

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
January 10, 2002



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

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Lisa Seaman, Bill Knight, Randy Nelson, Dave Johnson, Dave LaFrance and Risë Ficken

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

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 7 be removed from the Non-Hearing Consent Agenda for separate consideration.

Stone moved, Scull seconded and carried unanimously to recommend approval of the Non-Hearing Consent Agenda Items 1 through 7 in accordance with the staff recommendations with the exception of Item 7. (10 to 0)

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the December 6, 2001 and December 12, 2001 Planning Commission Meeting Minutes.

2. No. 01PL110 - Vista Lake Subdivision

A request by Fisk Land Surveying for Dakota Land Development to consider an application for a **Preliminary and Final Plat** on Lots 1-7, Vista Lake Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Jackson Boulevard/Highway 44 west north of the Fish Hatchery.

Planning Commission recommended that the Preliminary and Final Plat be continued to the January 24, 2002 Planning Commission meeting to allow staff sufficient time to review recently submitted drainage information and to meet with the applicant to further review road alignment and design issues.

3. No. 01PL120 - Habitat Subdivision

A request by Alliance of Architects for Black Hills Habitat for Humanity to consider an application for a **Final Plat** on Lots 3 thru 6 of Habitat Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota legally described as portions of Lots 4 thru 8, Lot 9, Lot 10, portions of Lots 11 thru 13, and a portion of the alley, Block 4, Schnasse Addition to the City of Rapid City located in the NW1/4 of the SW1/4 of Section 31, T2N, R8E, BHM,



Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Herman Street and East Watertown Street.

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

Engineering Division Recommendations:

1. Prior to City Council approval of the Final Plat, the Subdivision Improvements Estimate form must be submitted, the required Subdivision Inspection fees paid, and financial surety posted for any incomplete subdivision improvements;
2. Prior to City Council approval of the Final Plat, the required non-access easements shall be added to the plat; and,

Urban Planning Division Recommendations:

3. Prior to City Council approval of the Final Plat, a letter must be received from Black Hills Fibercom approving the proposed vacation of alley right-of-way.
4. No. 01PL124 - Old Rodeo Subdivision
A request by Doug Sperlich for Orthopedic Building Partnership to consider an application for a **Preliminary and Final Plat** on Lot 4; and Physician Drive right-of-way, Old Rodeo Subdivision, Located in the NW1/4 of the SW1/4, and in the NE1/4 of the SW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota (formerly a portion of Lot 1 of Old Rodeo Subdivision), more generally described as being located east of U.S. Highway 16, at the current northern terminus of Physician Drive.

Planning Commission recommended that the Preliminary and Final Plat be continued to the February 7, 2002 Planning Commission meeting to allow the applicant time to submit the additional required information.

5. No. 01PL125 - Plum Creek Subdivision - Phase I
A request by Centerline for Double E, LLC to consider an application for a **Final Plat** on Lots 5 thru 27 of Block 1; Lots 1 thru 13 of Block 2; Tract 1; all located in Plum Creek Subdivision and R.O.W. of Sand Cherry Lane, Wineberry Lane, Grapevine Lane, and Rosewood Lane, and temporary turnaround easement located in the North 1/2 of the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota legally described as N1/2 SW1/4 Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Willowbend Road between South Valley Drive and Elks Country Estates.

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

Engineering Division Recommendations:

1. Prior to City Council approval, an itemized list of all uncompleted subdivision improvements and a subdivision estimate form shall be submitted for review and approval. In addition, a list of all improvements that have not been inspected shall be submitted for review and approval and the subdivision inspection fee shall be paid;



2. Prior to City Council approval, the plat shall be revised to show a non-access easement along the first 50 feet of the corner lots at the intersection(s) of Wineberry Lane/Willowbend Road, Grapevine Lane/Willowbend Road and Rosewood Lane/Willowbend Road; the entire west lot line and the west 50 feet of the north lot line of Lot 13, Block 2; and along the entire north lot lines of Lot 2, Lot 5, and Lot 7, Block 2, except for the approved approach location(s);
3. Prior to City Council approval, the plat shall be revised to show a Major Drainage Easement on Tract 1;
4. Prior to City Council approval, the note on the plat shall be revised to read "Major Drainage and Utility Easement 20 feet wide, 10 feet on each side of property line";
5. Prior to City Council approval, the plat shall be revised to show a "Major Drainage Easement" south of Lots 1 through 13, Block 2 and to show a "Utility Easement" directly east of Lot 1, Block 2; or miscellaneous document(s) shall be recorded at the Register of Deed's Office granting a Major Drainage Easement and Utility Easement as specified;

Emergency Services Communication Center Recommendation:

6. Prior to City Council approval, revised road names for "Sand Cherry Lane and "Rosewood Lane" shall be submitted for review and approval. In addition the plat shall be revised to show the approved road name(s); and,

Urban Planning Division Recommendations:

7. Prior to City Council approval, surety for any required improvements that have not been completed shall be posted.

6. **No. 01PL126 - Park Meadows Subdivision**

A request by Cetec Engineering for Park Hill Development to consider an application for a **Layout and Preliminary Plat** on Lot 1 of Block 1; Lots 1 thru 7 of Block 2; Lot 1 thru 7 of Block 3; and Lots 1 thru 4 of Block 4; containing 6.80 acres, of Park Meadows Subdivision located in the NE1/4 of SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota legally described as the balance of the NE1/4 SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as lying between Wilma Street, Oakland Street and Hoefer Avenue.

