



MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
May 9, 2002

MEMBERS PRESENT: Ida Marie Fast Wolf, Jeff Hoffmann, Dawn Mashek, Mel Prairie Chicken, Jeff Stone, Bob Wall, and Stuart Wevik

PLANNING COMMISSION PRESENT: Marcia Elkins, Vicki Fisher, Lisa Seaman, Karen Bulman, Dave Johnson, Randy Nelson, Dave LaFrance, Jason Green, Rich Wells, Tim Behlings, and Nadine Bauer

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

**---NON HEARING ITEMS CONSENT CALENDAR---**

**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 Items 1 and 5 be removed from the Non-Hearing Consent Agenda for separate consideration. A member of the audience requested that Item 7 be removed from the Non-Hearing Consent Agenda for separate consideration.**

**Wall moved, Hoffman seconded and carried unanimously to recommend approval of the Non-Hearing Consent Agenda Items 1 through 11 in accordance with the staff recommendations with the exception of Items 1, 5 and 7. (7 to 0)**

2. 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 June 6, 2002 Planning Commission meeting at the applicant's request.**

3. No. 02AN005 - Section 17 and 18, T1N, R8E

A request by City of Rapid City to consider an application for a **Petition for Annexation** on the NW1/4 SW1/4; Lot A north of 1/16 line; Lot 1 of Tract D; Lot B of SW1/4 SW1/4 and Lot A of SE1/4 SW1/4; Tract D of W1/2 SW1/4 less BHP&L Substation Subdivision, less E Hoff Subdivision and less Lot H1 and Lot H1, Lot H2 and Lot H3 of W1/2 SW1/4, Lot H2 and Lot H3 of Lot C of W1/2 SW1/4, Lot H1 of Tract D of W1/2 SW1/4 less Lot 1 of BHPL Highway 79 Substation, Lot H1 in Lot E in the SW1/4 SW1/4, Lot H1 in Lot F in the SW1/4 SW1/4, Lot H1 in Lot B in the SW1/4 SW1/4, Lot H1 in Lot A in the SE1/4 SW1/4 Lot H5 of NW1/4 SW1/4, all located in Section 17, T1N, R8E, BHM, Pennington

County, South Dakota and Lot H1 of E1/2 SE1/4, Section 18, T1N, R8E, BHM, Pennington County, South Dakota; All railroad rights-of-way, previously not annexed, located in the NW1/4 SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; and, all portions of property not annexed into the City of Rapid City lying west of the east boundary of the DM&E railroad right-of-way, including all rights-of-way, located in the SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of SD Highway 79 and north of Folsom Road.

**Planning Commission recommends that the Petition for Annexation be approved for that portion of the NW1/4 SW1/4, formerly known as Lots 8, 9, & 10 of Swander's Addition located in the NW1/4 SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; That portion of Lot A a part of the SW1/4 of Section 17, T1N, R8E, BHM, lying in the NW1/4 of the SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Lot 1 of BHPL Hwy 79 Substation in Tract D in W1/2 of SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Lot B of SW1/4 SW1/4 and Lot A of SE1/4 SW1/4, Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Tract D of W1/2 SW1/4 less Lot 1 of BHPL Hwy 79 Substation in Tract D in W1/2 of SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota and less Lot 1A and Lot 1B of E. Hoff Subdivision of Section 17, T1N, R8E, BHM, Pennington County, South Dakota and less Lot H1 in Tract D of the W1/2 SW1/4 of Section 17 less Lot 1 of BHPL Hwy 79 Substation, T1N, R8E, BHM, Pennington County, South Dakota; Lot H1 and Lot H2 and Lot H3 of W1/2 SW1/4; Lot H2 and Lot H3 of Lot C of W1/2 SW1/4; Lot H1 of Tract D of W1/2 SW1/4 of Section 17 less Lot 1 of BHPL Hwy 79 Substation; Lot H1 in Lot E in the SW1/4 SW1/4; Lot H1 in Lot F in the SW1/4 SW1/4; Lot H1 in Lot B in the SW1/4 SW1/4; Lot H1 in Lot A in the SE1/4 SW1/4; Lot H5 of NW1/4 SW1/4; all located in Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Lot H1 of E1/2 SE1/4, Section 18, T1N, R8E, BHM, Pennington County, South Dakota; all railroad rights-of-way, not previously annexed, located in the NW1/4 SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; and all rights-of-way not previously annexed lying west of the east boundary of the DM&E railroad right-of-way located in the SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota, an area of 32.2 acres, more or less, with the following stipulation:**

