoning request and for the same geographic area as the rezoning request with the following stipulation:

Urban Planning Division Recommendations:

1. **No sign permits shall be issued for the property until such time that a Planned Commercial Development/Initial and Final Development Plan have been approved;**

that the **Rezoning (No. 00RZ052)** from **No Use District** to **Low Density Residential-II District** be approved; and,

that the **Planned Development Designation (No. 00PD065)** be approved in conjunction with the associated rezoning from the **No Use District** to **Low Density Residential – II**.

30. **No. 00PD051 - Mountain Springs Subdivision**

A request by Sun-Rise Construction for Kenneth L. Kirkeby and Patrick R. Hall to consider an application for a **Major Amendment to a Planned Residential Development to allow an eight unit condo complex** on Lot 12 of Block 3 of Tract BR of Mountain Springs Subdivision, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the east side and at the dead end of City Springs Road in Kirkwood Meadows.

Emerson presented the request and reviewed the staff report. He noted that there are a mixture of townhouses and apartments in this development. He reviewed the site plan and staff issues and indicated that staff recommends approval with stipulations.

Discussion followed concerning when the nearby intersection will be signalized.

Scull moved to approve the Major Amendment to allow an eight unit condominium complex be approved with the following stipulations:

Engineering Division Recommendations:

Draft

Draft

1. **Prior to issuance of Building Permit, the applicant shall provide detailed topographic information and a grading plan for review and approval;**
2. **Prior to issuance of Building Permit, the applicant shall provide a drainage plan including all relative calculations;**
3. **Prior to issuance of Building Permit, the applicant shall provide an erosion control plan;**
4. **Prior to issuance of Building Permit, the applicant shall provide a site plan identifying the location of all water and sewer mains and service lines. The site plan shall also include the location of all fire hydrants;**
5. **Prior to issuance of Building Permit, the applicant shall provide plans for the extension of the sidewalk on the east side of City Springs Road;**
6. **Prior to issuance of Building Permit, the applicant shall provide plans for a street light to be provided at the north property line;**

Fire Department Recommendations:

7. **Prior to issuance of Building Permit, the applicant shall provide a revised site plan identifying an on-site fire hydrant;**
8. **Prior to issuance of Building Permit, the applicant shall provide access to within 150 feet of all portions of the condominium building or the structure shall be sprinkled; and,**

Urban Planning Division Recommendations:

9. **Prior to issuance of Building Permit, the applicant shall provide shall provide a detailed landscaping plan.**

Chuck Vanderziel, president of the area homeowners association, advised that the capacity of two existing detention facilities has been reduced by accumulations of silt and rock. He expressed concern that drainage from the proposed development would cause the existing detention facilities to overflow during a major rain event. He noted that corrective action or maintenance must be taken prior to additional drainage being directed into the culvert.

Randy Nelson, Engineering Division, advised that they will investigate the detention capacity. He noted that two additional detention ponds are under discussion for construction upstream in the St. Martins area. He indicated that additional research is needed to determine where the original development plan designated responsibility for maintenance.

Lengthy discussion followed concerning issues with responsibility for and funding of the maintenance of detention facilities City-wide.

Wevik seconded the motion carried to recommend that the Major Amendment to a Planned Residential Development to allow an eight unit condominium complex be approved with the following stipulations:

Engineering Division Recommendations:

Draft

Draft

1. **Prior to issuance of Building Permit, the applicant shall provide detailed topographic information and a grading plan for review and approval;**
2. **Prior to issuance of Building Permit, the applicant shall provide a drainage plan including all relative calculations;**
3. **Prior to issuance of Building Permit, the applicant shall provide an erosion control plan;**
4. **Prior to issuance of Building Permit, the applicant shall provide a site plan identifying the location of all water and sewer mains and service lines. The site plan shall also include the location of all fire hydrants;**
5. **Prior to issuance of Building Permit, the applicant shall provide plans for the extension of the sidewalk on the east side of City Springs Road;**
6. **Prior to issuance of Building Permit, the applicant shall provide plans for a street light to be provided at the north property line;**

Fire Department Recommendations:

7. **Prior to issuance of Building Permit, the applicant shall provide a revised site plan identifying an on-site fire hydrant;**
8. **Prior to issuance of Building Permit, the applicant shall provide access to within 150 feet of all portions of the condominium building or the structure shall be sprinkled; and,**

Urban Planning Division Recommendations:

9. **Prior to issuance of Building Permit, the applicant shall provide shall provide a detailed landscaping plan. (8 to 1 with Lang voting no)**

Lang requested that Addendum Item 35 be considered next on the agenda.

35. Drinking water protection committee.
Elkins advised that the Resolution was developed by the Drinking Water Protection Committee outlining the steps necessary to achieve the desired level of water protection. Elkins reviewed the resolution. She indicated that the Committee is asking for the support of the Planning Commission and City Council by Resolution prior to implementation of these steps.

Wevik requested clarification concerning the membership of the Committee.

Elkins advised that the Committee membership is comprised of individuals from the City Council, City Planning Commission, County Planning Commission, County Board, State of South Dakota, and the Western Dakota Water Board. She noted that staff served as support to the Committee, but were not actually Committee members.

Discussion followed concerning existing State of South Dakota guidelines and requirements for licensing and inspecting septic systems.

Discussion followed regarding whether septic service companies could perform the inspections when onsite maintaining systems.

Wall spoke in support of the Resolution.

Draft

Discussion followed.

Jorgenson moved, Wall seconded and unanimously carried to approve the resolution as drafted by the Drinking Water Protection Committee. (9 to 0)

31. Discussion Items

A. Set backs in the Park Forest Zoning District

Elkins noted that the current setback that is existing for the Park Forest Zoning District is not less than 30 feet as opposed to 12 feet. She indicated that staff recommends that the ordinance be amended to state that the sideyard setback in the Park Forest Zoning District shall be 30 feet for all dwelling units.

Wall moved, Solay seconded and unanimously carried to authorize staff to advertise for a public hearing to consider amendments to Section 17.08.040 to include a minimum side yard setback of thirty feet for all dwelling units. (9 to 0)

32. Staff Items

Discussion followed concerning the Planning Commission's progress with the paperless agenda.

33. Planning Commission Items

None.

34. Committee Reports

None.

Wall moved, Solay seconded and unanimously carried to continue the meeting until Friday, December 15, 2000 at 7:00 a.m. (9 to 0)