

DRAFT

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
September 20, 2001

MEMBERS PRESENT: Sam Kooiker, Mel Prairie Chicken, Dawn Mashek, Robert Scull, Jeff Stone, Bob Wall, and Stuart Wevik. Ron Kroeger, Council Liaison was also present.

STAFF PRESENT: Marcia Elkins, Blaise Emerson, Vicki Fisher, Bill Lass, Bill Knight, Dave Johnson, Randy Nelson, Kenn Shave, Doug Adelman and Risë Ficken

Chairperson Wevik called the meeting to order at 7:00 a.m. Wevik requested that everyone in attendance observe a moment of silence and remembrance for the lives lost as a result of the tragic attacks last week in New York and Washington D.C.

Wevik reviewed the Non-Hearing Consent Agenda and asked if any member of the Planning Commission, staff or audience would like any item removed from the Non-Hearing Consent Agenda for individual consideration.

Staff requested that Item 1 be removed from the Non-Hearing Consent Agenda for separate consideration.

Wall requested that Item 11 be removed from the Non-Hearing Consent Agenda for separate consideration.

Prairie Chicken moved, Scull seconded and carried unanimously to recommend approval of the Non-Hearing Consent Agenda Items 1 through 15 in accordance with the staff recommendations with the exception of Items 1 and 11. (7 to 0)

---NON HEARING ITEMS CONSENT CALENDAR---

2. No. 01PL052 - Buffalo Ridge Subdivision
A request by Ron & MaryAnn Davis to consider an application for a **Preliminary Plat** on Lots 1 thru 18 of Buffalo Ridge Subdivision formerly: unplatted all located in NW1/4 NW1/4 of Section 11, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Reservoir Road and Uranus Street.

Planning Commission recommended that the Preliminary Plat be continued to the October 4, 2001 Planning Commission meeting to allow staff time to review recently submitted drainage information.

3. No. 01PL064 - Bies Subdivision
A request by FMG, Inc. for Robbins & Stearns to consider an application for a **Layout, Preliminary and Final Plat** on Lot 1 and Lot 2 of Bies Subdivision formerly the unplatted balance of the SE1/4 of the NE1/4 of Section 18 located in the SE1/4 of the NE1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of S. Highway 79, north of Minnesota Street.

Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the October 4, 2001 Planning Commission pending approval of a 404 permit from the Corps of Engineers.

4. No. 01PL071 - Owen Hibbard Subdivision

A request by City of Rapid City to consider an application for a **Preliminary and Final Plat** on Lots 1, 2 and 3 of Owen Hibbard Subdivision and Tish Drive Dedicated Right of Way, all located in Tract A of Tract 1 of W1/2 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located U.S. Highway 16 north of Golden Eagle Drive and adjacent to the Old Marine Life.

Planning Commission recommended that the Preliminary and Final Plat be continued to the October 25, 2001 Planning Commission meeting to allow the applicant time to submit additional required information.

5. No. 01PL072 - Northstar Industrial Park Subdivision

A request by Centerline Inc. for Heartland Development Group LLC to consider an application for a **Layout and Preliminary Plat** on Lots 1 thru 10 and Drainage Lot 11 in Block 1 and Lots 1 thru 12 in Block 2 of Northstar Industrial Park Subdivision located in the NE1/4 of the NE1/4 of Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of Seger Drive and Dyess Avenue intersection.

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

Engineering Division Recommendations:

1. **Prior to Preliminary Plat approval by the City Council, revised topographic information shall be submitted for review and approval;**
2. **Prior to Preliminary Plat approval by the City Council, a complete grading plan and a drainage plan shall be submitted for review and approval;**
3. **Prior to Preliminary Plat approval by the City Council, a storm sewer design plan shall be submitted for review and approval. The plan may include the use of corrugated metal pipe in lieu of re-enforced concrete pipe along Seger Drive and Dyess Avenue upon submission of information demonstrating that the corrugated metal pipe meets the minimum required standards;**
4. **Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;**
5. **Prior to Preliminary Plat approval by the City Council, the plat shall be revised to show a non-access easement on Lot 3 of Block 1, 208 feet back from the intersection, and along Dyess Avenue 193 feet back from the intersection. The accesses for Lot 3, Block 1 shall be shared with the accesses for Lot 2, Block 1 and Lot 4, Block 1. In accordance**

with the Street Design Criteria Manual, a non-access easement shall be shown along the Seger Drive frontage for Lot 9, Block 2, Lot 1, Block 1 and Lot 2, Block 1 (accept for the shared approach location with Lot 3, Block 1). A non-access easement shall be shown on the Dyess Avenue frontage for Lot 1, Block 2 and Lot 6, Block 1. In addition, a non-access easement shall be shown along the North Star Boulevard frontage 125 feet back from the intersection with Dyess Avenue and Seger Drive on Lots 9, Block 2, Lot 1, Block 1, Lot 1, Block 2 and Lot 6, Block 1;

