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MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
April 26, 2001

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

STAFF PRESENT: Marcia Elkins, Blaise Emerson, Vicki Fisher, Lisa Seaman, Karen Bulman, Bill Lass, Rod Johnson, Bill Knight, Kenn Shave, Dan Bjerke, Dave Johnson 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 7 and 14 be removed from the Consent Agenda. Wall requested that Item 5 be removed from the Consent Agenda for separate consideration. Lang requested that Item 12 be removed from the Consent Agenda for separate consideration. Swedlund requested that Item 2 be removed from the consent agenda.

**Jorgenson moved, Solay seconded and carried unanimously to recommend approval of the Consent Agenda Items 1 through 32 in accordance with the staff recommendations with the exception of Items 2, 3, 5, 7, 12 and 14. (9 to 0)**

1. Approval of the April 5, 2001 Planning Commission Meeting Minutes.

3. No. 01UR002 - Schlottman Addition

A request by Brendan Casey to consider an application for a **Use on Review to allow mini storage units in the General Commercial District** on Lots X and Y of Schlottman Addition, located in SE1/4 of SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the intersection of East St. Patrick Street and Valley Drive.

**Planning Commission recommended that the Use on Review to allow mini storage units in the General Commercial District be denied without prejudice.**

4. No. 01UR003 - Section 20, T2N, R8E

A request by Davis Engineering for Gary and Shirley Wolff to consider an application for a **Use on Review to allow a mobile home park in the Medium Density Residential District** on SW1/4 SW1/4 and the N8/10ths of W1/4 SE1/4 SW1/4 of Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2780 143rd Avenue.

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**Planning Commission recommended that the Use on Review to allow a mobile home park in the Medium Density Residential District be continued to the May 24, 2001 Planning Commission meeting to allow the applicant to submit additional information, to complete improvements on the existing lagoon system and to remove structures from a water and pipe easement.**

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6. No. 01PL021 - Red Rock Estates - Phase II

A request by Dream Design International to consider an application for a **Preliminary and Final Plat** on Lots 4-16, Block 3, Lots 2-3, Block 4; Lots 1-6, Block 7; Lots 1-3, Block 8; and dedicated streets, Red Rock Estates Subdivision - Phase II, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current northern terminus of Meadowlark Drive.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the May 10, 2001 Planning Commission meeting to allow the applicant to submit additional information.**

8. No. 01RZ007 - Rapid City Greenway Tracts

A request by City of Rapid City Fire Department to consider an application for a **Rezoning from Flood Hazard District to Low Density Residential District** on Lots A and B of Tract 3 of Rapid City Greenway Tracts, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2902 Park Drive.

**Planning Commission recommended that the Rezoning from Flood Hazard District to Low Density Residential District be approved.**

9. No. 01UR013 - Rapid City Greenway Tracts

A request by City of Rapid City Fire Department to consider an application for a **Use On Review to allow a Fire Station in the Low Density Residential District** on Lots A and B of Tract 3 of Rapid City Greenway Tracts, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2902 Park Drive.

**Planning Commission recommended that the Use On Review to allow a Fire Station in the Low Density Residential District be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. A Floodplain Development Permit shall be obtained prior to any construction or development on the property;
2. Prior to issuance of a building permit, a site drainage plan, a grading plan and topographic information shall be submitted for review and approval;

**Building Inspection Division Recommendations:**

3. A building permit shall be obtained prior to any construction;
4. A Certificate of Occupancy shall be obtained prior to occupying the

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building addition;

**Fire Department Recommendation:**

5. Prior to issuance of a Certificate of Occupancy, all fire codes shall be met;

**Air Quality Division Recommendation:**

6. An Air Quality Permit shall be obtained prior to any disturbance of one acre or more of land;

**Urban Planning Division Recommendations:**

7. Other than serving as access to Lot A of Tract 3, Lot B of Tract 3 shall be used exclusively as park land;
  8. The trees located along the south and east lot lines shall remain as a buffer and be maintained in a live state;
  9. The site plan shall comply with all provisions of the Off-Street Parking Ordinance including the disabled parking requirements; and,
  10. The Use on Review shall expire if the use for which it was granted has ceased for a period of two years or more. In addition, any other use of the property other than a fire station shall require a Major Amendment to the Use on Review.
10. No. 01RZ008 - Section 17, T1N, R8E  
A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** on Lot C of NW1/4 SW1/4 less right-of-way, Section 17, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4302 S. Highway 79.

**Planning Commission recommended that the Rezoning from No Use District to General Commercial District in conjunction with a Planned Development Designation be continued to May 24, 2001.**

11. No. 01AN004 - Section 25, T2N, R7E  
A request by Pennington County to consider an application for a **Petition for Annexation** on the 75 foot wide portion of Mall Drive right-of-way located on Lot H2 of the NE1/4 of Section 25, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located East Mall Drive north of the Rushmore Mall.

**Planning Commission recommended that the property listed in the Petition for Annexation, an area of 4.56 acres, more or less, be approved for annexation.**

13. No. 01PD012 - Section 17, T1N, R8E  
A request by City of Rapid City to consider an application for a **Planned Development Designation** on Lot C of NW1/4 SW1/4 less right-of-way, Section 17, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4302 S. Highway 79.

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**Planning Commission recommended that the Planned Development Designation be continued to May 24, 2001.**

15. No. 01RZ009 - Randall Subdivision

A request by Lyle Henrickson for Kevin L. Randall to consider an application for a **Rezoning from General Commercial District to Light Industrial District** on Lots 2 and 3, Randall Subdivision, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the east side of Deadwood Avenue immediately south of Rapid Chevrolet.

**Planning Commission recommended that the Rezoning from General Commercial District to Light Industrial District be approved.**

16. No. 01UR015 - Mann Subdivision

A request by Gary Sabers for Dean Nelson to consider an application for a **Use on Review to allow a Dental Lab in the General Commercial Zoning District** on Lot 5, Mann Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3220 W. Chicago Street.

**Planning Commission recommended that the Use on Review to allow a Dental Lab in the General Commercial Zoning District be approved.**

17. No. 01RZ010 - Cleghorn Canyon Subdivision No. 2 and Fish Hatchery Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Low Density Residential District** on Lot 13 of Block 2, North Lot of Block 3 of Cleghorn Canyon Subdivision No. 2 and Lot F4 of Fish Hatchery Subdivision, located in Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5100 Cleghorn Canyon Road.

**Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District in conjunction with a Planned Development Designation be continued until the May 10, 2001 Planning Commission meeting to allow staff time to review the base flood elevations.**

18. No. 01PD013 - Cleghorn Canyon Subdivision No. 2 and Fish Hatchery Subdivision

A request by City of Rapid City to consider an application for a **Planned Development Designation** on Lot 13 of Block 2, North Lot of Block 3 of Cleghorn Canyon Subdivision No. 2 and Lot F4 of Fish Hatchery Subdivision, located in Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5100 Cleghorn Canyon Road.

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**Planning Commission recommended that the Planned Development Designation in conjunction with the rezoning from No Use District to Low Density Residential District be continued until the May 10, 2001 Planning Commission meeting to allow staff time to identify the hydraulic floodway boundaries.**

19. No. 01RZ011 - Burson Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** on Lot 1 of Lot M of Burson Subdivision located in the E1/2 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of School Drive and S.D. Highway 44.

**Planning Commission recommended that the Rezoning from No Use District to General Commercial District be approved.**

20. No. 01UR016 - Arches Addition

A request by Moyle Petroleum Company to consider an application for a **Major Amendment to a Use On Review to allow the expansion of a car wash in the General Commercial Zoning District** on Tract 2, Arches Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2640 Mount Rushmore Road.

**Planning Commission recommended that the Major Amendment to a Use On Review to allow the expansion of a car wash in the General Commercial Zoning District be approved with the following stipulations:**

**Fire Department Recommendations:**

1. Prior to issuance of a Building Permit, a site plan identifying the location of water lines and hydrants shall be submitted; and,

**Building Inspection Division Recommendations:**

2. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy.

21. No. 01PL022 - Buffalo Ridge Subdivision

A request by Ron & Mary Ann Davis to consider an application for a **Preliminary Plat** on Lots 1-18, Buffalo Ridge Subdivision, located in the NW1/4 NW1/4, Section 11, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 800 feet south of the intersection of East 53rd Street and Twilight Drive.

**Planning Commission recommended that the Preliminary Plat be approved as a Layout Plat with the following stipulations:**

**Engineering Division Recommendations:**

1. Upon submittal of the Preliminary Plat, topographic information and a grading plan shall be submitted for review and approval. In particular, the plan shall show sufficient off-site grading to allow for the interface to be analyzed between existing development and proposed

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development;

2. Upon submittal of the Preliminary Plat, a drainage plan shall be submitted for review and approval;
3. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval;
5. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb, gutter, and sidewalk improvements. In addition, geotechnical information and a pavement design shall be submitted for review and approval;
6. Prior to Final Plat approval by the Planning Commission, major drainage easements shall be shown on the plat as required by the Engineering Division;
7. Prior to Final Plat approval by the City Council, Buffalo Ridge Court shall be revised to show a 49 foot wide right-of-way to the east lot line with a temporary turnaround at the end of the road;

**Pennington County Highway Department Recommendation:**

8. The applicant shall work with the County to insure that the drainage plan is designed to incorporate drainage from the proposed subdivision into the reconstruction design plans of Reservoir Road;

**Fire Department Recommendation:**

9. Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval;

**Transportation Planning Division Recommendation:**

10. Upon submittal of the Preliminary Plat, the plat shall be revised to show a non-access easement along Reservoir Road except for the approved approach location(s). In addition, a non-access easement shall be shown along the first fifty feet of Buffalo Ridge Court;

**Emergency Services Communication Center Recommendations:**

11. Upon submittal of the Preliminary Plat, the plat shall be revised to show E. 53<sup>rd</sup> Street as Reservoir Road;
12. Upon submittal of the Preliminary Plat, an alternate road name for Buffalo Ridge Court shall be submitted to the Emergency Services Communication Center for review and approval;

**Register of Deed's Office Recommendation:**

13. Upon submittal of the Preliminary Plat, the title of the plat shall be revised to read "All Located in: NW1/4 NW1/4 of Section 11";

**Urban Planning Division Recommendations:**

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14. Upon submittal of the Preliminary Plat, a site plan shall be submitted showing the setbacks to be maintained from the existing structures on Lot 18 to the proposed lot lines;
15. Prior to Final Plat approval by the City Council, the building located across the proposed lot line between Lot 14 and Lot 15 shall be removed from the property;
16. Prior to City Council approval of the Final Plat, a Subdivision Regulations Variance to allow a lot more than twice as wide as it is long shall be obtained or the plat shall be revised to comply with the lot to width requirement;
17. Prior to Final Plat approval by the City Council, a Special Exception shall be obtained to reduce the separation requirement for a private drive to an intersection or the plat shall be revised showing access to Lot 18 from an interior road;
18. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
19. 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 inspection fee shall be paid.

22. No. 01PL023 - Elks Country Estates

A request by Doug Sperlich for Dennis Zandstra to consider an application for a **Preliminary and Final Plat** on Lots 2 and 3 of Block 10, Elks Country Estates, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Willowbend Road and Winged Foot Court.

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

**Engineering Division Recommendations:**

1. Prior to City Council approval, the applicant shall provide the underground street light conduit;
2. Prior to approval by the City Council, the plat shall identify an eight foot drainage and utility easement along the front property line;

**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.

23. No. 01PL024 - Trailwood Village Subdivision

A request by Renner & Sperlich Engineering for Gordon Howie to consider an application for a **Layout, Preliminary and Final Plat** on Lot A, Block 16, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County,

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South Dakota, more generally described as being located south of the intersection of Covington Street and O'Brien Street.

**Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the May 24, 2001 Planning Commission meeting.**

24. No. 01CA006 - Section 19, T2N, R8E

A request by Centerline, Inc. for Olsen Development Company, Inc. to consider an application for a **Comprehensive Plan Amendment to amend the Northeast Neighborhood Area Future Land Use Plan to change the future land use designation on a 15.51 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density Residential with a Planned Residential Development and to change the future land use designation on a 109.19 acre parcel from Mobile Home Residential to Mobile Home Park with a Planned Residential Development and to Office Commercial with a Planned Commercial Development** on Tract 1 less Parcel A of Settlers Landing Subdivision; Lots 1 and 2 of Montgomery Subdivision; and the south and east 280 feet of the unplatted portion of the SE1/4, all located in Section 19, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the northwest corner of the intersection of Seger Drive and 143rd Street.