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

Engineering Division Recommendations:

1. 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. In addition, the red lined drawings shall be returned to the Engineering Division;
2. Prior to City Council approval of the Preliminary Plat, a revised water plan shall be submitted for review and approval.
3. Prior to City Council approval of the Preliminary Plat, a revised drainage plan shall be submitted for review and approval;



4. Prior to City Council approval of the Preliminary Plat, a geotechnical report shall be submitted for review and approval;
5. Prior to City Council approval of the Final Plat, the plat shall be revised to show a non-access easement along the south 50 feet of the west lot line and the south lot line, except for the approved approach location, of Lot 4B, Block 2, the south 50 feet of the west lot line and the south lot line, except for an approved approach location, of Lot 7B, Block 2, the east 50 feet of the south lot line and the south 50 feet of the east lot line of Lot 1, Block 1 and the west 50 feet of the north lot line and the north 50 feet of the west lot line of Lot 4, Block 4;

Fire Department Recommendation:

6. Prior to City Council approval of the Preliminary Plat, the construction plans shall be revised to show a temporary turnaround at the end of Smith Avenue;

Emergency Services Communication Center Recommendation:

7. Prior to City Council approval of the Final Plat, a revised road name for "Smith Drive" shall be submitted for review and approval. In addition, road names for each of the proposed streets within the balance of the subdivision shall be submitted for review and approval upon Preliminary Plat submittal for each subsequent phase;

Urban Planning Division Recommendations:

8. Prior to City Council approval of the Final Plat, the plat shall be revised to remove the platted 25 foot front yard setback;
9. Prior to City Council approval of the Final Plat, a Variance to the Subdivision Regulations shall be obtained to allow the lot length to be greater than twice the lot width, or the plat shall be revised to comply with the length to width requirement;
10. Prior to City Council approval of the Final Plat, a miscellaneous document shall be recorded at the Register of Deed's Office granting an access easement for the temporary turnaround at the southern terminus of East Oakland Street;
11. Prior to City Council approval of the Final Plat, a subdivision estimate form shall be submitted for review and approval; and,
12. Prior to City Council approval, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

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

7. **No. 01PL127 - Sunset Heights Subdivision**

A request by Doug Sperlich for Jeff Stone to consider an application for a **Preliminary Plat** on Lots 1, 2 and 3 of Block 1 of Sunset Heights Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as SW1/4 SE1/4, less Broadmoor Subdivision, less Block 1 of Broadmoor Southwest & less Mountain Shadows Subdivision, Section 10, T1N,



R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current terminus of Broadmoor Drive.

Elkins advised that staff requested removal of this item from the consent agenda to allow the applicant to abstain from voting on this item.

Stone stated that he would abstain from voting on this request.

Swedlund moved, Wall seconded and unanimously carried to recommend that the Preliminary Plat be continued to the February 7, 2002 Planning Commission meeting to allow the applicant time to submit additional required information. (9 to 0 with Stone abstaining)

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 Hearing Consent Agenda for individual consideration.

Staff requested that Items 12-15 be removed from the Hearing Consent Agenda for separate consideration. Wall requested that Items 27 and 31 be removed from the Hearing Consent Agenda for separate consideration. Kooiker requested that Item 32 be removed from the Hearing Consent Agenda.

Stone moved, Wall seconded and carried unanimously to recommend approval of the Hearing Consent Agenda Items 8 through 32 in accordance with the staff recommendations with the exception of Items 12-15, 27, 31 and 32. (10 to 0)

---HEARING ITEMS CONSENT CALENDAR---

8. No. 01UR037 - Nicholl's Subdivision
A request by Anne Devlin to consider an application for a **Use On Review for a Child Care Center** on Lot 2 less W250', Nicholl's Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1241 E. St. Joseph Street.

Planning Commission recommended that the Use On Review for a Child Care Center be continued to the February 7, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.

9. No. 01PL038 - Lamb Subdivision
A request by Dream Design International to consider an application for a **Preliminary and Final Plat** on Lot 1 of Lamb Subdivision located in SE1/4 of NE1/4 of Section 15, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the southwest corner of Reservoir Road and S.D. Highway 44.

Planning Commission recommended that the Preliminary and Final Plat be denied without prejudice.



10. No. 01SV024 - Lamb Subdivision

A request by Dream Design International to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for curb, gutter, street light conduit, sidewalk, dry sewer and water on Reservoir Road and S.D. Highway 44** on Lot 1 of Lamb Subdivision, Section 15, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the southwest corner of the intersection of Reservoir Road and S.D. Highway 44.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement for curb, gutter, street light conduit, sidewalk, dry sewer and water on Reservoir Road and S.D. Highway 44 be denied without prejudice.

11. No. 01VR005 - Section 7, T1N, R8E

A request by CETEC for Park Hill Development to consider an application for a **Vacation of Right of Way** on the Wilma Street right-of-way as shown in Plat Book 7 on Page 57 in the NE1/4 and the NE1/4 of the SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located Wilma Street extending north from Sydney Street west of Cambell Street.

Planning Commission recommended that the Planning Commission acknowledge the applicant's request to withdraw the Vacation of Right of Way request.

16. No. 01PL102 - Sections 22 and 27, T1N, R8E

A request by Alliance of Architects for American West Communities to consider an application for a **Layout Plat** on the S1/2 of the NE1/4 and the SE1/4 except Bradeen Subdivision of Section 22 and NE1/4 Section 27, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the intersection of Reservoir Road and South Side Drive.

Planning Commission recommended that the Layout Plat be continued to the February 7, 2002 Planning Commission meeting at the applicant's request.

17. No. 01SV031 - Sections 22 and 27, T1N, R8E

A request by Alliance of Architects for American West Communities to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for curb and gutter, dry sewer, street conduit and to allow sidewalk on one side of the street** on S1/2 of the NE1/4 and the SE1/4 except Bradeen Subdivision of Section 22 and NE1/4 Section 27, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the intersection of Reservoir Road and South Side Drive.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement for curb and gutter, street light



conduit and to allow sidewalks on one side of the street be continued to the February 7, 2002 Planning Commission meeting at the applicant's request.

18. No. 01CA034 - Section 32, T2N, R8E

A request by Jeffrey Devine to consider an application for an **Amendment to the Comprehensive Plan by amending the Elk Vale Neighborhood Area Future Land Plan to change the future land use designation on a 4.98 acre tract from General Commercial to Heavy Industrial** on Tract B of SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 262 Cambell Street.

The Future Land Use Plan Committee recommends that the Amendment to the Comprehensive Plan amending the Elk Vale Neighborhood Area Future Land Plan to change the future land use designation on a 4.98 acre tract from General Commercial to Heavy Industrial be approved for the east 318.2 feet of Tract B of SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM with the alternate designation of General Commercial being identified and be denied for the balance of the property.