6. Prior to Preliminary Plat approval by the City Council, the plat shall be revised to provide a road connection to the south lot line. In addition, road construction plans for the street shall be submitted for review and approval;
7. Prior to Final Plat approval by the City Council, Seger Drive and Dyess Avenue shall be improved to minor arterial road standards or a waiver of right to protest any future assessment on the subject property shall be signed;
8. Prior to Final Plat approval by the City Council, the interior road(s) shall be constructed to industrial road standards or surety shall be posted for the improvement;

Fire Department Recommendation:

9. Prior to Preliminary Plat approval by the City Council, the road construction plans for the road connection to the south shall include a temporary turnaround at the end of the roadway in accordance with the minimum requirements of the Street Design Criteria Manual and approved by the Fire Department;
10. Prior to Preliminary Plat approval by the City Council, a site plan shall be submitted showing the location of proposed fire hydrants on the subject property;
11. All provisions of the Uniform Fire Code shall be met;

Emergency Services Communication Center Recommendation:

12. Prior to Final Plat approval by the City Council, a revised road name shall be submitted for review and approval. In addition, the plat shall be revised to reflect the approved road name;

Urban Planning Division Recommendations:

13. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
14. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

6. No. 01PL079 - Lowe's Subdivision

A request by Ferber Engineering Company to consider an application for a **Preliminary and Final Plat** on Lot 1 and Lot 2 of Lowe's Subdivision formerly Tract CR and Tract 1 of Martley Subdivision located in the NW1/4 of the NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the east side of Haines Avenue between Mall Drive and Disk Drive.

Planning Commission recommended that the Preliminary and Final Plat be continued to the October 4, 2001 Planning Commission meeting to allow the applicant to submit additional information and to allow staff to review a recently submitted traffic analysis.

7. No. 01PL082 - South Hill Subdivision

A request by Hagg Development to consider an application for a **Preliminary and Final Plat** on Lots 6RA, 6RB, 7RA, 7RB, 8RA, 8RB and 9R of Block 2 (formerly Lots 6, 7, 8 & 9 of Block 2) Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Catron Boulevard and Wellington Drive.

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

Engineering Division Recommendations:

1. Prior to Preliminary Plat approval by the City Council, road construction plans showing the extension of sidewalk(s) along Wellington Drive shall be submitted for review and approval;
2. Prior to Final Plat approval by the City Council, the plat shall be revised to show an “eight foot minor drainage and utility easement on the interior sides of all side, rear and front lot lines”;
3. Prior to Final Plat approval by the City Council, the plat shall be revised to show the “Temporary Easement for Lift Station” as an “Easement for Lift Station”;
4. Prior to Final Plat approval by the City Council, a miscellaneous document shall be filed at the Register of Deed’s Office identifying the terms of the easement for the lift station;

Fire Department Recommendation:

5. All provisions of the Uniform Fire Code shall be met;

Urban Planning Division Recommendations:

6. Prior to Final Plat approval by the City Council, a note shall be placed on the plat stating that “a six foot exterior maintenance easement exists on either side of a common lot line to provide adequate room for maintenance, repair and alterations”;
7. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
8. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

8. No. 01PL083 - Schamber Addition

A request by Fisk Land Surveying for Justin Lena to consider an application for a **Preliminary and Final Plat** on Lot 5-Revised and Lot 6-Revised of Block 7 of the NW1/4 NE1/4 of Section 9, T1N, R7E, BHM (aka Schamber Addition), Rapid City, Pennington County, South Dakota and dedicated R.O.W. formerly all of Lots 5 and 6 of Block 7 of the NW1/4 NE1/4 of Section 9, T1N, R7E, BHM (aka

Schamber Addition) Rapid City, Pennington County, South Dakota, more generally described as being located at 3610 and 3614 Cottonwood Street.