**Planning Commission recommended that the Comprehensive Plan Amendment to amend the Northeast Neighborhood Area Future Land Use Plan to change the future land use designation on a 15.51 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density Residential with a Planned Residential Development and to change the future land use designation on a 109.19 acre parcel from Mobile Home Residential to Mobile Home Park with a Planned Residential Development and to Office Commercial with a Planned Commercial Development be approved.**

25. No. 01PD015 - GLM Subdivision

A request by Richard E. Huffman for Bill Gikling and Ken Lipp to consider an application for a **Planned Light Industrial Development - Initial and Final Development Plan** on Lots 10A, 10B and 10C of GLM Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3110 Eglin Street.

**Planning Commission recommended that the Planned Light Industrial Development - Initial and Final Development Plan be continued to the May 10, 2001 Planning Commission meeting.**

26. No. 01PL025 - GLM Subdivision

A request by Richard E. Huffman for Bill Gikling and Ken Lipp to consider an application for a **Preliminary and Final Plat** on Lots 10A, 10B and 10C of GLM

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Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3110 Eglin Street.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the May 10, 2001 Planning Commission meeting.**

27. No. 01RZ012 - GLM Subdivision

A request by Richard E. Huffman for Bill Gikling and Ken Lipp to consider an application for a **Rezoning from Heavy Industrial District to Light Industrial District** on Lot 10 of GLM Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3110 Eglin Street.

**Planning Commission recommended that the rezoning from Heavy Industrial District to Light Industrial District be continued to the May 10, 2001 Planning Commission meeting.**

28. No. 01CA017 - GLM Subdivision

A request by Richard E. Huffman for Bill Gikling and Ken Lipp to consider an application for a **Comprehensive Plan Amendment to the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on a 2.295 acre parcel from Heavy Industrial to Light Industrial with a Planned Light Industrial Development** on Lot 10 of GLM Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3110 Eglin Street.

**Planning Commission recommended that the Comprehensive Plan Amendment to the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on a 2.295 acre parcel from Heavy Industrial to Light Industrial with a Planned Light Industrial Development be approved.**

29. No. 01AN005 - Section 8, T1N, R7E

A request by Lorraine M. Doyle to consider an application for a **Petition for Annexation** on the north 182.3 feet of the south 745.3 feet of the east 85 feet of the SE1/4, SE1/4 of Section 8, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the east boundary of Chapel Valley, west of Cliff Drive.

**Planning Commission recommended that the property listed in the Petition for Annexation, an area of .36 acres, more or less, be approved for annexation.**

30. No. 01PL026 - Minnesota Ridge Subdivision

A request by Centerline for 3 T's Land Development, LLC to consider an application for a **Preliminary Plat** on Tract A, Tract B, Tract C, Lots 1 thru 24 of Minnesota Ridge Subdivision and R.O.W. of Alta Vista Drive, Middle Valley Drive, Missing Ridge Road and Recluse Court, formerly Tract C and Block 27 of

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Robbinsdale No. 10, located in the NW1/4 of the SE1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the intersection of Minnesota Street and 5th Street.

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

**Engineering Division Recommendations:**

1. Prior to any construction of the subdivision improvements not covered by the grading permit, corrections to the red-lines subdivision improvements plans shall be submitted for review and approval;
2. Prior to Final Plat approval by the Planning Commission, the applicant shall coordinate with the Engineering Division on any proposed lot grading;
3. Prior to Final Plat approval by the Planning Commission, the applicant shall provide as-built construction plans for the major drainage storm sewer pipe;
4. Prior to Preliminary Plat approval by the City Council, the applicant shall provided a utility master plan for the entire subdivision including documentation on the sanitary sewer and storm sewer crossing west of the intersection of Alta Vista Street and Minnesota Street and the access and utility easement for Minnesota Street to Fifth Street;
5. Prior to Final Plat approval by the City Council, the plat shall identify non-access easements on the Alta Vista frontage of Lots 1 and 24 and a non-access easement on the east forty feet of the Middle Valley frontage for Lots 1 and 24;
6. Prior to approval by the City Council, the plat shall identify an eight foot drainage and utility easement along the front property lines for Middle Valley Drive, Recluse Court, and Missing Ridge Road;

**Fire Department Recommendations:**

7. Prior to Final Plat approval by the City Council, temporary emergency turnarounds shall be constructed at the end of all streets that will be extended in the next phase of development;

**Urban Planning Division Recommendations:**

8. Prior to Final Plat approval by the City Council, the applicant shall rezone the southern half of the property from General Agriculture Zoning District to Low Density Residential Zoning District;
9. 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 Alta Vista Street before a second access shall developed;
10. Prior to Final Plat approval by the City Council, the applicant shall obtain a Subdivision Variance allowing lots twice as wide as they are long for Lots 12, 13, 14, and 15.
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,

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

31. No. 01UR017 - Rapid City Greenway Tracts

A request by TSP Three, Inc. to consider an application for a **Major Amendment to a Use On Review for Meadowbrook Golf Course, including Clubhouse replacement, maintenance building expansion and permanent restroom facilities** on Tract 4 and the north 27 feet of vacated Flormann Street, Rapid City Greenway Tracts, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at Meadowbrook Golf Course Clubhouse, 3625 Jackson Boulevard.

**Planning Commission recommended that the Major Amendment for a Use On Review for Meadowbrook Golf Course for the clubhouse replacement be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. **Prior to issuance of a Building Permit, the applicant must obtain a flood plain development permit for the construction of any structure or fill located within the Rapid Creek 100 year floodplain and comply with all Federal Emergency Management Agency flood plain standards including the related golf cart enclosure area;**
2. **That the pay phone shall be relocated out of the parking lot driveway;**

**Fire Department Recommendations:**

3. **Prior to issuance of a Building Permit, the Fire Department shall have reviewed and approved plans to ensure that adequate emergency vehicle access and circulation is being provided;**
4. **Prior to issuance of a Building Permit the applicant shall identify on the site plan the location of a fire hydrant within 150 feet of the proposed building and a second hydrant within 450 feet of the proposed building;**

**Building Inspection Division Recommendations:**

5. **A Building Permit shall be obtained prior to any construction;**
6. **A Certificate of Occupancy shall be obtained prior to occupying the building;**