19. No. 01PL119 - Hillsvie Estates

A request by Victor Mantei for Canyon Lake Church of God to consider an application for a **Layout Plat** on Lots 1, 2 and 3, Hillsvie Estates, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as Lot 1 in SW1/4 SW1/4 less Lot H1 & H2, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1829 Hillsvie Drive.

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

Engineering Division Recommendations:

- 1. Upon Preliminary Plat submittal, topographic information identifying the location of existing utilities, shall be submitted for review and approval;**
- 2. Upon Preliminary Plat submittal, a drainage plan shall be submitted for review and approval;**
- 3. Upon Preliminary Plat submittal, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval;**
- 4. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement along W. St. Patrick Street, except for the approved approach location. In addition, a non-access easement shall be shown along the south 128 feet of the west lot line as it abuts Red Dale Drive and along the south 115 feet of the east lot line as it abuts Hillsvie Drive;**



Register of Deed's Recommendation:

5. Prior to Final Plat approval by the City Council, a revised subdivision name shall be submitted for review and approval. In addition, the plat title shall be revised to show the approved subdivision name;

Urban Planning Division Recommendations:

6. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
7. 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.

20. **No. 01SV035 - Hillsvie Estates**

A request by Victor Mantei for Canyon Lake Church of God to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk and street light conduit** on Lots 1, 2 and 3, Hillsvie Estates, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as Lot 1 in SW1/4 SW1/4 less Lot H1 & H2, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1829 Hillsvie Drive.

Planning Commission recommended that the Planning Commission acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations to waive the requirement for curb, gutter and street light conduit; and that the Variance to the Subdivision Regulations to waive the requirement for sidewalks be approved with the following stipulation:

Engineering Division Recommendation:

1. That a sidewalk shall be construction along the north side of W. St. Patrick Street.

21. **No. 01PD063 - Fountain View Subdivision**

A request by Lyle Henriksen to consider an application for a **Initial and Final Development Plan - Planned Residential Development** on Tract A and Tract B, Fountain View Subdivision, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Harmony Heights Lane.

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

Engineering Division Recommendations:

1. Prior to approval of the Final Development Plan by City Council, calculations and documentation demonstrating that the volume and capacity of all storm water management elements comply with the development's drainage plan shall be submitted for review and approval;
2. Prior to the approval of the Final Development Plan by the City Council, construction plans for the extension of sanitary sewer,



drainage improvements and road improvements for that portion of Harmony Heights Lane that abuts the subject property shall be submitted for review and approval;

3. Prior to the issuance of a building permit, utility plans for the extension of the private water and sanitary sewer system to serve Phase 2 shall be submitted for review and approval;

Fire Department Recommendations:

4. All Uniform Fire Codes must be continually met;
5. Prior to issuance of a Certificate of Occupancy, the central fire alarm system(s) must be installed and operational;
6. Prior to issuance of a building permit, fire hydrants shall be in place and operational;
7. Prior to issuance of a building permit, all weather access road(s) shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;

Air Quality Division Recommendation:

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

Building Inspection Division Recommendation:

9. A building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to occupancy;

Urban Planning Division Recommendations:

10. The proposed structures shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development;
11. All provisions of the Medium Density Residential District shall be met unless otherwise authorized;
12. A minimum of 109,800 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
13. A minimum of 77 parking spaces shall be provided with four handicap accessible spaces. One of the Handicap spaces shall be "van" accessible. All provisions of the Off-Street Parking Ordinance shall be continually met;
14. Prior to issuance of a Certificate of Occupancy, a second access road shall be constructed or a maximum of forty dwelling units shall be allowed to be occupied; and,
15. The Planned Residential Development 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.

22. **No. 01PL122 - Red Rock Estates - Phase III**

A request by Dream Design International to consider an application for a **Preliminary and Final Plat** on Lots 7-9, Block 7 and Lots 4-6, Block 8 and Lot 1, Block 9 and Lot 1, Block 10 and Lots 1-38, Block 11 and Lots 1-13, Block 12 and Lots 1-5, Block 13 and Lots 1-6, Block 14 and Lot P and Outlot G and dedicated streets formerly a portion of Tract 1 of the Red Ridge Ranch and the unplatted



portion of SW1/4 and the unplatted portion of NW1/4 and the unplatted portion of the W1/2 NE1/4 all in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road.

Planning Commission recommended that the Preliminary and Final Plat be continued to the January 24, 2002 Planning Commission meeting to allow the applicant to meet with staff regarding water pressure and fire protection issues.

23. No. 01SV036 - Red Rock Estates - Phase III

A request by Dream Design International to consider an application for a **Variance to the Subdivision Regulations to allow lots twice as long as they are wide** on Lots 7-9, Block 7 and Lots 4-6, Block 8 and Lot 1, Block 9 and Lot 1, Block 10 and Lots 1-38, Block 11 and Lots 1-13, Block 12 and Lots 1-5, Block 13 and Lots 1-6, Block 14 and Lot P and Outlot G and dedicated streets, Red Rock Estates Formerly a portion of Tract 1 of the Red Ridge Ranch and the unplatted portion of SW1/4 and the unplatted portion of NW1/4 and the unplatted portion of the W1/2 NE1/4 all in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road.

Planning Commission recommended that the Variances to the Subdivision Regulations be continued to the January 24, 2002 meeting to be considered in conjunction with the Preliminary and Final Plat as previously directed by the Planning Commission.

24. No. 01PL123 - Rice Valley View Properties Addition

A request by Rice Valley View Properties to consider an application for a **Preliminary and Final Plat** on Lot 6A of Lot 6 of the Rice Valley View Properties Addition, located in Section 6, T1N, R8E, BHM in the City of Rapid City, Pennington County, South Dakota legally described as Lot 6 of Rice Valley View Properties, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1033 Omaha Street.

Planning Commission recommended that the Preliminary and Final Plat be continued to the January 24, 2002 Planning Commission meeting to allow the applicant time to submit revised drainage design plans.

