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MINUTES OF THE
RAPID CITY PLANNING COMMISSION
May 10, 2001

MEMBERS PRESENT: Pam Lang, Mel Prairie Chicken, Vivian Jorgenson, Dawn Mashek, Dave Parker, 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, 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 14 and 18 be removed from the Consent Agenda. Lang requested that Items 12 and 27 be removed from the Consent Agenda for separate consideration.

Wall moved, Jorgenson seconded and carried unanimously to recommend approval of the Consent Agenda Items 1 through 26 in accordance with the staff recommendations with the exception of Items 12, 14, 18 and 27. (9 to 0)

1. Approval of the April 26, 2001 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 approved.

3. 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 June 7, 2001

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Planning Commission meeting to allow the applicant to submit additional information.

4. No. 00PL134 - Wildwood Subdivision

A request by Peter Hendricksen to consider an application for a **Lot Split** on Lot 13R and 14R in Block 3 of Wildwood Subdivision, formerly Lot 13 and 14 in Block 3 of Wildwood Subdivision located in the W1/2 SE1/4 and the E1/2 SW1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5827 Wildwood Drive.

Planning Commission recommended that the Lot Split be approved.

5. No. 01UR006 - Bice Subdivision

A request by Samuel J. and Faye E. Bice to consider an application for a **Use on Review to allow a caretakers residence in the Light Industrial Zoning District** on Lot 2 of Lot K of Bice Subdivision located in the NW1/4 of the SW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1220 1/2 Creek Drive.

Planning Commission recommended that the Use On Review to allow a caretakers residence in the Light Industrial Zoning District be continued to the June 21, 2001 Planning Commission meeting to allow the applicant time to submit additional required information.

6. No. 01PL019 - Devine Subdivision

A request by Doug Sperlich for Jeffrey L. Devine to consider an application for a **Layout Plat** on Lots 1 and 2 of Devine Subdivision (formerly Tract B less Lot H1 of Tract B) located in SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of intersection of Cambell Street and Philadelphia Street.

Planning Commission recommended that the Layout Plat be continued to the June 7, 2001 Planning Commission meeting to allow the applicant to submit additional information.

7. 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 May 24, 2001 to allow staff time to review the base flood elevations.

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8. 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.

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 May 24, 2001 to allow staff time to review the hydraulic floodway boundaries.

9. 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 24, 2001 Planning Commission meeting.

10. 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 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 24, 2001 Planning Commission meeting.

11. 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 24, 2001 Planning Commission meeting.

13. No. 01RZ015 - Section 24, T2N, R7E

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A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Medium Density Residential District** on the north 500 feet of the NE1/4 NE1/4 less Lot 1 and less Tract A of Hubbard Subdivision, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Mall Drive between North Haines Avenue and North Maple Avenue.

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

15. No. 01RZ016 - Section 24, T2N, R7E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Low Density Residential District** on the E1/2 NE1/4 less the north 500 feet and less Lot 1 and less Tract A of Hubbard Subdivision, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Mall Drive between North Haines Avenue and North Maple Avenue.

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

16. No. 01PD017 - Section 24, T2N, R7E

A request by City of Rapid City to consider an application for a **Planned Development Designation** on the E1/2 NE1/4 less the north 500 feet and less Lot 1 and less Tract A of Hubbard Subdivision, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Mall Drive between North Haines Avenue and North Maple Avenue.

Planning Commission recommended that the Planned Development Designation be approved with two conditions:

1. **The approval of the associated rezoning from No Use Zoning District to Low Density Residential Zoning District; and,**
2. **No sign permits or billboards shall be allowed unless approved as part of a Final Development Plan.**

17. No. 01RZ017 - Section 24, T2N, R7E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Medium Density Residential District** on the NE1/4 SE1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Mall Drive between North Haines Avenue and North Maple Avenue.

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

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19. No. 01VR001 - Copper Oaks No. 1 Subdivision

A request by The Nature Conservancy to consider an application for a **Vacation of Right-of-way** on that portion of Clarkson Road containing 1.745 acres, more or less, adjacent to Lot 1 of Block 1 of Spring Canyon Estates, located in the NW1/4 of the SW1/4, Section 5, T1S, R7E, as shown in plat filed in steel file and adjacent to Spring Creek Canyon Park of Copper Oaks No. 1 Subdivision, located in the NW1/4 of the SW1/4, Section 5, T1S, R7E, as shown in Plat Book 15 Page 121, Pennington County, South Dakota, more generally described as being located at the western terminus of Clarkson Road.