**Air Quality Division Recommendations:**

7. **An Air Quality Construction Permit shall be obtained if more than one acre of surface area is disturbed prior to the issuance of any building permits or grading permits;**

**Transportation Planning Division Recommendations:**

8. **That the existing bike path or an alternative path shall be kept open during construction of the clubhouse;**
9. **That any existing bike path that is removed during construction shall be replaced with a minimum ten foot wide concrete bike path;**

**Urban Planning Division Recommendations:**

10. **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;**

- 11. That Use on Review approval is only for the clubhouse and any additional structures will require a Major Amendment to this Use on Review; and,**
- 12. Prior to issuance of a Certificate of Occupancy, the overflow parking area located on the south side of Rapid Creek shall be constructed to comply with the Off-Street Parking Ordinance.**

32. No. 01PL018 - Race Track Subdivision

A request by Davis Engineering for Stanley Torgerson to consider an application for a **Layout Plat** on Lots K, L, M, and N of Race Track Subdivision, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of S.D. Highway 44 and Jolly Lane - Black Hills Speedway.

**Planning Commission recommended that the Layout Plat be denied without prejudice to allow the applicant to submit a revised Layout Plat to address drainage issues, approach location issues and subdivision lot layout issues.**

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

2. 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.

In response to a question from Swedlund, Fisher reviewed the status of the information to be submitted by the applicant.

**Swedlund moved, Wevik seconded and unanimously carried to recommend that the Major Amendment to a Planned Commercial Development be continued to the May 10, 2001 Planning Commission meeting to allow the applicant to submit additional information. (9 to 0)**

5. No. 01RZ006 - Section 18, T1N, R8E

A request by Gary Renner for Rapid City School District to consider an application for a **Rezoning from Low Density Residential District to Light Industrial District** on NE1/4 of the SE1/4 of the NE1/4 less the east 400 feet, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the west side of S.D. Highway 79 between East Fairmont Boulevard and East Minnesota Street.

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In response to a question from Wall, Elkins clarified that the City Council discussed this request at length at two separate meetings and approved the Rezoning request at a Special Council meeting on April 11, 2001.

Discussion followed concerning the procedure for consideration of Rezoning requests, the decision by the City Council to approve the rezoning, and the lack of the requirement for a Planned Development to mitigate potential impacts on the neighboring property.

**Wevik moved to table the Rezoning request based on action taken by the City Council.**

In response to a question from Phil Olsen, Elkins responded that all public notification requirements for the rezoning were met.

Discussion followed.

**Wall seconded the motion to table the rezoning request based on action taken by City Council.**

**The motion carried. (8 to 1 with Wall voting no)**

7. No. 01UR012 - Rapp Addition

A request by Tetragenics for Qwest Wireless LLC to consider an application for a **Use On Review to allow a communication tower in the General Commercial Zoning District** on Lot 2, Block 2, Rapp Addition, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 640 Farnwood Street.

Elkins advised that the applicant is applying for a variance to eliminate the off-street parking requirements. She reviewed the proposed revision to stipulation 8 addressing this issue.

**Wall moved, Parker seconded and unanimously carried to recommend that the Use On Review to allow a communication tower in the General Commercial Zoning District be approved with the following stipulations:**

**Building Inspection Division Recommendations:**

1. A Building Permit shall be obtained prior to any construction;
2. Prior to issuance of a Building Permit, three sets of Architectural/Engineer stamped plans shall be provided for review and approval;
3. A Certificate of Completion shall be obtained prior to any use of the tower;

**Urban Planning Division Recommendations:**

4. The tower shall be designed to allow for the co-location of a minimum of two additional antennas (for a total of three antennae) except where the additional antennas would interfere or impact the applicant's proposed antenna(s);

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5. **The tower shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority;**
6. **The tower shall remain unpainted allowing the galvanized steel color to show or the tower shall be painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority;**
7. **No commercial advertising signage shall be allowed on the tower;**
8. **Prior to City Council approval of the Use on Review, the petitioner shall submit a parking plan complying with all requirements of the Off-Street Parking Ordinance or obtain a variance waiving the Off-Street Parking Requirements;**
9. **Prior to issuance of a Certificate of Completion, the petitioner shall either complete the parking lot improvements or post financial surety in the amount necessary to cover the cost of the improvements and then complete the improvements within one paving season;**
10. **The Use on Review shall 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,**
11. **Prior to City Council approval, a parking and circulation easement shall be recorded with the Pennington County Register of Deeds.  
(9 to 0)**

12. No. 01CA005 - Denman's Subdivision

A request by David Howard to consider an application for a **A Comprehensive Plan Amendment to amend the Comprehensive Plan 5th Year Review from General Commercial to High Density Residential** on Lots 12 and 13 of Block 4 of Denman's Subdivision, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 209 East Saint Joseph Street.

Elkins advised that the City Council continued the associated rezoning to allow the Comprehensive Plan Amendment to be considered concurrently.

Discussion followed concerning the City Council's decision to support the rezoning request.

David Howard, applicant, stated that he has a petition signed by area property owners indicating support for the proposed rezoning. He spoke in support of the Comprehensive Plan Amendment.

**Jorgenson moved, Parker seconded and carried to recommend that the Comprehensive Plan Amendment to amend the Comprehensive Plan 5th Year Review from General Commercial to High Density Residential be approved. (8 to 1 with Lang voting no)**

14. No. 01UR014 - C.D. Rounds Subdivision

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A request by Rich and Vicki Kennedy to consider an application for a **Use On Review to allow a major home occupation in the Low Density Residential Zoning District** on Lots 1, 2 and 3, Block 3, C.D. Rounds Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3704 West Main Street.

Dennis Redeen, area resident, read a petition with the signatures of 11 area property owners expressing opposition to the proposed Major Home Occupation. He stated that he is strongly opposed to the location of any business activity in this residential neighborhood.

Lola Matuska, area resident, advised that she is strongly opposed to the Use On Review and she expressed concern that additional traffic would be generated by visitors to the property. She added that the traffic on this street is already heavy and she expressed concern that her property value would be diminished as a result of this use. She stated that she does not want to have any businesses located in the residential neighborhood.