- 1. That the payment of the necessary reimbursement to the Rapid Valley Fire District be made following City Council approval of the annexation.**
  
4. No. 02PL006 - Springbrook Acres Addition  
A request by Fisk Land Surveying & Consulting Engineers for Larry Lewis and Kenneth Kirkeby to consider an application for a **Preliminary and Final Plat** on Parcel A of Tract SB of Springbrook Acres Addition and Lot 19R3 of Fairway Hills PRD located in the SW1/4 NE1/4, NW1/4 SE1/4, and SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as Lot 19R2 of Fairway Hills PRD and a portion of Tract SB of

Springbrook Acres located in the SW1/4 NE1/4, NW1/4 SE1/4, and SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Fairway Hills and Sandstone Ridge Subdivision.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the May 23, 2002 Planning Commission meeting at the applicant's request.**

6. No. 02PL027 - Trailwood Village Subdivision

A request by Renner & Sperlich Engineering Co. for Gordon Howie to consider an application for a **Preliminary and Final Plat** on Lots 1, and 5 thru 15 of Block 17 of Trailwood Village located in the E1/2 of the SW/14 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota legally described as a portion of Tract 5 of Trailwood Village located in the E1/2 of the SW/14 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located northeast of Covington Street and Teak Drive.

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

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, the required regulatory signage and street identification signage shall be installed on Teak Drive;
2. Prior to Final Plat approval by the City Council, the plat shall be revised to include a utility easement within the flag pole portion of Lot 5, Block 17;
3. Prior to Preliminary Plat approval by the City Council, utility plans shall be submitted for review and approval;
4. Prior to Preliminary Plat approval by the City Council, drainage plans shall be submitted for review and approval;
5. Prior to Preliminary Plat approval by the City Council, the applicant shall provide documentation of the legal entity that will provide road maintenance for the proposed subdivision ;

Fire Department Recommendations:

6. All Uniform Fire Codes shall be continually met
7. Prior to the start of any building construction, fire hydrants shall be installed and operational;
8. All streets, turnarounds and access shall comply with all the requirements of the Rapid City Street Design Criteria Manual;

Urban Planning Division Recommendations:

9. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid;
10. Prior to Final Plat approval by the City Council, the petitioner shall either complete the required subdivision improvements or post financial surety in the amount necessary to cover the cost of the

**required subdivision improvements;**

11. **Prior to Final Plat approval by the City Council, the petitioner shall revise the proposed plat to include non-access easements on proposed Lots 1 and 15 along the frontage of Teak Drive and along the proposed cul-de-sac for a minimum distance of 50 feet from the intersection of Teak Drive and the proposed cul-de-sac; and,**
  12. **Prior to Final Plat approval by the City Council, the petitioner shall either revise the street design plans and plat to reflect sufficient roadway and right of way width to allow on-street parking, provide common-use visitor parking at the rate of one paved parking stall per dwelling located within 300 feet of the residence, or obtain a Special Exception to the common-use visitor parking requirement.**
8. No. 02PL034 - Devine Subdivision  
A request by Jeffrey L. Devine to consider an application for a **Layout Plat** on Lots 1 and 2 located in SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota legally described as Tract B less Lot H1 of Tract B located in SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of East Philadelphia Street and east of Cambell Street.