Planning Commission recommended that the Vacation of Right-of-way be approved with stipulation that the following requirements be met prior to City Council approval:

Urban Planning Division Recommendations:

1. **The required maintenance agreement for the emergency access easement is submitted; and,**
2. **Letters from all affected utility companies are received indicating that there are no objections to vacating the right-of-way.**

20. No. 01PL027 - Minnewasta Subdivision

A request by Wyss Associates to consider an application for a **Preliminary and Final Plat** on Lot 25R, Block 1, Minnewasta Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located current terminus of Harney Drive.

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

Urban Planning Division Recommendations:

1. **Prior to City Council approval, the applicant shall provide documentation that all public improvements are located in the right-of-way and that an eight foot setback is maintained to the existing structures.**

21. No. 01PD019 - Section 3, T1N, R8E

A request by Thurston Design Group for Children's Home Society to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on the west 340 feet of the unplatted portion of the S1/2 of the NW1/4 of the SW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located approximately 1000 feet north of Jolly Lane Road off of Race Track Road.

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

Engineering Division Recommendations:

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1. Prior to City Council approval of the Final Development Plan, revisions to the Jolly Lane road construction plans shall be submitted for review and approval;
2. Prior to City Council approval of the Final Development Plan, revisions to the drainage plan shall be submitted for review and approval;
3. Prior to City Council approval of the Final Development Plan and/or approval of a Footings and Foundation Permit, a drainage easement shall be obtained to allow for the construction of a drainage channel along Jolly Lane;
4. Prior to City Council approval of the Final Development Plan, the erosion and sediment control plan shall be expanded identifying the proposed on-site detention pond as a temporary sediment pond;

Pennington County Highway Department Recommendation:

5. The proposed on-site detention pond shall remain in place until downstream drainage improvements per the Race Track Drainage Basin Design Plan have been completed and written approval has been granted by the Pennington County Highway Department;

Fire Department Recommendations:

6. Prior to City Council approval of the Final Development Plan, the site plan shall be revised to show an on-site fire hydrant as determined by the Fire Department;
7. Prior to City Council approval of the Final Development Plan, the site plan shall be revised to provide a minimum 20 foot wide turnaround at the end of the proposed driveway;
8. Prior to issuance of a Certificate of Occupancy, all fire codes shall be met;

Air Quality Recommendation:

9. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;

Building Inspection Division Recommendations:

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

Rapid Valley Sanitary District Recommendation:

12. Prior to issuance of a building permit, a pre-construction meeting shall be held with the Rapid Valley Sanitary District;

Urban Planning Division Recommendations:

13. The Planned Residential Development shall allow the construction of an emergency foster home on the property. A maximum of twelve children shall be allowed at the emergency foster home at any one time. Any change in use or additional use, including a caretaker's residence, shall require a Major Amendment to the Planned Residential Development;
14. All exterior lighting shall be designed so as not to shine on the adjacent properties;

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15. The proposed structure shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development;
16. All provisions of the Low Density Residential Zoning District shall be met unless otherwise specifically authorized;
17. All provisions of the Landscaping Regulations shall be continually met;
18. The site plan shall comply with all provisions of the Off-Street Parking Ordinance including the disabled parking requirements; and,
19. The Final Commercial Development Plan 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.

22. No. 01PL028 - Meadows Subdivision

A request by Dream Design International to consider an application for a **Layout Plat** on Lots 7-11, Block 4 and Lots 7-16, Block 6, Meadows Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Kentucky Lane and Jockey Court.

Planning Commission recommended that the Layout Plat be continued to the May 24, 2001 Planning Commission meeting to allow the applicant to address road alignment issues.

23. No. 01PL029 - CHMH Subdivision

A request by FMG, Inc. for William Freytag to consider an application for a **Preliminary Plat** on Lot 7 of Block 1, Lots 6 through 9 of Block 4, Lots 1 through 6 of Block 6, Lots 1 through 13 of Block 7, Lots 1 through 5 of Block 8 and Dedicated Public Right of Way shown as Northridge Drive, Kyle Street and North Park Drive all located in SW1/4 NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Northridge Subdivision.