Redeen reviewed Section 17.50.30 of the Rapid City Municipal Code noting that the proposed use does not comply with three of the twelve requirements. He expressed concern that the applicant has not submitted a Home Occupation Certificate. He stated his opinion that use of the upper floor of the residential structure for the home occupation constitutes a 100% use of the dwelling for business purposes. He expressed concern that the three bedroom house does not provide enough space for five residents. He added that he feels excessive vehicular and pedestrian traffic will be generated by visitors to the residents of the home and by the residents themselves. Redeen objected to the 24 hour operation of the Major Home Occupation and he asked that the Planning Commission deny the Use On Review.

Vicki Kennedy, applicant, advised that she would like to provide a family setting for the elderly in a residential neighborhood. She added that she feels this is a good opportunity to provide four or five elderly people the ability to live in her home at much less cost than an assisted living facility or nursing home. She discussed her philosophy for providing elderly care.

Discussion followed concerning the process for Use On Review for a Major Home Occupation, similar uses in the City and off-street parking requirements for a nearby day care facility.

Janice Spicer, area resident, expressed concern that there is not adequate off-street parking at the residence to support the proposed use. She added that she does not feel this is an appropriate location for this type of business.

In response to a question from Swedlund, Kennedy responded that she expected to provide care for persons able to self-administer their medicine, early on-set Alzheimer's, or single adult parents who can't be left alone. She advised that she is a licensed practical nurse with 15 years of experience.

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Swedlund requested clarification concerning how the five residents would occupy the three bedrooms. Kennedy responded that the two larger bedrooms would be shared noting that it is not uncommon for elderly care facilities to provide shared rooms.

In response to a question from Lang, Kennedy indicated that one person from outside the home would be employed in accordance with State regulations. She noted that typically, residents utilizing this type of facility would be unable to drive.

Discussion followed concerning the employee background required for this type of occupation, other similar Use On Reviews that have been approved for elderly care, boarding houses, and the value of elderly care facilities.

Redeen stated that he and the other residents who signed the petition are opposed to any kind of business activity in the residential neighborhood. He reiterated his concern about the percentage of the home to be used for the facility and requested clarification concerning where the residents would sleep. He stated his opinion that he does not believe this request fits legally into the neighborhood.

Swedlund expressed concern that there would be double occupancy in the bedrooms.

Discussion followed concerning the placement of beds within the residence, the size of the bedrooms and the relationship of individuals who would share a room, including the potential of limiting the double occupancy rooms to husband-wife or brother-sister relationships, the minimum age and mental condition of potential residents of the home and the amount of traffic that would likely be generated by visitors to the elderly residents of the facility.

Lang requested that a condition be added stating that the Use On Review will be reviewed in one year.

Wevik requested that a condition be added specifying that the home occupation shall consist of an elderly residential care facility. He discussed the floor area of the home to be used for the elderly care facility, hours of operation, and the amount of traffic likely to be generated by visitors to the residents. He spoke in support of the proposed use with additional conditions to mitigate impact to the neighborhood.

Jorgenson concurred with Wevik.

Swedlund asked the applicant if there would be any objection to an additional condition stating that double occupancy rooms would only be offered to married couples.

Kennedy responded that she did not object to the additional condition as proposed; however, she added that she would be willing to limit the number of residents of the home to four.

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Discussion followed concerning the relationship of the residents at the facility.

Swedlund requested that a stipulation be added limiting the number of residents at the home to four.

Discussion followed concerning the one year review period for the Use On Review.

Wall stated that he feels that the one year review process will allow the concerns expressed by the area residents to be addressed if they become a problem. He noted that the Director of Equalization and real estate professionals typically determine the living area in a home by including both the upper and lower levels. He spoke in support of the proposed use.

Matuska expressed concern that if this business is allowed in the neighborhood others homes may be converted to elderly care facilities. She stated that she feels the home should be used only as a single family residence.

Redeen expressed concern regarding the application for Use On review noting that 100% of the first floor will be occupied by the proposed use. He added that he does not believe the lower floor should be considered in this request.

Discussion followed concerning the percentage of the home that will be occupied by the elderly residents.

Redeen reiterated his interpretation the Rapid City Municipal Code as it applies to Major Home Occupations and he requested that the Planning Commission deny the application.

**Swedlund moved and Wevik seconded to recommend that the Use On Review to allow a major home occupation in the Low Density Residential Zoning District be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. Prior to issuance of a Building Permit, the petitioner shall provide an engineering evaluation of the existing wastewater disposal lines to determine if expansion or replacement of the existing sanitary sewer lines will be required;

**Fire Department Recommendations:**

2. Prior to City Council approval of the Use on Review, the petitioner must comply with all Building and Fire Codes including the provision of smoke detectors and escape windows;

**Urban Planning Division Recommendations:**

3. Prior to City Council approval of the Use on Review, the petitioner shall submit a parking plan complying with all requirements of the Off-Street Parking Ordinance;
4. That the facility be limited to a maximum of four elderly, disabled or otherwise physically or mentally challenged adults, and that any future

**increase in number or type of clients or size of facility will require a Major Amendment to this Use on Review;**

5. **That the Use On Review approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council, or if the use as approved has ceased for a period of two years; and,**

**Planning Commission Recommendations:**

6. **That the Use On Review shall be reviewed in one year.**

Discussion followed concerning the age of clients that could use the elderly care facility.

Prairie Chicken advised the members of the audience that the Planning Commission makes a recommendation only to the City Council. He added that they have another opportunity to appear and speak to this issue in front of the City Council

**Swedlund made a friendly amendment to the motion to recommend that the Use On Review to allow a major home occupation in the Low Density Residential Zoning District be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. **Prior to issuance of a Building Permit, the petitioner shall provide an engineering evaluation of the existing wastewater disposal lines to determine if expansion or replacement of the existing sanitary sewer lines will be required;**

**Fire Department Recommendations:**

2. **Prior to City Council approval of the Use on Review, the petitioner must comply with all Building and Fire Codes including the provision of smoke detectors and escape windows;**

**Urban Planning Division Recommendations:**

3. **Prior to City Council approval of the Use on Review, the petitioner shall submit a parking plan complying with all requirements of the Off-Street Parking Ordinance;**
4. **That the facility be limited to a maximum of four elderly, physically or mentally challenged adults, and that any future increase in number or type of clients or size of facility will require a Major Amendment to this Use on Review;**
5. **That the Use On Review approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council, or if the use as approved has ceased for a period of two years; and,**

**Planning Commission Recommendations:**

6. **That the Use On Review shall be reviewed in one year. Wevik accepted the friendly amendment.**

Jorgenson stated that this is a very difficult decision for the Planning Commission and she added that they do not take this decision lightly.