25. No. 01DU003 - Section 25, T2N, R7E

A request by FMG, Inc. for Norm McKie and Kevin Conway to consider a request for review for compliance with the adopted Comprehensive Plan in accordance with 11-6-19 SDCL to allow the construction of the extension of Disk Drive west of Haines Avenue located in the northwest 1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota.

Planning Commission recommended that the plans for the extension of Disk Drive be approved subject to the following conditions:



Engineering Division Recommendations:

1. Plans for any improvements must be submitted for the review and approval of the City Engineering Division prior to construction;
2. A grading permit shall be obtained prior to construction;

Fire Department Recommendations:

3. Street name signs shall be installed in accordance with the Street Criteria Manual;
4. The design and grade of the street as well as any necessary temporary turn-arounds shall be in accordance with all applicable requirements of the City Street Criteria Manual; and,

Air Quality Division Recommendations:

5. An Air Quality Permit shall be obtained prior to the surface disturbance of one acre of land or more.

26. **No. 01UR058 - Original Town of Rapid City**

A request by Cornerstone Rescue Mission to consider an application for a **Use On Review to allow the outdoor sales and storage of firewood in the General Commercial Zoning District** on Lot 15-16 and vacated east 10 feet of 1st Street Adjacent to Lot 16, Block 80, Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 400 1st Street.

Planning Commission recommended that the Use On Review to allow the outdoor sales and storage of firewood in the General Commercial Zoning District be continued to the February 7, 2002 Planning Commission meeting to allow the applicant time to submit the additional required information.

28. **No. 01UR060 - Red Rock Estates**

A request by Dream Design International to consider an application for a **Use On Review to allow a utility substation in the Low Density Residential District** on NE1/4 SW1/4 Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Prestwick Road north of Countryside Subdivision.

Planning Commission recommended that the Use On Review to allow a utility substation in the Low Density Residential District be approved with the following stipulations

Engineering Division Recommendations:

1. Prior to City Council approval, the applicant shall sign an agreement identifying the commitment to transfer ownership and maintenance of the water booster station to the City;
2. Prior to City Council approval, a utility easement shall be recorded at the Register of Deed's Office for the booster station and for the corresponding water lines to and from the site;
3. Prior to City Council approval, the construction plans shall be revised to show a sidewalk along the front lot line;



Fire Department Recommendations:

4. All Uniform Fire Codes must be continually met;
5. Prior to issuance of a Certificate of Occupancy, the facility's address shall be posted. Said numbers shall be a minimum of seven inches in height and displayed on a contrasting background;

Air Quality Division Recommendation:

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

Urban Planning Division Recommendations:

7. The proposed structure shall conform architecturally to the plans and elevations submitted as part of this Use on Review;
8. Prior to City Council approval, the site plan shall be revised to comply with all provisions of the Off-Street Parking Ordinance; and,
9. 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 utility substation shall require a Major Amendment to the Use on Review.

29. **No. 01PD064 - South Boulevard Addition**

A request by Bryan K. Gonzales for Pride Neon, Inc. to consider an application for a **Major Amendment to a Planned Commercial Development to revise the sign package** on Lot 2 Revised of Blocks 14-15, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 640 Flormann Street.

Planning Commission recommended that the Major Amendment to a Planned Commercial Development to revise the sign package be continued to the February 7, 2002 Planning Commission meeting to allow the applicant time to provide an "as built" site survey and further information with respect to the color of the proposed signs.

30. **No. 01PD065 - Cleghorn Canyon Subdivision - Fish Hatchery Subdivision**

A request by Fisk Land Surveying for Dakota Land Development to consider an application for a **Initial and Final Development Plan - Planned Residential Development** on Lots 1 through 7 of Vista Lake Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as Lot 1 of Lot F-1 of Fish Hatchery Subdivision and the north 545.31 feet of Lot F-1 of Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Jackson Boulevard/Highway 44 west north of the Fish Hatchery.

Planning Commission recommended that the Initial and Final Development Plan - Planned Residential Development be continued to the January 24, 2002 Planning Commission meeting in order to be heard in conjunction with the associated Preliminary and Final Plat.

---END OF HEARING CONSENT CALENDAR---



Elkins requested that Items 12-15 be considered concurrently.

12. No. 01PD021 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for a **Revocation of Initial Development Plan - Planned Commercial Development** on property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start property described by metes and bounds beginning from a point 973.88 feet at a bearing S 89° 39' 0" East from the NW corner of SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 1363.79 feet at a bearing S 89° 39' 0" East, then travel 107.83 feet at a bearing S 57° 14' 9" West, then travel 63 feet at a bearing S 38° 41' 0" West, then travel 89 feet at a bearing S 68° 55' 0" West, then travel 47 feet at a bearing S 54° 43' 0" West, then travel 95 feet at a bearing S 47° 3' 0" West, then travel 77 feet at a bearing S 69° 31' 0" West, then travel 254.50 feet at a bearing S 45° 26' 11" West, then travel 363.99 feet at a bearing S 34° 35' 20" East, then travel 300.07 feet at a bearing S 45° West, then travel 305.00 feet at a bearing S 34° 36' 5" East, then travel 165.44 feet at a bearing S 45° W, then travel 26.8 feet at a bearing N 89° 39' 0" West, then travel 431.35 feet at a bearing N 22° 2' 42" West, then travel 178.19 feet along a 230 foot LHF curve with a chord bearing N 0° 8' 58" East, then travel 482.32 feet at a bearing N 45° West, then travel 129.8 feet at a bearing South, then travel 319.54 feet at a bearing S 50° 52' 56" W, then travel 349.50 feet at a bearing North, then travel 65.15 feet at a bearing West, then travel 392.28 feet at a bearing N 0° 21' 0" East, to the point of start, parcel described contains approximately 16.87 acres, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

13. No. 01CA032 - Skyline Pines East

A request by Wyss Associates for W.E.B. Partners to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 3.202 acre parcel from Office Commercial to General Commercial** on property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34d36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.