Planning Commission recommends that the Preliminary Plat be approved with the following stipulation:

Engineering Division Recommendations:

1. Prior to City Council approval, the applicant shall provide an erosion and sediment control plan for review and approval;
2. Prior to any construction, the applicant shall provide documentation of coverage under a South Dakota Storm Water Discharge permit;
3. Prior to City Council approval, the applicant shall provide corrections to the drainage and grading plans including lot reconfiguration and provide additional drainage information as identified in the red-line comments for review and approval;
4. Prior to City Council approval, the applicant shall provide a utility layout plan showing the location of all private utilities including natural gas, electric, phone, cable, lighting wiring, and street light locations;
5. Prior to City Council approval, the applicant shall provide geotechnical

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- information and a pavement design for review and approval;
6. Prior to City Council approval, the applicant shall provide all corrections to the engineering plans for review and approval;

Fire Department Recommendations:

7. Fire hydrants shall be installed and operational before the start of any construction on any structures;
8. Street signs shall be installed at the time of paving of the streets;

Air Quality Division Recommendations:

9. If more than one acre of land shall be disturbed by construction, an air quality permit shall be obtained prior to any construction;

Urban Planning Division Recommendations:

10. 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,
 11. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.
24. No. 01PL030 - CHMH Subdivision

A request by FMG, Inc. for William Freytag to consider an application for a **Final Plat** on Lot 7 of Block 1, Lot 6 of Block 4, Lots 1 through 6 of Block 6, Lots 1 through 4 of Block 7, Lot 1 of Block 8 and Dedicated Public Right of Way shown as Northridge Drive, Kyle Street and North Park Drive all located in SW1/4 NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Northridge Subdivision.

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

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, a non-access easement shall be retained at each intersection as per Engineering Division Staff notes;

Fire Department Recommendations:

2. Prior to Final Plat approval, the applicant shall submit an alternative street name for "North Park Drive" for review and approval;

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.
25. No. 01RZ018 - CHMH Subdivision
- A request by FMG, Inc. for William Freytag to consider an application for a **Rezoning from Mobile Home Residential District to Low Density**

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Residential II District on property described by metes and bounds beginning at the point located at the South West corner of Lot 7, Block 11 (5/8 rebar with cap LS 880) of Northridge Subdivision, West 637.7 feet, then North 762.7 feet (to the South Boundary of Block 4 of CHMH Subdivision), then East 459.7 feet (along South Boundary of Block 4 of CHMH Subdivision), then South East (S62°16'41"E) 58.51 feet, then South 98.2 feet, then East 126 feet (to the West Boundary of Block 11 of Northridge Subdivision), then South 640.7 feet to South West corner of Lot 7, Block 11 (5/8 rebar with cap LS 880) of Northridge Subdivision, all located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Northridge Subdivision.

Planning Commission recommended that the Rezoning from Mobile Home Residential District to Low Density Residential II District be approved.

26. No. 01UR021 - Sheridan Park Subdivision

A request by Moyle Petroleum Company to consider an application for a **Use On Review to allow a Car Wash in the Neighborhood Commercial Zoning District in accordance with Section 17.20.030I of the Rapid City Municipal Code** on Lot 1 of Sheridan Park Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2808 Sheridan Lake Road.

Planning Commission recommended that the Use On Review to allow a Car Wash in the Neighborhood Commercial Zoning District be continued to the May 24, 2001 Planning Commission meeting to allow the petitioner time to submit additional required information.

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

12. No. 01RZ014 - Red Rock Estates

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Agriculture District** on Lot 1 of Block 5 of Red Rock Estates, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of the intersection of Muirfield Drive and Sheridan Lake Road.

Lang advised that she would abstain from voting on this item.

Wevik moved, Parker seconded and carried to recommend that the Rezoning from No Use District to General Agriculture District be approved. (8 to 0 with Lang abstaining)

Elkins requested that Items 14 and 18 be considered concurrently.

14. No. 01PD016 - Section 24, T2N, R7E

A request by City of Rapid City to consider an application for a **Planned Development Designation** on the north 500 feet of the NE1/4 NE1/4 less Lot 1

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and less Tract A of Hubbard Subdivision, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Mall Drive between North Haines Avenue and North Maple Avenue.

18. No. 01PD018 - Section 24, T2N, R7E

A request by City of Rapid City to consider an application for a **Planned Development Designation** on the NE1/4 SE1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Mall Drive between North Haines Avenue and North Maple Avenue.

Elkins indicated that the conditions of approval for both items should be corrected to indicate that the associated rezoning requests are from No Use Zoning District to Medium Density Residential Zoning District.