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

Engineering Division Recommendations:

1. Prior to City Council approval of the Preliminary Plat, the applicant shall provide revised engineering plans for the relocations of the water and sewer lines. The service lines to each lot shall be located on that lot;
2. Prior to City Council approval of the Final Plat, the applicant shall identify a non-access easement along the frontage of Chamber Street;

Urban Planning Division Recommendations:

3. Prior to City Council approval of the Final Plat, the applicant shall obtain a demolition permit for the garage and the garage shall be removed or the applicant shall relocate the garage onto one of the lots in accordance with the Medium Density Residential Zoning District regulations. The applicant may submit surety to guarantee completion of these improvements following Final Plat approval;
 4. Prior to Final Plat approval by the City Council, the subdivision improvement estimate form shall be submitted for review and approval and the subdivision inspection fees shall be paid; and,
 5. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.
9. No. 01PL088 - Buffalo Ridge Subdivision
A request by Ron & Mary Ann Davis to consider an application for a **Final Plat** on Lots 1 thru 18 of Buffalo Ridge Subdivision formerly: unplatted all located in: NW1/4 NW1/4 of Section 11, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located 800 feet south of the intersection of Twilight Drive and Reservoir Road.

Planning Commission recommended that the Final Plat be continued to the October 4, 2001 Planning Commission meeting to allow staff time to review recently submitted drainage information and to be heard in conjunction with an associated Preliminary Plat.

10. No. 01PL094 - Twilight Hill Subdivision
A request by D.C. Scott Co. for Jerry Burrow to consider an application for a **Layout Plat** on Lot 16 of Twilight Hill Subdivision, Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 5252 Ross Court.

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

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat approval, the applicant shall

submit for review and approval topographic information, a grading plan and a drainage plan;

- 2. Prior to Preliminary Plat approval, the plat shall be revised to include the dedication of 17 feet of right of way along Reservoir Road;**
- 3. Prior to Preliminary Plat approval, the plat shall be revised to dedicate non-access easements as required by the Engineering Division;**
- 4. 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 or a subdivision variance must be obtained waiving the necessary improvements;**

Pennington County Planning Department Recommendations:

- 5. Prior to City Council approval of the Final Plat, the applicant shall apply for and receive a Building Permit for the single family residence;**
- 6. Prior to City Council approval of the Final Plat, the applicant must obtain an approach permit;**

Urban Planning Division Recommendations:

- 7. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,**
- 8. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.**

12. No. 01PL096 - Robbinsdale Addition No. 8

A request by Gary Rasmuson to consider an application for a **Final Plat** on Lots 31R through 35R, and Lots 40 through 42, of Block 11, and Lots 1R through 4R, and Lot 26 of Block 13, Robbinsdale Addition No. 8 (formerly Lots 31 through 35, and Lot 36 Rev. of Block 11, and Lots 1 through 4 of Block 13, of Robbinsdale Addition No. 8) Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Sitka Street and Hemlock Street.

Planning Commission recommended that the Final Plat be continued to the October 25, 2001 Planning Commission meeting.

13. No. 01PL097 - Big Sky Subdivision - Phase VII

A request by Dream Design International to consider an application for a **Preliminary and Final Plat** on Tract A and dedicated streets, Big Sky Subdivision - Phase VII located in the SE1/4 NW1/4 and the NE1/4 NW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota; excepting Lot 1, Block 13 and Lot 1, Block 14 of Big Sky Subdivision and dedicated public rights of way (Big Sky Drive and Degeest Street), as shown on the plat filed in Plat Book 29, Page 154, also excepting Lots 1 and 2, Block 13 and Lots 2, 3, 4 and 5, Block 14 and dedicated public rights of way (Degeest St., Buddy Ct. and Homestead Ave.), more generally described as being located at the intersection of Degeest Street and Homestead Avenue.

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

Engineering Division Recommendations:

1. Prior to Preliminary Plat approval by the City Council, the Master Plan shall be revised and submitted for review and approval;
2. Prior to Preliminary Plat approval by the City Council, the water and sewer plans shall be revised and submitted for review and approval reflecting the revisions identified on the Master Plan;
3. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;
4. Prior to Final Plat approval, the property shall be annexed into the City of Rapid City or the applicant shall enter into an agreement with the City providing for the annexation of the property by July 7, 2002 or when eligible for annexation. If the property has not been annexed into the City of Rapid City prior to Final Plat approval, the applicant shall provide evidence of a legally binding agreement from either the City of Rapid City or the Rapid Valley Sanitary District to provide water supply and wastewater disposal services until such time as the property has been annexed;
5. Prior to Final Plat approval by the City Council, the applicant shall submit a copy of the Covenants for Big Sky Subdivision identifying that a Home Owners Association has been formed to maintain the roads within the proposed development;
6. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement long the first 85 feet of corner lots in accordance with the Street Design Criteria Manual;