14. No. 01RZ054 - Skyline Pines East

A request by Wyss Associates for W.E.B. Partners to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

15. No. 01PD062 - Skyline Pines East

A request by Wyss Associates for Web Real Estate Holdings Company LLC to consider an application for a **Planned Development Designation** on property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

Elkins noted that the applicant has requested that these items be continued to the March 7, 2002 Planning Commission meeting to review development alternatives.

Kooiker moved and Wall seconded to recommend that items 12-15 be continued to the March 7, 2002 Planning Commission meeting.

In response to question from Swedlund, Elkins stated that the applicant indicated that they need time to examine alternatives for development of the area. In response to a question from Swedlund, she stated that use variances cannot be granted.

Discussion followed concerning the specific portion of the approved Planned Development under review.

Wall requested that the proposed zoning change be brought for discussion before the Future Land Use Committee.

The motion unanimously carried to recommend that the Revocation of a portion of the Initial Development Plan - Planned Commercial Development, the Amendment to the Comprehensive Plan to change the



future land use designation on a 3.202 acre parcel from Office Commercial to General Commercial, the Rezoning from Office Commercial District to General Commercial District and the Planned Development Designation be continued to the March 7, 2002 Planning Commission meeting at the applicant's request. (10 to 0)

27. No. 01UR059 - Bradsky Subdivision

A request by Lyle Henriksen to consider an application for a **Major Amendment to a Use On Review to expand a group home in the Medium Density Residential District** on Lots 1, 2, 3, 4 and 5 of Block 11, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1205 East Saint James.

In response to a question from Wall, Elkins reviewed a letter submitted by the applicant outlining facility operations and explaining the requested expansion.

Wall moved, Scull seconded and unanimously carried to recommend that the **Major Amendment to a Use On Review to expand a group home in the Medium Density Residential District** be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, the applicant must obtain a Floodplain Development Permit;
2. Prior to issuance of a Certificate of Occupancy, the applicant shall provide an elevation certificate;
3. Prior to issuance of a Building Permit, complete grading and drainage plans shall be submitted for review and approval;
4. Prior to issuance of a Building Permit, the applicant shall verify that the existing water and sewer service lines are adequate for the proposed expansion. If the existing services lines are not adequate, the applicant shall submit for review and approval a complete set of plans that have been prepared by a Registered Professional Engineer for the installation of all new water or sewer service lines;
5. Prior to City Council approval, the applicant shall submit a revised site plan showing the extension of the five foot sidewalks to the east along East St. James Street and along the property line adjacent to Sioux Avenue;
6. Prior to issuance of a Certificate of Occupancy, the applicant shall have installed the sidewalks along East St. James Street and Sioux Avenue or financial surety shall be posted in the amount necessary to cover the cost of the sidewalk improvements;

Fire Department Recommendations:

7. Prior to issuance of a Certificate of Occupancy, a fire sprinkler system and fire alarm system shall be installed in the entire facility;

Urban Planning Division Recommendations:

8. Prior to City Council approval the applicant shall submit a revised site plan showing the location of twenty two paved parking stalls that



**comply with the requirements of the Off-Street Parking Ordinance;
and,**

- 9. That all requirements of the Off-Street Parking Ordinance shall be continually met. (10 to 0)**

31. No. 01OA025 - Ordinance Amendment

A request by to consider an application for an Ordinance Amending Sections 17.16.020(17); 17.18.020(12); 17.18.030(29); 17.22.020; 17.22.030(J); 17.24.020B(2); 17.24.030(C); and Adding Section 17.50.380 to Chapter 17.50 of the Rapid City Municipal Code Regarding Off-Premise Signs as Uses on Review.

In response to a question from Wall, Elkins clarified that in June the City Council rejected this Ordinance Amendment. She added that the City Council has since directed staff to re-advertise the Ordinance Amendment for public hearing. She clarified that the Ordinance Amendment addresses the Use On Review procedures for billboards. She advised that a sub-committee appointed by the Mayor may recommend other changes to the Sign Code.

Wall moved and Kooiker seconded to recommend that the Ordinance Amendment be approved.

Swedlund spoke in favor of the motion.

In response to a question from Wevik, Elkins stated that the Ordinance Amendment has not changed from the original proposal by the Planning Commission in June.

The motion unanimously carried to recommend that the Ordinance Amendment be approved. (10 to 0)

32. No. 01CA037 - Summary of Adoption Action - Amendments to South Robbinsdale Neighborhood Area Future Land Use Plan

In response to a question from Kooiker, Elkins clarified that the City Council approved the Comprehensive Plan Amendment for the Broucek property noting that the Planning Commission's approval of the Summary of Adoption Action acknowledges the City Council's action.

Kooiker moved, Hoffman seconded and unanimously carried to approve the Summary of Adoption Action and authorized publication in the Rapid City Journal. (10 to 0)

---BEGINNING OF REGULAR AGENDA ITEMS---

33. 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.

Elkins reviewed the history of the application noting that the request has been continued for a number of months with no progress. She indicated that staff informed the applicant that the Use On Review would be denied without prejudice if no additional information was submitted.

Wall moved and Kooiker seconded to recommend that the Use on Review to allow an On-Sale Liquor Establishment including an outdoor concert facility be denied without prejudice.

In response to Wall, Elkins indicated that the applicant was not present at the meeting.

The motion unanimously carried to recommend that the Use on Review to allow an On-Sale Liquor Establishment including an outdoor concert facility be denied without prejudice. (10 to 0)

Elkins requested that Items 34-37 be considered concurrently.

34. No. 01PL103 - Enchanted Pines Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1-6, Block 1; Lots 1-5, Block 2; and Lots 1-9, Block 3 of Enchanted Pines Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northern terminus of Enchanted Pines Drive.

35. No. 01SV026 - Section 23, T1N, R7E

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for water, sewer, paving, curb, gutter, sidewalks, and street light conduit and to allow lots more than twice as long as they are wide** on S1/2 NW1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northern terminus of Enchanted Pines Drive.

36. No. 01RZ057 - Section 23, T1N, R7E

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Agriculture District to Low Density Residential District** on S1/2 NW1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northern terminus of Enchanted Pines Drive.