**The motion as amended carried unanimously. (9 to 0)**

Fisher requested that 33, 34, 35, and 36 be considered concurrently.

33. No. 01RZ001 - Fish Hatchery Subdivision  
A request by Fisk Engineering for John Skulborstad to consider an application for a **Rezoning from the Park Forest District to the Office Commercial District** on a portion of Lot F-1 of Fish Hatchery Subdivision, located in the North Half (N1/2) of the Southeast One Quarter (SE1/4) and in the Northeast One Quarter (NE1/4) of the Southwest One Quarter (SW1/4) of Section Eight (8) of Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot F-1 of Fish Hatchery Subdivision; Thence, S 51 degrees 31 minutes 28 seconds W, a distance of 210.39 feet more or less, along the Highway 44 Right-of-Way to a point of curvature; Thence, following the Highway 44 Right-of-Way along a curve to the right, said curve has a radius of 1095.92 feet and a length of 110.78 feet, chord bearing of S 54 degrees 23 minutes 15 seconds W, a chord distance of 110.73 feet more or less; Thence, N 42 degrees 46 minutes 16 seconds W, 268.89 feet more or less to the north line of Lot F-1 of Fish Hatchery Subdivision; Thence, S 89 degrees 44 minutes 15 seconds E, 437.33 feet more or less, along the north line of Lot F-1 to the point of beginning. Said tract of land contains 1.00 Acres, more or less, more generally described as being located west of the intersection of Jackson Boulevard and Chapel Lane.
34. No. 01SV005 - Fish Hatchery Subdivision  
A request by Fisk Engineering for John Skulborstad and Peter Torino to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for sewer, water, street light conduit and sidewalks** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West.
35. No. 01PL007 - Fish Hatchery Subdivision  
A request by Fisk Engineering for John Skulborstad and Peter Torino to consider an application for a **Preliminary and Final Plat** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West.
36. No. 01PD003 - Fish Hatchery Subdivision  
A request by Fisk Engineering for John Skulborstad and Peter Torino to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West.

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Fisher presented the requests and recommended that the four items be denied without prejudice. She reviewed the slides and identified staff's concerns regarding the proposed two access points, cul-de-sac length and grade. She added that a revised master plan must be submitted in order to allow the plat to move forward.

Janelle Finck, Fisk Engineering, advised that it is not feasible to develop the property as proposed in the original approved master plan. She urged the Planning Commission to approve the Rezoning to Office Commercial District as it provides the lowest commercial impact for this property. She added that the landscaping would provide a barrier between the photographic studio and the church property located to the east. She asked that the Subdivision Variances be approved as requested as they are only applicable to Lot 1. She added that they are willing provide central sewer to the property in Phase II. She noted that due to topographic constraints sidewalks will likely never be constructed west of the subject property and she noted that there are no sidewalks currently constructed immediately east of the property. She advised that this property couldn't be physically accessed with a 500 foot cul-de-sac. She identified roads in Rapid City that she believes exceed 15% grades. She stated that the two approaches are existing and in place adding that she feels there is no basis to deny the two existing approaches. She expressed concern that the approach as suggested by staff would result in a longer cul-de-sac with a higher grade than what is currently proposed by the applicant.

Discussion followed concerning the status of discussions between the applicant and Blessed Sacrament Church officials.

In response to a question from Swedlund, Elkins explained that the decisions made concerning Lot 1 will affect all other development that occurs on the remainder of the property. She indicated that Engineering and Fire Department staff has stated that the proposed access is not acceptable in terms of grade or the length of the cul-de-sac in this High Wildland Fire Hazard area. She added that no approach permit has been approved by the South Dakota Department of Transportation for this property. Elkins stated that this is a very difficult piece of property to develop and she expressed concern that if access, grade, water and sewer issues are not addressed at this time, there will not be an opportunity to address them later.

Discussion followed concerning numerous elements of the master plan as submitted by the applicant that need to be addressed at this time.

Finck stated that Gary Engel with the South Dakota Department of Transportation has indicated that if the sight distance triangles can be met they have no basis to deny the requested approaches. She reviewed the length and grade of the approaches as proposed by the applicant. She added that she feels the clustering of the homes in the development and site maintenance has helped to reduce fire safety concerns.

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Discussion followed concerning the possibility for an access alignment with the Chapel Valley intersection at Jackson Boulevard.

Randy Leinen, Blessed Sacrament Catholic Church Council member, advised that the applicant has not yet presented development plans for the property to the Parish Council. He indicated that the Church feels that the intersection should be signalized if the re-alignment of the intersection is needed at this time. He added that the Parish Council would like an opportunity to discuss the development plans with the applicant as they are reluctant to participate until they know exactly what is planned for this property.

Skulborstad reviewed the history of his work on the project. He expressed concern with staff's recommendation that the current proposal be denied without prejudice and he requested approval of the plan as submitted.

Lang expressed concern regarding the office building as shown on the proposed master plan. She noted that at the time the Planning Commission discussed rezoning the property to Office Commercial it was very clear that the commercial development would be limited to a photography studio.

Skulborstad explained that the development of the office building would not occur for at least 15 years.

Discussion followed concerning the maximum 12% grade as identified in the Street Design Criteria Manual.

Prairie Chicken left the meeting at 9:20 a.m.

Discussion followed concerning access to the subject property, the possibility of the applicant submitting a master plan identifying only two lots, and previous discussions concerning rezoning the property to General Commercial and Office Commercial.

Leinen advised that it was the Church's understanding that only a photography studio would be located on the subject property. He expressed concern that additional commercial development is being proposed at this time. He added that the Church is opposed to Rezoning the property to Office Commercial at this time.

Discussion followed.

Finck indicated that they encouraged Skulborstad to include all possible development scenarios in the master plan so that the applicant will know exactly what development will be allowed on the property. She noted that an 8,000 to 10,000 square foot office building is a relatively small structure on a one acre lot. She stated her opinion that development of the property should not be limited to two lots.

Discussion followed.

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Swedlund stated that he feels that these items should be continued to the May 10, 2001 Planning Commission meeting to allow the applicant to meet with the representatives of Blessed Sacrament Church to address the alignment of a shared access at the Chapel Valley intersection with Jackson Boulevard.