Jorgenson moved, Parker seconded and unanimously carried to recommend that the Planned Development Designation be approved with two conditions:

- 1. The approval of the associated rezoning from No Use Zoning District to Medium Density Residential Zoning District; and,**
- 2. No sign permits or billboards shall be allowed unless approved as part of a Final Development Plan;**

and to recommend that the Planned Development Designation be approved with two conditions:

- 1. The approval of the associated rezoning from No Use Zoning District to Medium Density Residential Zoning District; and,**
- 2. No sign permits or billboards shall be allowed unless approved as part of a Final Development Plan. (9 to 0)**

27. 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.

Lang advised that she would abstain from voting on this item.

Fisher indicated that this request has been continued several times. She displayed an overhead and identified access to the development in relationship to the adopted Major Street Plan. She recommended that the Preliminary and Final Plat be approved with stipulations.

Scully moved, Parker seconded and carried to recommend that the Preliminary and Final Plat be approved with the following stipulations:

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Engineering Division Recommendation:

1. Prior to City Council approval of the Preliminary Plat, a revised utility master plan shall be submitted for review and approval;
2. Prior to City Council approval of the Preliminary Plat, revised drainage plans shall be submitted for review and approval;
3. Prior to City Council approval of the Preliminary Plat, revisions to the geotechnical information shall be submitted for review and approval;
4. Prior to City Council approval of the Preliminary Plat, all necessary changes shall be made to the construction plans as identified on the red lined drawings;
5. Prior to City Council approval of the Preliminary Plat, the Master Plan shall be revised to show an east-west collector road located north of Phase Two;
6. Prior to City Council approval of the Final Plat, the applicant shall enter into an agreement with the City that precludes the issuance of a building permit until such time as a Contractor's Bid has been awarded for the construction of the water lines and the sewer lines and a Notice to Proceed has been granted. The City shall review and concur with the Contractor's Bid(s) and the Notice to Proceed prior to the Contractor's Bid(s) being awarded. In addition, the agreement shall stipulate that a Certificate of Occupancy shall not be issued until such time as the water and sewer lines are extended to the individual lot(s);
7. Prior to any additional platting, the Master Plan shall be revised to address the alignment of the proposed minor arterial road located along the east lot line and the future extension of the proposed road located in the northwest corner of the property;

Urban Planning Division Recommendations:

8. Prior to City Council approval of the Final Plat, the applicant shall make all outstanding payments as required by the Infrastructure Partnership Development Fund loan agreement;
9. Prior to City Council approval of the Final Plat, a subdivision estimate form shall be submitted and all subdivision inspection fees shall be paid; and,
10. Prior to City Council approval of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted. (8 to 0 with Lang abstaining)

27A. **No. 01RD005 - Nowlin and Wood Addition**

A request by City of Rapid City to consider an application for a **Resolution renaming East College Court to East College Avenue** on the NW/SE roadway named East College Court and lying adjacent to Lots 34-40 of Block 32, Nowlin and Wood Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of East Anamosa Street and west of LaCrosse Street.

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Lass presented the request and reviewed the staff report. He recommended approval of the resolution.

Wall moved, Jorgenson seconded and unanimously carried to recommend that the Resolution renaming East College Court to East College Avenue be approved. (9 to 0)

28. Discussion Items

a. Draft Ordinance Amendments – Fences and Retaining Walls

Lass indicated that the proposed Ordinance Amendment was previously considered by the Planning Commission. He reviewed the current regulations for fencing and retaining walls and presented proposed language outlining two options, noting that Option 2 addresses the issues raised by the City Council.

Discussion followed concerning application of the existing regulations relating to fencing on and near retaining walls.

Hanks advised that the Ordinance as currently written creates maintenance problems in the narrow area left between fencing and the retaining wall. He noted that placement of the fence directly on top of the retaining wall would be more secure and easier to maintain.

Discussion followed.

Swedlund expressed concern that the combination of the height of the fence and the retaining wall could create barriers in excess of 10 feet.

Jorgenson moved, Wevik seconded and carried to authorize staff to advertise for Ordinance Amendments as identified in Option 2 allowing fences on top of retaining walls. (8 to 1 with Lang voting no)

b. Draft Ordinance Amendments – Wind Energy Conversion Systems

Lass reviewed the draft ordinance concerning Wind Energy Conversion Systems prepared for consideration by the Planning Commission. He indicated that the proposed amendments are directed at wind generators as accessory uses noting that stand alone energy generating facilities are not addressed. Lass reviewed the zoning districts where wind generators would be permitted as a Use On Review. He explained how the setbacks for the structures could be measured in relation to tower height and he discussed noise restrictions.