37. No. 01PD052 - Section 23, T1N, R7E

A request by Dream Design International, Inc. to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on S1/2 NW1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington



County, South Dakota, more generally described as being located at the northern terminus of Enchanted Pines Drive.

Elkins advised that the Engineering Division has indicated that the revised plans as submitted by the applicant require additional modifications. She noted that the applicant has agreed to continue the requests in an effort to work with staff to resolve outstanding issues.

Stone moved, Wall seconded and unanimously carried to recommend that the Preliminary and Final Plat, Variances to the Subdivision Regulations, rezoning from General Agriculture District to Low Density Residential District and the Planned Residential Development be continued to the January 24, 2002 Planning Commission meeting. (10 to 0)

38. No. 01UR056 - Section 6, T1N, R8E

A request by Don Steveson for Kevin Galik to consider an application for a **Major Amendment to a Use On Review to allow a communications tower in the General Commercial Zoning District** on the N1/2 of Lot 4 and all of Lots 5 and 6 of Lot A of the SE1/4 SE1/4 of Section 6, T1N, R8E, BHM, and the east 44 feet of Lots 5, 6, 7 and 8 in Block 1 of Radio Towers Subdivision; together with that part of the alley vacated by a resolution recorded September 14, 1962, in Book 80 of misc. records on Page 442, which adjoins Lots 5, 6, 7 and 8 in Block 1, Radio Towers Subdivision all located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1711 Cambell Street.

Seaman explained that the Major Amendment application was continued from the December 6, 2001 Planning Commission meeting to allow the applicant to work with staff to identify alternative safety devices for use on the cellular tower in lieu of the required fencing. She noted that the applicant has since agreed to construct the fencing and is requesting that the Planning Commission acknowledge withdrawal of the application.

Discussion followed.

Kooiker applauded the applicant for agreeing to comply with the original conditions of approval of the Use On Review.

Kooiker moved, Scull seconded and unanimously carried to acknowledge the applicant's withdrawal of the Major Amendment to a Use On Review. (10 to 0)

Elkins requested that items 39-42 be considered concurrently.

39. No. 01DU004 - North Rapid Addition

A request by Pennington County to consider an application for a request for review for compliance with the adopted Comprehensive Plan in accordance with 11-6-19 and 11-6-22 SDCL to allow the change in use to allow a detention work release facility at 703 Adams Street and legally described as Lots 1-21, Block 18,



North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 703 Adams Street.

40. No. 01UR057 - North Rapid Addition

A request by Pennington County to consider an application for a **Use On Review to allow a detention work release facility in the Public Zoning District** on Lots 1-21, Block 18, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 703 Adams Street.

41. No. 01RZ070 - North Rapid Addition

A request by Pennington County to consider an application for a **Rezoning from Medium Density Residential District to Public District** on Lots 1-21, Block 18, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 703 Adams Street.

42. No. 01CA038 - North Rapid Addition

A request by Pennington County to consider an application for an **Amendment to the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation on a 1.60 acre parcel of property from Medium Density to Public** on Lots 1-21, Block 18, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 703 Adams Street.

Elkins presented the request, reviewed the slides and identified adjacent land uses. She explained that the residential neighborhood is separated from the existing public uses located to the south by a collector street along with a substantial grade differential. She identified previous uses of and access to the subject property. Elkins expressed staff's concerns with the impact of the encroachment of the proposed activity into the residential neighborhood and reviewed staff's recommendations for denial of each of the requests.

Ron Buskerud, Administrative Assistant to the Pennington County Commission, emphasized that the property has been used in the past as a juvenile detention facility and a school. He noted that the proposed use will not increase noise or traffic and will likely be less intrusive to the neighborhood than the previous uses. He explained that approximately 100 work release inmates could be housed at the facility with 10% to 15% of the inmates driving vehicles to and from the site. He indicated that employees would add an additional five vehicles on site for a total of approximately 20 cars per day. Buskerud noted that the Sheriff's Department has provided information identifying that in the past year only one work release inmate did not return to the facility from work. He clarified that the program does not permit inmates to leave the facility after work noting that outdoor activities primarily consist of landscaping maintenance. He added that all Pennington County residents will benefit from the facility while only a small portion of the residents will be directly impacted. Buskerud indicated that Pennington County does not believe that the rezoning request would result in



spot zoning as the property is located immediately adjacent to Civic Center Zoning district. He added that public activities have taken place on the subject property for the last 40 years.

Jolene Smith, area resident, advised that she attended hearings conducted by Pennington County concerning this issue in April. She noted that a petition rejecting the proposed detention facility was submitted at that time containing signatures of over 300 neighborhood residents. She expressed concern regarding safety issues, the proximity of the facility to the high school, and reviewed statistics for violations by inmates of facility rules. Smith stated that she believes the requested rezoning would create spot zoning and a use that is not appropriate in a medium density residential neighborhood noting that the facility will have an extreme negative impact on their neighborhood.

Karling Abernathy, area resident, stated her opposition to the proposed detention facility in their residential neighborhood. She expressed concern that property values would be reduced noting that she feels the location would be an invitation for the inmates to commit crime. She distributed articles about similar situations in other communities to the Planning Commission.

Jim Albers, area property owner, advised that he owns three houses within six blocks of the proposed facility. He expressed concern regarding a decrease in property values as a result of the placement of the detention facility at this location. He stated that he feels North Street should remain the buffer for the neighborhood from the commercial activities in the area. He stated that he does not feel their neighborhood should be forced to house a criminal detention facility serving all of Pennington County.

Cathy Coates, area resident, expressed concern that Pennington County ignored the petitions previously submitted by the area residents. She advised that she has five children that live in this neighborhood noting that positioning the detention facility so close to a high school is a major concern. She acknowledged the financial issues facing Pennington County and suggested that a different site be selected that is correctly zoned for a detention facility. She stated that she wants to maintain the existing cohesive neighborhood.

Smith presented letters of opposition to the proposals from Diana Winkle to the Planning Commission.

Randy Eide, Allen Street property owner, expressed opposition to a change in zoning and the proposed detention facility noting that he feels residential zoning is appropriate in this neighborhood.