Fire Department Recommendations:

7. The requirements of the Uniform Fire Code shall be continually met;

Transportation Planning Division Recommendations:

8. Prior to Preliminary Plat approval by the City Council, the street design plans shall be revised to show a bike path along the east side of Degeest Drive as shown on the Elk Vale Neighborhood Area Future Land Use Map. Subdivision improvements shall include grading for the eight foot wide bike path. If the property is not annexed into the City limits prior to Final Plat approval, a standard four foot wide sidewalk shall be constructed. Upon annexation of the property, the City shall assist the developer in the oversizing costs for the construction of the eight foot wide bike path, or the additional four feet of sidewalk;

Register of Deeds Office Recommendation:

9. Prior to Final Plat approval by the City Council, the plat shall be revised to eliminate "Phase VII" from the title;

Emergency Services Communication Recommendation:

10. Prior to Final Plat approval by the City Council, the plat shall be revised to identify "Homestead Avenue" as Homestead Street";

Urban Planning Division Recommendations:

11. Prior to Preliminary Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval and all subdivision inspection fees paid; and,

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

14. No. 01CA028 - The Meadows Subdivision – Summary of Adoption Action – South Robbinsdale Neighborhood Area Future Land Use Plan

Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.

15. No. 01CA027 - Johnson School Subdivision – Summary of Adoption Action - Elk Vale Neighborhood Area Future Land Use Plan

Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.

---END OF NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the September 6, 2001 Planning Commission Meeting Minutes.

Elkins asked that approval of the minutes be continued to the October 4, 2001 Planning Commission meeting to allow for consideration of several revisions.

Scull moved, Kooiker seconded and unanimously carried to continue approval of the September 6, 2001 Planning Commission Meeting Minutes to the October 4, 2001 Planning Commission Agenda. (7 to 0)

11. No. 01PL095 - Flannery Subdivision No. 2

A request by Ferber Engineering Company to consider an application for a **Preliminary and Final Plat** on Lots 7R and 8R of The Flannery Subdivision No. 2 formerly Lots 7, 8 and 9 of The Flannery Subdivision No. 2 located in the NW1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Ireland Place south of Corral Drive.

In response to a question from Wall, Emerson clarified that the subdivision improvements must be in place prior to City Council approval of the Final Plat.

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

Engineering Division Recommendations:

1. **Prior to Preliminary Plat approval by the City Council, the applicant shall provide revised engineering plans for the elimination of Dublin Court for review and approval;**

Urban Planning Division Recommendations:

2. **Prior to Final Plat approval by the City Council, the applicant shall have all utility and street improvements for Ireland Place completed in accordance with the approved plans and specifications; and,**

3. All stipulations of Plat 99PL013 shall be met. (7 to 0)

Wevik reviewed the Hearing Consent Agenda and asked if any member of the Planning Commission, staff or audience would like any item removed from the Non-Hearing Consent Agenda for individual consideration.

Kooiker requested that Items 16 and 17 be removed from the Hearing Consent Agenda for separate consideration. Wall requested that Item 20 be removed from the Hearing Consent Agenda for separate consideration.

Prairie Chicken moved, Mashek seconded and carried unanimously to recommend approval of the Hearing Consent Agenda Items 16 through 20 in accordance with the staff recommendations with the exception of Items 16, 17 and 20 . (7 to 0)

---HEARING ITEMS CONSENT CALENDAR---

18. No. 01PD046 - South Hill Subdivision

A request by Hagg Development to consider an application for a **Major Amendment to a Planned Unit Development** on Lots 6RA, 6RB, 7RA, 7RB, 8RA, 8RB and 9R of Block 2 of South Hill Subdivision (formerly Lots 6, 7, 8 & 9 of Block 2) Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Catron Boulevard and Wellington Drive.

Planning Commission recommended that the Major Amendment to a Planned Unit Development be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a building permit for Lots 7RA thru 8RB, an erosion control plan for proposed Lot 9R shall be submitted for review and approval;
2. Prior to City Council approval, Final Plat #01PL082 shall be approved;

Fire Department Recommendation:

3. Prior to issuance of a building permit, fire hydrants shall be in place and operational. In addition, minimum fire flows of 1,500 gpm shall be available;

Urban Planning Division Recommendations:

4. All previous conditions of approval for the Planned Unit Development #98PD010 shall be continually met with the exception that townhomes shall be allowed on Lots 6RB thru 8RB and the allowed density shall be increased from 74 dwelling units to 76 dwelling units;
5. All signage shall conform to the design and location as shown in the sign package submitted as part of this Major Amendment to the Planned Unit Development;
6. The proposed structure(s) shall conform architecturally to the plans and elevations submitted as part of this Major Amendment to the Planned Unit Development; and,
7. The Major Amendment to the Planned Unit Development 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.