**Planning Commission recommended that the Layout Plat be continued to the May 23, 2002 Planning Commission meeting to allow the applicant to submit additional information.**

9. No. 02PL037 - Auburn Hills Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1-19 Block 1, Lots 1-37 Block 2, Lots 1-52 Block 3, Lots 1-38 Block 4, Lots 1-37 Block 5, Tract A, Tract B, and dedicated streets, being a replat of the SW1/4 NW1/4 and NW1/4 SW1/4, and Lot 6A and 6B of the Madison Subdivision, being a replat of Lot 6 of the Madison Subdivision, all in Section 13, T2N, R7E, BHM, Pennington County, South Dakota legally described as a parcel of land located in the SW1/4 NW1/4, less Haines Avenue Right-of-Way and NW1/4 SW1/4 of Section 13, T2N, R7E, BHM, Pennington County, South Dakota; and Lot 6 of Madison's Subdivision, in the City of Rapid City, as shown on the Final Plat recorded in Book 12 of Plats on Page 106, Pennington County Register of Deeds, more generally described as being located west of Haines Avenue.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the May 23, 2002 Planning Commission meeting to allow the applicant to submit a revised drainage plan and to adjust the construction plans to comply with the proposed phasing plan.**

10. No. 02PL040 - Eastridge Estates Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1-6 of Block 1; Lot 1 of Block 2; Lots 1-20 of Block 3, Lots 1-14 of Block 4; Lot 1 of Block 5, of Eastridge Subdivision and dedicated Enchantment Road, Eastridge Drive, Sally Court, and major drainage

easements located in the NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as NE1/4 NW1/4; N1/2 NE1/4 less NW1/4 NW1/4 NE1/4 and less NE1/4 NW1/4 NE1/4 and less NW1/4 NE1/4 NE1/4; NW1/4 NW1/4; SE1/4 NW1/4 less the west 460 feet of the south 990 feet and less Lot H1; SW1/4 NW1/4 less the south 990 feet, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Fifth Street.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the June 6, 2002 Planning Commission meeting to allow the applicant to submit additional information.**

11. No. 02RD003 - Park Hill Subdivision

A request by City of Rapid City to consider an application for a **Resolution renaming Park Hill Drive to Park Hill Court** legally described as the Park Hill Drive right-of-way lying adjacent to Lots 14, 15, 16R, 17, 18, and 19 of Block 5, Park Hill Subdivision, located in the W1/2 SE1/4 of Section 7, T1N, R8E, BHM, Pennington County, South Dakota.

**Planning Commission recommended that the Resolution renaming Park Hill Drive to Park Hill Court be approved.**

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

1. Approval of the April 25, 2002 Planning Commission Meeting Minutes.

Elkins advised that Planning Commissioner Sam Kooiker requested that approval of the minutes be continued to the May 23, 2002 Planning Commission meeting.

Stone asked why Kooiker wanted to continue the approval of the minutes. Elkins stated that Kooiker wanted to be present to discuss the April 25, 2002 Planning Commission minutes.

**Mashek moved, Wall seconded and carried unanimously to recommend that the approval of the April 25, 2002 Planning Commission meeting minutes be continued to the May 23, 2002 Planning Commission meeting. (7 to 0)**

5. No. 02PL011 - Minnesota Ridge Subdivision

A request by Centerline, Inc. for 3 T's Land Development LLC to consider an application for a **Preliminary Plat** on Lots 23 thru 30 and Lots 41 thru 48, Minnesota Ridge Subdivision, located in the SW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as a portion of Tract C of Robbinsdale Addition No. 10 located in the SW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the intersection of Minnesota Street and 5th Street.

Fisher advised that the applicant has requested a special exception to waive the requirement to provide an intermediate turnaround on a street that is being platted as a part of the Minnesota Ridge Subdivision to create 22 residential lots at the end of Minnesota Street as it extends to the west. Fisher added that staff is recommending approval of the Special Exception and to continue the Preliminary and Final Plat to the May 23, 2002 meeting.

**Stone moved, Mashek seconded, and carried unanimously to approve the Special Exception to waive the requirement to provide an intermediate turnaround on Minnesota Street and to continue the Preliminary and Final Plat to the May 23, 2002 Planning Commission meeting. (7 to 0)**

7. No. 02PL028 - Kepp Heights #4

A request by Renner & Sperlich Engineering Co. for Robert E. Moore to consider an application for a **Preliminary and Final Plat** on Lots 1 thru 15 of Kepp Heights Subdivision #4, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as Lot 15 of Kepp Heights Subdivision #3, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Flormann Street and Skyline Drive.