Discussion followed concerning how other communities address wind generators and the height and size of the generators needed to provide a feasible return on investment in this technology.

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Wall expressed concern that large wind generators would look terrible in residential districts. He added that he feels that wind generators should not be allowed inside the City limits.

Discussion followed concerning how the wind generators would be treated at the time of annexation into City limits and how other communities address tower height.

Swedlund stated that he does not feel that wind generators should be permitted in the General Commercial or Park Forest Zoning Districts and should only be permitted as a Use On Review in the other zoning districts. He added that he thinks some method should be implemented to allow wind generators to be scheduled for removal after annexation.

Jorgenson moved and Parker seconded to continue the Wind Energy Conversion discussion item to the May 24, 2001 Planning Commission meeting to allow Staff to complete further research.

Swedlund requested that staff gather information on the amortization of wind generators for scheduled removal.

The motion carried unanimously to continue the Wind Energy Conversion discussion item to the May 24, 2001 Planning Commission meeting to allow Staff to complete further research. (9 to 0)

c. Draft Ordinance Amendment – Billboards as a Use On Review

Lass advised that the draft ordinance amendment would make billboards a Use On Review in the four zoning districts where they are currently a permitted use. He reviewed the draft ordinance amendments.

Swedlund suggested that language be included in the ordinance amendment increasing the minimum distance that billboards can be located from residential structures.

Lang suggested that the ordinance be revised to state that no billboards are permitted in the Central Business District as identified in the sign code prior to the recent revisions.

Discussion followed.

In response to a question from Wall, Lass identified the criteria used to establish a use on review.

Discussion followed.

Swedlund stated that at the time of a use on review application he would like to see elevations submitted. He requested that staff include language stating that the viewshed of the Black Hills would be protected.

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Wall moved, Jorgenson seconded and unanimously carried to direct staff to revise the draft ordinance amendments and to return the revised draft for discussion by the Planning Commission at the May 24, 2001 meeting. (9 to 0)

- d. Roosevelt Park Project Update – Rod Johnson
Rod Johnson reviewed the master plan for Roosevelt Park noting that this plan was approved by the Planning Commission through the Use On Review process.

Hanks left the meeting at this time.

Johnson advised that bidding for the ice rink project is currently underway and he briefly reviewed the status of other elements of the Master Plan.

Discussion followed concerning one section of a historic rock retaining wall that would need to be removed for parking, baseball fields, additional trees that would be planted in the park, the old skate park, the demolition of the existing pool structures, the relocation of the pond, topography and parking in the park, and the relocation of the picnic shelter.

Johnson distributed a picture of the ice rink elevations and discussed the layout, façade and construction materials for the facility.

Swedlund expressed concern that the no design features are included to break up the monotony of the wall structures on the north, east and west elevations.

Discussion followed concerning future improvements to the park, and the potential to incorporate architectural and/or landscaping elements into the ice rink design to mitigate the visual impact of the structure on neighboring residents.

Jorgenson expressed her support for the Roosevelt Park project noting that she feels this is a wonderful addition to the Rapid City community.

Discussion followed.

Lang expressed her support of the project and thanked Johnson for the presentation.

29. Staff Items
None.

30. Planning Commission Items

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Lang opened the floor for nominations for Planning Commission Secretary.

Scull nominated Bob Wall for Planning Commission Secretary.

Jorgenson moved, Wevik seconded and carried to cease nominations for Planning Commission Secretary and that a unanimous ballot be cast for Bob Wall. (8 to 1 with Wall voting no)

Elkins requested that the Planning Commission provide a recommendation to the Mayor for appointment to the Zoning Board of Adjustments and the Future Land Use Committee.

Discussion followed.

Lang reported that the City Council denied Canyon Lake LLC's Rezoning and Planned Commercial Development requests and granted a reduction in setbacks for the Autumn Hills Plaza project.

Discussion followed.

Wall discussed tools for sizing objects in the Adobe Acrobat Viewer program.

Jorgenson introduced her husband, Ron Jorgenson, who was in attendance at the Planning Commission meeting.

There being no further business Wevik moved, Wall seconded and unanimously carried to adjourn the meeting at 8:55 a.m. (9 to 0)

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