19. No. 01UR034 - Meadowwood Subdivision and Pine Hills Subdivision
A request by Harland Danielsen to consider an application for a **Use on Review to allow an On-Sale Liquor Establishment including an outdoor concert facility** on Lot 8 of Tract "B" of SW1/4 NE1/4; Lot 2 of Tract E of SE1/4 NW1/4 of Meadowwood Subdivision and Lot 3 of Lot 88A of Pine Hills Subdivision, all located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4095 Sturgis Road.

Planning Commission recommended that the Use on Review to allow an On-Sale Liquor Establishment including an outdoor concert facility be continued to the November 8, 2001 Planning Commission meeting.

---END OF HEARING CONSENT CALENDAR---

16. No. 01UR042 - Section 23, T1N, R7E
A request by M & K Consulting for Western Wireless Corp. to consider an application for a **Use on Review to allow Communication Tower in Public District** on a parcel of land located in Tract "A" of Tract 1 of the W1/2SW1/4 of Section 23, T.1N., R.7E., B.H.M., Pennington County, South Dakota; (as set out in Plat Book 11, Page 207 of the Pennington County Register of Deeds); More particularly describes as: Commencing at the Northwest Corner of Tract "A", which bears N0°01'49"W a distance of 1516.46 feet from the Southwest Corner of Section 23, T.1N., R.7E., B.H.M., being the POINT OF BEGINNING; Thence S89°59'13"E along the north boundary of said Tract "A" a distance of 527.28 feet; Thence S07°18'58"W a distance of 460.40 feet to the proposed centerline of Tish Drive, Thence N82°32'54"W along said centerline a distance of 9.91 feet to the beginning of a curve concave to the Southwest having a radius of 150.00 feet and a central angle of 54°38'42"; Thence along said centerline and along said curve an arc distance of 143.06 feet; Thence along said centerline S42°48'28"W a distance of 483.98 feet to a point on the west section line of Section 23 and the west boundary of said Tract "A"; thence N0°01'49"W along said section line and along the west boundary of Tract "A" a distance of 857.37 feet to the point of beginning. Containing 6.90 Acres more or less, more generally described as being located north of Golden Eagle Drive and adjacent to old Marine Life.

In response to a question from Kooiker, Elkins indicated that the Communications Tower Request for Proposals will be advertised on Saturday.

Kooiker moved to recommend that the Use on Review to allow a Communication Tower in the Public Zoning District be approved with the following stipulations:

Engineering Division Recommendations:

- 1. Prior to issuance of a Building Permit, a detailed geotechnical study shall be submitted for review and approval;**

Building Inspection Division Recommendations:

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

Urban Planning Division Recommendations:

5. **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);**
6. **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 and that red strobe lighting will be utilized if lighting is required;**
7. **The tower shall remain unpainted allowing the galvanized steel color to show or painted white unless alternative colors are required by the Federal Aviation Administration or other federal or state authority;**
8. **Prior to issuance of a Building Permit, the section line highway right-of-way shall be vacated or the applicant shall obtain a variance to allow structures within the required side yard setback;**
9. **No commercial advertising signage shall be allowed on the tower;**
10. **That all requirements of the Off-Street Parking Ordinance shall be continually met; and,**
11. **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.**

In response to a question from Wall, Elkins advised that the existing ordinance does not limit the height of communication towers.

Wall referenced documentation that indicated a 150 foot tower would be adequate to provide necessary transmissions. He requested clarification concerning the necessity for the proposed 390 foot tower.

Ron Rotel, Western Wireless, explained that the proposed 390 foot tower would service a much larger area than a 150 foot tower.

Elkins indicated that the letter attached to this item was attached to the wrong item. She apologized and explained the document is the reference material for a previous request by the applicant for a 150 foot tower on West Chicago Street.

Discussion followed concerning co-location of City emergency service communications equipment on the proposed tower, the potential to retrofit and co-locate on an existing radio broadcast tower in the area, tower lighting requirements and the process for determining the height and range of communications towers.