Swedlund stated that he would abstain from voting on the items.

In response to a question from Kooiker, Elkins advised that she is unaware of any information indicating that any of the uses that have occurred in this facility were ever in compliance with the Zoning Ordinance. She noted that a school is allowed as a Use On Review in the Medium Density Residential Zoning District although a Use On Review was not obtained for this property. She stated that



the proposed detention facility is a change in use and would not be grandfathered.

In response to a question from Kooiker, Sheriff Holloway indicated that Pennington County will continue to operate the main jail. He advised that the detention facility will house inmates who have been sentenced to the Pennington County jail, primarily for misdemeanor offenses and some felony offenses such as theft and assault. He explained that many of the people entered into the work release program are first time offenders and meet specific classifications that indicate a reduced risk. He noted that the work release program offers these inmates an opportunity to continue employment and support their families.

Hoffmann moved and Wall seconded to deny the request to use 703 Adams Street for a Work Release Detention center as it is not consistent with the adopted Comprehensive Plan or the adopted Zoning Ordinance, and to recommend that the Use On Review to allow a Work Release detention center be denied, that the Rezoning from Medium Density Residential District to Public District be denied, and that the Amendment to the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation on a 1.60 acre parcel of property from Medium Density to Public be denied.

In response to a question from Stone, Holloway reviewed procedures for monitoring work release inmates, including on-the-job spot checks and written cooperation from employers.

Wall spoke in opposition to the proposed requests stating that the proposed use is not consistent with the adopted master plan or the surrounding zoning, it is not a grandfathered use and he stated that he does not believe it is in the best interest of the people living in that area. Wall emphasized that he feels the neighborhood opposition to the request should be taken seriously and he suggested that alternative sites be identified.

Discussion followed concerning locating the facility in a light industrial area, the need for detention facilities, and the need to balance sensitivity to residential concerns with funding issues when selecting a location for this type of use.

Mashek stated that she feels the existing Medium Density Residential zoning is appropriate for this area.

Prairie Chicken advised that he has lived in the North Rapid area for 18 years. He stated that this is a diverse neighborhood with a strong sense of community. He acknowledged the community's responsibility to address social problems; however he noted that the Zoning Regulations do not support this use at this location.

Buskerud requested that the Planning Commission identify the reasons for disapproval of the 11-6-19 as required pursuant to the state statute.



Stone spoke in support of staff's recommendation to deny the requested detention work release facility.

The motion unanimously carried to deny the request to use 703 Adams Street for a Work Release Detention center as it is not consistent with the adopted Comprehensive Plan or the adopted Zoning Ordinance, and to recommend that the Use On Review to allow a Work Release detention center be denied, that the Rezoning from Medium Density Residential District to Public District be denied, and that the Amendment to the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation on a 1.60 acre parcel of property from Medium Density to Public be denied. (9 to 0 with Swedlund abstaining)

43. No. 01CA039 - Section 19, T1N, R8E and Section 24, T1N, R7E

A request by the City of Rapid City consider an application for an **Amendment to the Future Land Use Designation in the South Robbinsdale Neighborhood Area Future Land Use Plan, an element of the Comprehensive Plan: From Medium Density Residential with a Planned Residential Development and a Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Medium Density Residential with a Planned Residential Development** located in the SE1/4 of the SW1/4, NE1/4 of the SW1/4 less Highway 16B Right-of-way, the North 900 feet of the NW1/4 of the SE1/4 less Highway 16B Right-of-way and the West 110 feet of the North 900 feet of the NE1/4 of the SE1/4 less Highway 16B Right-of-way of Section 24, T1N, R7E, B.H.M., Pennington County, South Dakota; **From Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Low Density Residential with a Planned Residential Development** located in the West 810 feet of the South 420 feet of the NE1/4 of the SE1/4, the West 810 feet of the SE1/4 of the SE1/4, the South 420 feet of the NW1/4 of the SE1/4 and the SE1/4 of the SE1/4 of Section 24, T1N, R7E, B.H.M., Pennington County, South Dakota; **From Planned Residential Development with a maximum density of 6.7 dwelling units per acre and Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development** located in the East 510 feet of the South 420 feet of the NE1/4 of the SE1/4 and the East 510 feet of the SE1/4 of the SE1/4, Section 24, T1N, R7E, B.H.M., Pennington County, South Dakota; **From General Commercial with a Planned Commercial Development and Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development** located in East 1,210 feet of the North 900 feet of the NE1/4 of the SE1/4 less the East 450 feet of the North 484 feet of the NE1/4 of the SE1/4 and less Highway 16B Right-of-way of Section 24, T1N, R7E, B.H.M., Pennington County, South Dakota; **From General Commercial with a Planned Commercial Development and Medium Density Residential with a Planned Residential Development to Public Drainage** located in the East 450 feet of the North 484 feet of the NE1/4 of the SE1/4 Less Highway 16B Right-of-way of Section 24, T1N, R7E, B.H.M., Pennington County, South Dakota; **From General Commercial with a Planned Commercial**



Development, Park Site with alternative use of Mobile Home Residential and Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development located in the North 900 feet of Government Lot 3 of the NW1/4 of the SW1/4 less the North 450 feet of the East 484 feet of Government Lot 3 of the NW1.4 of the SW1/4 and less Highway 16B Right-of-way of Section 19, T1N, R8E, B.H.M., Pennington County, South Dakota; **From General Commercial with a Planned Commercial Development and Office Commercial with a Planned Commercial Development to Public Drainage** located in the North 450 feet of the East 484 feet of Government Lot 3 of the NW1/4 of the SW1/4 less Highway 16 B Right-of-way of Section 19, T1N, R8E, B.H.M., Pennington County, South Dakota; **From Office Commercial with a Planned Commercial Development and Park Site with alternative use of Mobile Home Residential to Light Industrial with a Planned Light Industrial Development** located in the South 420 feet of Government Lot 3 of the NW1/4 of the SW1/4 and Government Lot 4 of the SW1/4 of the SW1/4 of Section 19, T1N, R8E, B.H.M., Pennington County, South Dakota; **From General Commercial with a Planned Commercial Development and Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development** located in the S1/2 of Government Lot 2 of the SW1/4 of the NW1/4 less Highway 16 B Right-of-way of Section 19, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota; **From Office Commercial with a Planned Commercial Development, Medium Density Residential, and Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Office Commercial with a Planned Commercial Development** located in the N1/2 of Government Lot 2 of the SW1/4 of the NW1/4 of Section 19, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota; **From Low Density Residential and Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Medium Density Residential with a Planned Residential Development** located in the S1/2 of Government Lot 1 of the NW1/4 of the NW1/4 of Section 19, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota; and, **From Low Density Residential and Medium Density Residential to Low Density Residential** located in the N1/2 of Government Lot 1 of the NW1/4 of the NW1/4 of Section 19, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more generally described as being located north and south of Catron Boulevard adjacent to the future 5th Street intersection.