Discussion followed concerning the next scheduled monthly meeting to be held by the Parish Council, the need for any realignment of the access to Chapel Valley to be signalized, and the conditions of approval of the Use On Review for Blessed Sacrament Church.

Discussion followed concerning the applicant's proposal for the architecture of the structure and the alignment of a shared access with Chapel Lane and signalization of the intersection.

Hanks left the meeting at 9:40 a.m.

Finck noted that the applicant would have to obtain an easement from Blessed Sacrament Church in order to access the approach at Chapel Lane.

**Swedlund moved and Solay seconded to recommend that Items 33, 34, 35 and 36 be continued to the June 7, 2001 Planning Commission meeting.**

Discussion followed.

**The motion carried unanimously to recommend that Items 33, 34, 35 and 36 be continued to the June 7, 2001 Planning Commission meeting to allow the applicant to meet with Blessed Sacrament Church and to allow staff to work with the petitioner to address concerns identified in the master plan as proposed.  
(8 to 0)**

**Jorgenson moved, Parker seconded and unanimously carried to continue the meeting to 10:15 a.m. (8 to 0)**

37. No. 01PD007 - Hughes Tract (Section 9, T1N, R7E)  
A request by Canyon Lake Park, LLC to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on the south half (S1/2) of Lot C and the west 165 feet of the east 495 feet of Lot A of Lot Two (2) in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Nine (9) in Township 1 North of Range 7 East of the Black Hills Meridian (said Lot Two (2) sometimes referred to as the Hughes Tract) in the City of Rapid City; together with an easement for ingress, egress and parking on Lot One (1) of Lot D and on Lot One (1) of Lot Three (3) of Lot A, both in Lot Two (2) in the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Nine (9) in Township 1 North of Range 7 East of the Black Hills Meridian (said Lot Two (2) sometimes referred to as the Hughes Tract) in the City of Rapid City, as set forth in instrument recorded March 21, 1988, in Book 33 of Misc. records on Page 7730

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in the office of the Register of Deeds, Pennington County, South Dakota; and the east 125 feet of north 125 feet of Lot C of Lot Two (2) of Hughes Tract located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4020 Jackson Boulevard.

Emerson reviewed the staff report and identified the parking requirements for the proposed development, noting that the applicant is requesting a reduction in number of parking spaces required.

Jorgenson advised that she was unable to attend the last Planned Commission meeting and expressed concern that the proposed development encroaches into a residential neighborhood. She noted that at a neighborhood meeting last year over 200 area residents objected to any additional commercial development along Jackson Boulevard. She expressed opposition to the applicant's proposed reduction in parking.

Pete Anderson, Canyon Lake Park LLC, advised that they have reduced the use of the building and reviewed the method they used to calculate existing parking. He added that they have determined that they are requesting less than a 10% reduction in parking spaces. He stated that they have worked closely with the Lakeview Drive residents noting that a petition in support of the proposed rezoning was submitted.

Adam Altman, Assistant City Attorney, clarified that the City Attorney's Office has not conveyed to the applicant that the easement could be used for 11 parking spaces.

Discussion followed concerning the recommendation for a reduction in the amount of office space so that the minimum parking requirements can be met.

Swedlund stated that he supported this project as he believes it will be advantageous to the neighborhood to have the building occupied. He discussed his opinion concerning the likelihood for commercial development along Jackson Boulevard and the structure's façade.

Wall left the meeting at 10:00 a.m.

Discussion followed concerning the proposed architectural design and the calculations for parking.

**Wevik moved and Soley seconded to recommend that the Planned Commercial Development - Initial and Final Development Plan be approved with the following stipulations:**

**Engineering Division Recommendations:**

- 1. Prior to issuance of a building permit, the applicant shall provide additional topographic information and grading plans for review and approval;**
- 2. Prior to issuance of a building permit, the applicant shall provide revised drainage plans identifying that site drainage does not flow**

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directly into Jackson Boulevard for review and approval;

3. No access shall be allowed onto Lakeview Drive;

**Fire Department Recommendations:**

4. Prior to issuance of a building permit, the applicant shall provide the location of all fire hydrants within five-hundred feet of the property;
5. Prior to issuance of a building permit, the applicant shall submit a site plan indicating that all access and circulation shall meet minimum turning widths for Fire Department apparatus including the ladder truck;
6. Prior to issuance of a building permit, the applicant shall provide the design of the parking lot gate for review and approval;

**Air Quality Division Recommendations:**

7. If more than one acre of land shall be disturbed by construction, an air quality permit shall be obtained prior to issuance of grading permit or a building permit;

**Urban Planning Division Recommendations:**

8. That the landscape buffer along Lakeview Drive shall have a minimum of seven large trees and an additional 7,500 points of landscape material shall be provided in the form of shrubs;
9. Prior to City Council approval, the applicant shall provide a sign package for review and approval. The Planning Director may allow alterations from the approved sign package if the signs are consistent with the overall design of the sign package. The existing off-premise signs shall be allowed. No additional square footage for the sign shall be allowed and the height of the sign shall not increase;
10. Prior to issuance of a building permit, the applicant shall provide a lighting package for review and approval;
11. That a six foot high wood fence shall be installed on the east, west and north side of the north parking lot. The finished side of the fence shall face out. Prior to the construction of the fence, the applicant shall obtain a variance to the fence height regulations to allow a six foot fence within fifteen feet of Lakeview Drive;
12. All construction traffic shall be restricted to Jackson Boulevard. No traffic from either the demolition of the residences or construction of the building and parking lot shall be allowed on Lakeview Drive;
13. That all parking shall continually meet the requirements of the Parking Regulations;
14. Prior to City Council approval, the applicant shall provide documentation on the specific uses of the building; and,
15. That all landscaping shall continually meet the requirements of the Landscape Regulations;

**Planning Commission Recommendation:**

16. Prior to City Council approval, the applicant shall submit revised floor plans identifying a maximum of 21,619 square feet of office area and 3,619 square feet of storage requirements and allowing a minimum of 94 parking stalls; and,
17. That the upper floor shall be restricted to use by a law firm and that

*Draft*



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**any change in use shall require a Major Amendment to the Planned Commercial Development.**

Mashek spoke against the motion citing concerns with the amount of office space proposed, reduction of the parking requirements and possible negative impact to the neighborhood.