Dave Melvin, adjacent property owner, expressed his concerns with zoning, slope stability and drainage of the property. He also expressed his opposition to the associated Subdivision Variance to allow lots twice as long as they are wide and to waive the requirement to install pavement, curb and gutter, water sewer, street light conduit and sidewalks.

Wevik advised that staff's recommendation is to continue the Preliminary and Final Plat to the June 6, 2002 Planning Commission meeting to allow the applicant time to submit addition information.

**Stone moved and Wall seconded to recommend that the Preliminary and Final Plat be continued to the June 6, 2002 Planning Commission meeting to allow the applicant to submit additional information.**

Discussion followed concerning pending litigation.

**The vote on the motion carried unanimously to recommend that the Preliminary and Final Plat be continued to the June 6, 2002 Planning Commission meeting to allow the applicant to submit additional information. (7 to 0)**

---BEGINNING OF HEARING CONSENT ITEMS---

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 Item 12 be removed from the Hearing Consent Agenda for separate consideration. A member of the audience requested that Items 16, 17, 18 and 25 be removed from the Hearing Consent Agenda for separate consideration.**

**Prairie Chicken moved, Hoffman seconded and carried unanimously to recommend approval of the Hearing Consent Agenda Items 12 through 32 in accordance with the staff recommendations with the exception of Items 12, 16, 17, 18, and 25. (7 to 0)**

13. No. 02OA003 - Expiration of Approved Layout Plats and Preliminary Plats  
A request by City of Rapid City to consider an application for an **Ordinance Amendment** amending Chapter 16.08 of the Rapid City Municipal Code by adding Chapter 16.08.037 pertaining to expiration of approved Layout Plat and Preliminary Plats.

**Planning Commission recommended that the Ordinance Amendment amending Chapter 16.08 of the Rapid City Municipal Code by adding Chapter 16.08.037 pertaining to expiration of approved Layout Plat and Preliminary Plats be approved.**

14. No. 02PD003 - Wise's Addition  
A request by Thurston Design Group, LLC for Youth and Family Services to consider an application for a **Planned Commercial Development - Final Development Plan** on the east 26' of Lot 2 of Block 21, Lot 3 Revised and Lot 4 Revised of Block 6, Wise's Addition, located in the SW1/4 of the NW1/4, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 120 East Adams Street and 202 East Adams Street.

**Planning Commission recommended that the Planned Commercial Development - Final Development Plan be continued to the May 23, 2002 Planning Commission meeting to allow the applicant to provide a sign package.**

- \*\*15. No. 02PD013 - Section 5, T1N, R8E  
A request by Laverne Anderson for Leone Anderson to consider an application for a **Planned Development Designation** on Lot 3 less the south 30 feet located in the NW1/4 SW1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of Cambell Street and East St. James Street.

**Planning Commission recommended that the Planned Development Designation be approved with the condition that no sign permits or billboards shall be allowed unless approved as part of a Final Development Plan.**

**The Rapid City Planning Commission's action on this item is final unless**

**any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.**

19. No. 02RZ018 - Mahoney Addition

A request by Harold L. Bies for Kathleen Morris to consider an application for a **Rezoning from Low Density Residential District to Medium Density Residential District** on Blocks 13 and 14, Mahoney Addition, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of Lindbergh Avenue and Wood Avenue.