Kooiker requested that the applicant provide written documentation detailing various tower options in this area, including the potential to retrofit and co-locate on the existing radio broadcast tower owned by Haugo Broadcasting.

Kooiker made a substitute motion and Wall seconded to recommend that the Use on Review to allow a Communication Tower in the Public Zoning District be continued to the October 4, 2001 Planning Commission meeting to allow the applicant to provide additional information.

Wall requested that the applicant provide elevation drawings of free standing communication towers.

Kooiker made a substitute motion and Wall seconded to recommend that the Use on Review to allow a Communication Tower in the Public Zoning District be continued to the October 4, 2001 Planning Commission meeting to allow the applicant to provide additional information. (6 to 1 with Scull voting no)

17. No. 01UR047 - Madison's Subdivision

A request by Terrell Adams to consider an application for a **Use On Review to allow a private residential garage in excess of 1000 square feet in the Medium Density Residential Zoning District** on Lot 10, Madison's Subdivision, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4385 Haines Avenue.

In response to a question from Kooiker, Elkins explained that the Planning Commission and City Council have not allowed plumbing in garage structures in an effort to discourage the use of garages as a dwelling unit and/or commercial activities.

Kooiker moved, Mashek seconded and unanimously carried to recommend that the Use On Review to allow a private residential garage in excess of 1000 square feet in the Medium Density Residential Zoning District be approved with the following stipulations:

Fire Department Recommendations:

1. **The first fifty feet of the existing driveway shall be paved and the remainder of the existing driveway shall be continually maintained with a minimum 20 foot wide all weather surface;**

Building Inspection Department Recommendations:

2. **Prior to any construction, the applicant shall obtain a Building Permit and prior to occupancy, the applicant shall obtain a Certificate of Completion;**

Urban Planning Division Recommendations:

3. **No plumbing shall be allowed in the garage; and,**
4. **Prior to issuance of a Building Permit, the applicant shall file a notice with the Pennington County Register of Deeds Office indicating that the garage shall be used only for residential purposes. (7 to 0)**

20. No. 01UR050 - Meadowlark Hills Subdivision and Section 31, T2N, R8E

A request by FMG Engineering for Northwestern Engineering to consider an application for a **Major Amendment to a Use On Review to allow for the expansion of a mobile home park in the Medium Density Residential District** on Lots 1 and 2 of Meadowlark Hills Subdivision and unplatted land located in SE1/4 of the NE1/4 all located in Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of East North Street, east of LaCrosse Street.

Wall requested clarification concerning staff's recommendation for approval of only a portion of the requested mobile home park expansion.

Seaman explained that proposed Lots 11 through 28 are included in the applicant's future development plans for the mobile home park. She noted that the applicant will need to develop street and utility design plans for this area in order to facilitate further review of this phase of the development.

Wall moved, Kooiker seconded and unanimously carried to recommend that the Major Amendment to a Use On Review to allow for the expansion of a mobile home park in the Medium Density Residential District be denied without prejudice for proposed Lots 11 through 28 and approved for proposed Lots 1 through 10 with the following stipulations:

Engineering Division Recommendations:

1. **Prior to issuance of a Grading Permit or Building Permit, the applicant shall submit revised street, grading, water and sewer plans for review and approval;**
2. **A Grading Permit or Building Permit shall be required for the construction of the water supply system, sewer system, drainage improvements and road improvements;**
3. **Prior to issuance of a Grading Permit or Building Permit, the applicant shall submit a drainage plan for review and approval;**

Fire Department Recommendations:

4. **Prior to issuance of any Building Permits for mobile homes or the placing of mobile homes on lot sites, fire hydrants shall be installed and operational providing a minimum fire flow of 1000 gpm;**
5. **Prior to the issuance of Building Permits for mobile homes, addresses shall be posted on each lot in a location that is readily visible from the street;**

Air Quality Division Recommendations:

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

Building Inspection Department Recommendations:

7. **Building permits are required and shall be obtained for this project/development as required by the Rapid City Municipal Code;**

Urban Planning Division Recommendations:

8. **Prior to City Council approval, a revised site plan shall be provided that shows the location of storage units and/or the patios for Lots 1**

- through 10;
9. **Prior to City Council approval, a revised site plan shall be provided that shows the location of guest parking in accordance with the Rapid City Municipal Code for Lots 1 through 10;**
 10. **Prior to City Council approval, plans shall be submitted indicating compliance with the provisions of Section 15.48.110 of the Rapid City Municipal Code or an ordinance amendment allowing cul-de-sac roads in mobile home parks shall be adopted;**
 11. **All provisions of Section 17.50.270, the Minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met; and,**
 12. **All provisions of Sections 17.50.110 and 15.48 of the Rapid City Municipal Code shall be continually met. (7 to 0)**

---BEGINNING OF REGULAR AGENDA ITEMS---

Emerson requested that Items 21 and 22 be considered concurrently.