Fisher presented the request noting that the City Council directed staff to advertise for amendments to the South Robbinsdale Future Land Use Plan as recommended by the Future Land Use Committee with the elimination of the Mobile Home Type - II land use designation. She stated that staff recommends approval of the amendments.

In response to a question from Hoffmann, Elkins discussed regulatory issues relating to land use and manufactured housing.

In response to a question from Stone, Fisher identified the acreage for each land use designation as identified in the request.



In response to Mashek, Elkins noted that there are areas designated for manufactured housing in the Northeast Neighborhood Area and Elk Vale Neighborhood Area Future Land Use Plans. She noted that this is an issue discussed extensively by the committee during the development of the plans.

Swedlund reviewed the Planning Commission's recommendation at the December 12, 2001 meeting to deny the Comprehensive Plan Amendments as submitted by the property owner. He noted his concern with the location of Office Commercial land use designation next to the Light Industrial land use designation as submitted under this proposal. He indicated that he feels commercial growth should be directed toward S.D. Highway 79, U.S. Highway 16 and East Saint Patrick Street as opposed to creating new commercial land development in this area.

In response to a question from Hoffmann, Fisher reviewed the areas in the proposal identifying Planned Development Designations as part of the land use classification.

Kooiker moved and Stone seconded to recommend that the Comprehensive Plan Amendment be approved.

Swedlund stated that he agrees with the proposal in large part and expressed concern that the re-development of existing commercial should be addressed prior to creating additional commercial properties in this area.

Wall discussed the Elk Vale Road Corridor Study and sprawl issues noting that he supports the Comprehensive Plan Amendment.

Swedlund discussed the work of the Future Land Use Committee, planning philosophy, sprawl and community development issues.

The motion carried to recommend that the Comprehensive Plan Amendment - South Robbinsdale Neighborhood Area Future Land Use Plan be approved. (9 to 1 with Swedlund voting no)

43A. No. 01PL096 - Robbinsdale Addition No. 8

A request by Gary Rasmusson 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.

Elkins advised that staff recommends that the Final Plat be continued to the January 24, 2002 Planning Commission meeting.



Kooiker moved, Stone seconded and unanimously carried to recommend that the Final Plat be continued to the January 24, 2002 Planning Commission meeting. (10 to 0)

44. Discussion Items

A. Landscape Committee Update

Craig Grotenhouse advised that the Landscape Committee has met on several occasions and is primarily reviewing revisions to landscaping regulations for new commercial and industrial development, including provisions for automatic irrigation systems, additional landscaping in parking lots, an increase in installed plant size, and the potential for requiring credentials for landscape designers. He requested that the Planning Commission provide the Committee with direction on how to proceed.

Swedlund stated that he feels the Landscape Committee should be very restrained and conservative in the changes that are proposed.

Eric Heikes explained that consideration should be given to safety issues and the proper selection of plant materials when landscape plans are created. He reviewed various training and/or credentials that could be required for landscape designers.

Wevik thanked the Landscape Committee members for providing the Planning Commission an opportunity to provide input into the committee review process. He added that he feels that any issues requiring additional rules need thorough and careful review.

Discussion followed concerning automatic drip irrigation systems and related issues.

B. Planning Commission Goals Report

Elkins indicated this discussion item has been continued a number of times and suggested that a special working session be scheduled so that this issue can be reviewed in detail. She noted that the prioritization of these items establish the staff work program for the next two years. With the Planning Commission's concurrence, a training session was scheduled for January 17, 2002 from 11:30 a.m. to 1:00 p.m. Elkins advised that room confirmation will be distributed to all Planning Commission members.

Discussion followed concerning the prioritization and addition of items to the work program.

C. December 2002 Planning Commission meetings

Elkins explained that traditionally a second Planning Commission meeting has not been scheduled in December. She explained that this year a five week period occurred with no Planning Commission meetings creating an extremely large backlog of applications during the holidays. She recommended that a



second Planning Commission meeting be held in December 2002 to address this problem.

Stone moved, Kooiker seconded and unanimously carried to direct staff to schedule a second Planning Commission meeting in December. (10 to 0)

45. Staff Items

Elkins advised that the Mayor has requested a joint training session between the Pennington County Commission and the Rapid City Planning Commission with the intent of discussing drainage issues.

Discussion followed.

With the Planning Commission's concurrence a meeting was scheduled on January 31, 2002 from 11:30 a.m. to 1:00 p.m.

46. Planning Commission Items

Kooiker advised that he attended the January 7, 2002 City Council meeting and the Ordinance Amendment changing the procedures for authorization of conditional use permits was approved for second reading. He reminded the Planning Commission that this Ordinance Amendment applies to Planned Development and Conditional Use Permit applications.

Kooiker requested that additional information concerning Planning Commissioners, including address, telephone number and email addresses be included on the City web site. Wevik cited concerns regarding ethics and disclosure noting the responsibility of the Planning Commissioners to share those contacts with the rest of the Commission and staff. He suggested that an email distribution address which would notify all commissioners might be an appropriate method to mitigate these concerns. Swedlund concurred.

A brief discussion followed concerning Planning Commissioner appointments.

There being no further business Mashek moved, Stone seconded and unanimously carried to adjourn the meeting at 9:17 a.m. (10 to 0)