**Planning Commission recommended that the Rezoning from Low Density Residential District to Medium Density Residential District be approved in conjunction with an Amendment to the Comprehensive Plan to change the land use designation from Low Density Residential use to Medium Density Residential use.**

20. No. 02RZ020 - Section 16, T1N, R7E

A request by FMG, Inc. for George and Nancy Dunham to consider an application for a **Rezoning from General Agricultural District to Low Density Residential** on a parcel of land within the NE1/4 of the NE1/4, Section 16, T1N, R7E, BHM, described by metes and bounds as follows: From the NE Section Corner of Section 16 go S00°01'13"W for a distance of 30.00 feet then N89°43'19"W for a distance of 25.00 feet to the Point of Beginning. Thence S00°01'13"W parallel to the East Section Line for a distance of 225.00 feet. Thence N89°43'19"W for a distance of 121.01 feet. Thence S14°19'10"W for a distance of 344.24 feet. Thence S40°29'02"W for a distance of 245.73 feet. Thence S81°53'46"W for a distance of 608.83 feet to a point on a curve. Thence on a curve to the left with a chord bearing of N14°12'22"W for a chord distance of 99.93 feet and radius of 470.00 feet. Thence S69°41'29"W for a distance of 107.08 feet. Thence N89°43'59"W for a distance of 209.88 feet to the 1/16 line. Thence N00°16'01"E along the east boundary of Block 1 of Parkridge Village for a distance of 310.08 feet. Thence N00°19'42"E for a distance of 292.43 feet to a point on a curve. Thence on a curve to the left with a chord bearing of N11°48'15"E for a chord distance of 150.63 feet with a radius of 378.28 feet. Thence S89°43'19"E along the South ROW of Nicklaus Drive for a distance of 1269.31 feet to the Point of Beginning, more generally described as being located west of Sheridan Lake Road, north of Corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

**Planning Commission recommended that the Rezoning from General Agricultural District to Low Density Residential be approved in conjunction with the associated Comprehensive Plan Amendment.**

21. No. 02RZ021 - Section 16, T1N, R7E

A request by FMG, Inc. for George and Nancy Dunham to consider an application for a **Rezoning from General Agricultural District to Low Density**



**Residential** on a parcel of land within the NE1/4 of the SE1/4 of Section 16, T1N, R7E, BHM described by metes and bounds as follows: From the Point of Beginning, being the SE corner of the NE1/4 of the SE1/4, go N89°43'18"W along the 1/16 Line for a distance of 1333.50 feet to the SE 1/16 corner of Section 16. Thence N00°05'20"W along the 1/16 Line for a distance of 561.80 feet. Thence N64°57'46"E for a distance of 62.20 feet. Thence S30°17'55"E for a distance of 130.55 feet. Thence N64 57'46"E for a distance of 286.82 feet. Thence N55°49'01"E for a distance of 60.00 feet to a point on a curve. Thence south easterly on a curve to the left with a chord bearing of S41°19'14"E for a chord distance of 67.10 feet and a radius of 270.00 feet. Thence N41°32'30"E for a distance of 70.00 feet. Thence N79°34'02"E for a distance of 179.72 feet. Thence N04°05'26"E for a distance of 128.26 feet. Thence N78°33'14"E for a distance of 134.93 feet. Thence N87°50'42"E for a distance of 333.96 feet. Thence S00 00'00"W for a distance of 182.50 feet. Thence S85°54'34"E for a distance of 160.61feet to the east Section Line of Section 16. Thence S00°00'52"W along the Section Line for a distance of 644.83 feet to the Point of Beginning, more generally described as being located west of Sheridan Lake Road, north of Corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

**Planning Commission recommended that the Rezoning from General Agricultural District to Low Density Residential be approved in conjunction with the associated Comprehensive Plan Amendment.**

22. No. 02RZ022 - Section 8 and 17, T1N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Heavy Industrial District** on Fairmont Boulevard right-of-way formerly known as Short Bull Street located in the SW1/4 of Section 8 and the NW1/4 of Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of S.D. Highway 79 and south of East St. Patrick Street.

**Planning Commission recommended that the Rezoning from No Use District to Heavy Industrial District be approved.**

23. No. 02SV006 - Springbrook Acres Addition and Fairway Hills Planned Residential Development

A request by Fisk Land Surveying & Consulting Engineers for Larry Lewis and Kenneth Kirkeby to consider an application for a **Variance to the Subdivision Regulations to allow sidewalks on one side of the street** on Lot 19R2 of Fairway Hills PRD and a portion of Tract SB of Springbrook Acres located in the SW1/4 NE1/4, NW1/4 SE1/4, and SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Fairway Hills and Sandstone Ridge Subdivision.