21. No. 01RZ053 - Hansen Heights Subdivision
A request by Dave M. Handley to consider an application for a **Rezoning from Neighborhood Commercial District to General Commercial District** on the east 195 feet of Lot 2 and Lot 3, Block 1, Hansen Heights Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 420 East Saint Patrick Street.
22. No. 01UR049 - Hansen Heights Subdivision
A request by Dave M. Handley to consider an application for a **Use On Review to allow an On-Sale Liquor Establishment in the General Commercial Zoning District** on the east 195 feet of Lot 2 and Lot 3, Block 1, Hansen Heights Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 420 East Saint Patrick Street.

Emerson presented the requests and reviewed the slides, area zoning and existing uses. He noted that staff has serious concerns with introducing additional General Commercial zoning in the established residential neighborhood. He added that there are already many vacant and underutilized General Commercial zoned properties in this area. Emerson identified eight other on-sale liquor establishments in close proximity to the subject property emphasizing staff's concern with undue concentration along this section of East Saint Patrick Street. He stated that two letters and one telephone call were received opposing the proposed on-sale liquor establishment on the subject property. He advised that staff recommends that the Rezoning and the Use On Review be denied.

In response to a question from Kooiker, Dave Handley, applicant, explained that there is a Western Union check cashing business and a tanning salon located in the strip mall. He advised that he would like to operate a casino in the vacant suite in the center of the strip mall. Handley noted that the neighboring

business, Rising Star Gymnastics, is set back from East Saint Patrick Street noting that the children frequenting this business arrive and depart by vehicle and do not typically walk in front of the strip mall. He discussed the other area businesses adding that he owns the nearby All American Glass and Mirror. He discussed parking for the property and reviewed the current number of vehicles frequenting the businesses of the current tenants leasing space in the strip mall. Handley emphasized that the casino use is not a high volume business and he indicated that many of the patrons would be parking at the casino after the other businesses closed.

Kooiker expressed concern that the existing residences across the street would be negatively impacted by the casino use. He noted that there are juvenile pedestrians on the south side of East Saint Patrick Street living in the residential housing situated immediately across the street from the strip mall. Kooiker stated that he feels the existing concentration of on-sale liquor establishments in this vicinity exceeds area needs. Kooiker read a letter from one of the area residents opposing the proposed use and he concurred with the resident's statements.

Kooiker moved and Wall seconded to recommend that the Rezoning from Neighborhood Commercial District to General Commercial District and the Use On Review to allow an On-Sale Liquor Establishment in the General Commercial Zoning District be denied.

Handley stated that he has talked with six of the property owners that were sent letters noting that they expressed no opposition to the proposed use if he operated the business in a manner similar to the All American Glass and Mirror business.

The motion unanimously carried to recommend that the Rezoning from Neighborhood Commercial District to General Commercial District and the Use On Review to allow an On-Sale Liquor Establishment in the General Commercial Zoning District be denied. (7 to 0)

23. Discussion Items

A. High Speed Internet Service for Planning Commissioners

Wall questioned the need for the Planning Commissioners to be provided with high speed internet connections at their homes. He stated that the CD-ROM disks are working well for him. He expressed concern that the cost for the service does not seem to be financially feasible. Kooiker concurred.

In response to a question from Wevik, Elkins advised that two test sites are currently under review. Scull, Prairie Chicken, Wevik, Wall, Mashek, Kooiker and Stone indicated that they do not need an additional high speed internet connection at their homes.

B. Sight Triangles – Blaise Emerson

Emerson advised that a diagram detailing sight triangle specifications was distributed on the dais. He briefly reviewed the technical issues associated with sight triangles and he explained that fragmented references throughout the Rapid City Municipal Code lend to confusion and inconsistent application of the ordinance. Emerson discussed proposed amendments to the ordinance intended to create a uniform sight triangle standard located in one area of the ordinance.

Discussion followed concerning enforcement options available to address existing encroachments into site triangles and staff's review of sight triangle issues at the time of redevelopment.