**Swedlund offered a friendly amendment to the motion on the floor to add a condition stating that the existing billboard shall be removed at the time the lease expires and that no additional billboards shall be permitted on the site.**

Discussion followed concerning the restriction of billboards on the subject property.

Jorgenson spoke in opposition to the motion.

**The friendly amendment was declined by the motion maker and second.**

**The motion failed with Parker, Wevik and Solay voting yes and with Swedlund, Jorgenson, Mashek and Lang voting no. (3 to 4)**

**Swedlund moved to continue the Planned Commercial Development - Initial and Final Development Plan to the May 10, 2001 Planning Commission meeting.**

**The motion failed due to the lack of a second.**

Discussion followed.

**Swedlund moved to continue the Planned Commercial Development - Initial and Final Development Plan to the May 10, 2001 Planning Commission meeting.**

**The motion failed due to the lack of a second.**

Discussion followed.

Anderson advised that they could not continue the application any longer.

Discussion followed.

Jorgenson advised that she is opposed to the associated rezoning request noting that if this application is to move forward she believes the parking requirements must be met.

Mashek stated that she voted against the rezoning request. She noted that if the

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parking requirements can be met she would vote favorably for the Planned Commercial Development.

Discussion followed concerning the building aesthetics and the type of parking variances previously granted.

**Wevik moved, Parker seconded and carried to recommend the Planned Commercial Development - Initial and Final Development Plan be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. Prior to issuance of a building permit, the applicant shall provide additional topographic information and grading plans for review and approval;
2. Prior to issuance of a building permit, the applicant shall provide revised drainage plans identifying that site drainage does not flow directly into Jackson Boulevard for review and approval;
3. No access shall be allowed onto Lakeview Drive;

**Fire Department Recommendations:**

4. Prior to issuance of a building permit, the applicant shall provide the location of all fire hydrants within five-hundred feet of the property;
5. Prior to issuance of a building permit, the applicant shall submit a site plan indicating that all access and circulation shall meet minimum turning widths for Fire Department apparatus including the ladder truck;
6. Prior to issuance of a building permit, the applicant shall provide the design of the parking lot gate for review and approval;

**Air Quality Division Recommendations:**

7. If more than one acre of land shall be disturbed by construction, an air quality permit shall be obtained prior to issuance of grading permit or a building permit

**Urban Planning Division Recommendations:**

8. That the landscape buffer along Lakeview Drive shall have a minimum of seven large trees and an additional 7,500 points of landscape material shall be provided in the form of shrubs;
9. Prior to City Council approval, the applicant shall provide a sign package for review and approval. The Planning Director may allow alterations from the approved sign package if the signs are consistent with the overall design of the sign package. The existing off-premise signs shall be allowed. No additional square footage for the sign shall be allowed and the height of the sign shall not increase;
10. Prior to issuance of a building permit, the applicant shall provide a lighting package for review and approval;
11. That a six foot high wood fence shall be installed on the east, west and north side of the north parking lot. The finished side of the fence shall face out. Prior to the construction of the fence, the applicant shall obtain a variance to the fence height regulations to allow a six foot fence within fifteen feet of Lakeview Drive;

*Draft*

12. **All construction traffic shall be restricted to Jackson Boulevard. No traffic from either the demolition of the residences or construction of the building and parking lot shall be allowed on Lakeview Drive;**
  13. **Prior to City Council approval, the applicant shall submit revised floor plans identifying a maximum of 18,450 square feet of office area and 6,780 square feet of storage area or otherwise document compliance with the minimum off-street parking requirements;**
  14. **That all parking shall continually meet the requirements of the Parking Regulations;**
  15. **Prior to City Council approval, the applicant shall provide documentation on the specific uses of the building; and,**
  16. **That all landscaping shall continually meet the requirements of the Landscape Regulations. (4 to 3 with Wevik, Solay, Mashek and Parker voting yes and with Jorgenson, Swedlund, Lang voting no)**
38. No. 01PD014 - Autumn Hills Plaza Phase II  
A request by Dream Design International, Inc. to consider an application for a **Major Amendment to a Planned Residential Development to reduce the rear yard setback from 25 feet to 15 feet** on Lots 3A and 3B of Autumn Hills Plaza Subdivision - II, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southern terminus of Autumn Place.

Elkins presented the request noting that the previous request by the applicant for a reduction in the rear yard set back was denied; however, the request for a reduction in the front yard setback for this property was previously granted. She advised that staff recommends denial of the reduction in rear yard set back.

Hani Shafai, applicant, discussed setbacks for collector roads and for arterial roads. He noted that landscaping and fencing is proposed as a sound barrier. He indicated that at the time Sheridan Lake Road is expanded, the additional lanes will be located on the west side of Sheridan Lake Road and will not impact the proposed structure.

Discussion followed concerning the noise that would be generated by traffic passing by the proposed structure.

Mashek left the meeting at 10:27 a.m.

**Wevik moved and Jorgenson seconded to recommend that the Major Amendment to a Planned Residential Development to reduce the rear yard setback from 25 feet to 15 feet be denied.**

Shafai distributed photographs of a nearby property that was granted a variance to the rear set back of 15.2 feet. He requested that the Planning Commission consider allowing an 18 foot rear yard setback.

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Discussion followed concerning the setback reduction that was previously granted for the front yard set back and the set back required adjacent to collector streets.

Wevik clarified that Sheridan Lake Road is classified as a major arterial street and is heavily traveled.

**Jorgenson called the question.**

**There was no objection to calling the question.**

**The motion carried to recommend that the Major Amendment to a Planned Residential Development to reduce the rear yard setback from 25 feet to 15 feet be denied. (5 to 1 with Swedlund voting no)**

- 38A. No. 01CA004 – Summary of Adoption Action – Amendment to the Southwest Connector Neighborhood Area Future Land Use Plan

**Parker moved, Solay seconded and unanimously carried to approve the summary and authorized staff to advertise the summary of adoption action in the Rapid City Journal. (6 to 0)**

**Jorgenson moved, Solay seconded and unanimously carried to continue the remainder of the agenda to the May 10, 2001 Planning Commission meeting. (6 to 0)**

**There being no further business Wevik moved, Parker seconded and unanimously carried to adjourn the meeting at 10:38 a.m. (6 to 0)**

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