Scull moved, Stone seconded and unanimously carried to authorize staff to advertise for amendments to the Zoning Ordinance to revise the sight triangles standards in the Rapid City Municipal Code. (7 to 0)

C. Truck/Delivery Route Map – Douglas Adelman

Doug Adelman, Traffic Engineer, advised that staff would like to generate discussions to prepare amendments to the Truck/Delivery Route Map and associated ordinances. He reviewed existing and proposed truck and delivery routes.

Discussion followed concerning maintenance issues associated with road ownership and the current use of Sheridan Lake Road as a delivery and truck route.

Wall stated that he feels Sheridan Lake Road to the Countryside Development should be identified as a delivery route. He expressed concern that the proposed truck route would require truck traffic originating in northwest Rapid City to travel around to South Highway 79 and back across Catron Boulevard to access outlying developments on Sheridan Lake Road.

Adelman noted that there are at least two school crossings on Sheridan Lake Road and he added that a substantial portion of Sheridan Lake Road frontage abuts residential properties. He explained the benefit of bringing truck traffic through the scale area on S.D. Highway 79.

Wevik expressed concern with routing truck traffic past the school crossings on Sheridan Lake Road; however, he noted that restricting truck access to Sheridan Lake Road would contribute to the already high traffic volume on Omaha Street.

Discussion followed concerning the possibility to limit truck traffic to specific hours and additional lighting and signage at crosswalks along Sheridan Lake Road.

Nelson expressed concern that Sheridan Lake Road runs through predominantly residential neighborhoods with more residential development expected along with an increasing population of school children.

In response to a question from Wall, Adelman indicated that he had already had preliminary discussions with several local industry groups. He indicated that the trucking and delivery companies would be invited to the public meeting and their comments would be taken into account.

Kooiker requested that a copy of the existing Truck/Delivery Route Map be provided to the Planning Commission.

D. Length of Time to Complete Subdivision Improvements – Bill Lass

Bill Lass presented information gathered by staff from other communities concerning established timeframes for completion of subdivision improvements. He briefly reviewed issues that prompted staff review, explained existing requirements and provided three possible options to address these problems. Lass requested authorization to solicit input from the development community concerning these issues.

Discussion followed concerning the process for construction of utility improvements, the timeframe for completion of improvements prior to issuance of building permits, and the potential for property to be sold with no infrastructure in place.

Wevik requested that the Planning Commission be invited to attend the meeting with the developers. He stated that he is interested in learning what alternatives the development community may identify.

Scull indicated that he likes the idea that the developer would have a year, with the potential to request a year extension, to install subdivision improvements. He objected to the notion that building permits would not be issued until all improvements were in place.

Nelson expressed concern that conflicts are created when building permits are issued too far in advance.

Kenn Shave, Fire Department, stated that the Fire Department Staff want to try and maintain the balance between the contractor's major investments and the need for accessibility and liability of the Fire Department to protect those structures once combustible materials are on site.

Wall moved, Kooiker seconded and unanimously carried to authorize staff to solicit information from the public concerning establishing timeframes for the completion of subdivision improvements. (7 to 0)

24. Staff Items
None.

25. Planning Commission Items

A. Appointment of Landscape Code Subcommittee members

Elkins advised that Scull and Kooiker have agreed to serve as the Planning Commission representatives and Ray Hadley has agreed to serve as a

Council representative on the Landscape Code Committee. She noted that staff still needs one more Council member to serve on the committee.

Prairie Chicken moved, Stone seconded and unanimously carried to appoint Bob Scull, Sam Kooiker and Ray Hadley to the Landscape Code Committee. (7 to 0)

Wevik requested that additional Planning Commissioner training be provided concerning the Future Land Use planning process. Additionally, he expressed interest in additional information concerning the function and purpose of the Sign Code Board of Appeals.

Elkins requested that the Planning Department goals be considered a priority for the topic of the next training session and she added that the Planned Development Process and drainage issues are additional topics to consider.

Kooiker advised that he would be interested in sessions concerning the Sign Code Board of Appeals, Communication Towers and the Future Land Use planning process.

Wevik requested that the next training session scheduled address Planning Department goals and that the project list be provided to the Planning Commissioners in advance.

26. Committee Reports

A. City Council Report (September 4, 2001)

Elkins reported that the City Council was advised by the applicant that the landscaping requirements for the warehouse bar had been met. She noted that as of yesterday the landscaping improvements had still not been completed. She indicated that staff is continuing to monitor the progress of the installation of the landscaping.

There being no further business Kooiker moved, Mashek seconded and unanimously carried to adjourn the meeting at 9:09 a.m. (7 to 0)