**Planning Commission recommended that the Variance to the Subdivision Regulations to allow sidewalks on one side of the street be continued to the May 23, 2002 Planning Commission meeting at the applicant's request.**

24. No. 02SV011 - Rimrock Ranch Subdivision

A request by Fisk Land Surveying & Consulting Eng. for Thomas Lee to consider an application for a **Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide** on Lots 2A and 2B of Lot 2 of Rimrock Ranch Subdivision, located in the NE1/4 of the NE1/4 and the SE1/4 of the NE1/4 of Section 13, T1N, R6E, BHM, Pennington County, South Dakota legally described as Lot 2 of Rimrock Ranch Subdivision, located in the NE1/4 of the NE1/4 and the SE/14 of the NE/14 of Section 13, T1N, R6E, BHM, Pennington County, South Dakota, more generally described as being located 6905 West Highway 44.

**Planning Commission acknowledged the applicant's request to withdraw the Variance to the Subdivision Regulations to allow a lot more than twice as long as it is wide.**

26. No. 02SV015 - Kepp Heights #4

A request by Renner & Sperlich Engineering Co. for Robert E. Moore to consider an application for a **Variance to the Subdivision Regulations to allow lots twice as long as they are wide and to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks** on Lots 1 thru 15 of Kepp Heights Subdivision #4, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as Lot 15 of Kepp Heights Subdivision #3, located in the SW1/4 of the NW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Flormann Street and Skyline Drive.

**Planning Commission recommended that the Variance to the Subdivision Regulations to allow lots twice as long as they are wide and to waive the requirement to install pavement, curb and gutter, water, sewer, street light conduit and sidewalks be continued to the June 6, 2002 Planning Commission meeting to be heard in conjunction with an associated plat.**

27. No. 02SV018 - Robbinsdale Addition No. 10

A request by Renner & Sperlich Engineering Co. for Gary Rasmussen to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for dedication of right-of-way in accordance with the Major Street Plan** on Lot 26 of Block 23, and Lot 6 of Block 24, Robbinsdale Addition No. 10, located in the NE1/4 of the SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as a portion of Tract A of Robbinsdale Addition No. 10 and a portion of the NE1/4 of the SE1/4 of Section 13, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located the northeast and northwest corner of the intersection of Maple Avenue and East Minnesota Street.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement for dedication of right-of-way in accordance with the Major Street Plan be approved with the following stipulation:**

**Engineering Division Recommendations:**

1. That a ten foot wide public utility and pedestrian access easement shall be provided along the south lot line of the subject property.

**\*\*28. No. 02UR005 - Cliffside Subdivision**

A request by City of Rapid City to consider an application for a **Conditional Use Permit to allow structures in the Flood Hazard Zoning District** on Lots 6 thru 11 of Lot X of Cliffside Subdivision; Lots 1-6 of Lot Y of Cliffside Subdivision; Lot Z in the NE1/4 NE1/4 of Section 18, T1N, R7E; and, Tract M-1 in the NW1/4 NW1/4 of Section 17, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of SD Highway 44 West and east of Trout Court.

**Planning Commission recommended that Conditional Use Permit to allow structures in the Flood Hazard Zoning District be approved with the following stipulation:**

**Fire Department Recommendations:**

1. The site must provide enough space to insure adequate turnaround for emergency equipment;

**Engineering Department Recommendations:**

2. Driveway and curb cut must be constructed in accordance with the Off-street Parking requirements in Chapter 17.50.27 of the Rapid City Municipal Code;
3. A stop sign and a no overnight parking sign must be erected on the site;
4. The Rapid City Municipal Code Chapter 15.32 Flood Area Construction Regulations must be followed;

**Urban Planning Division Recommendations:**

5. One van accessible handicapped space must be provided in the parking lot; and,
6. That all requirements for the Off Street Parking Ordinance, Rapid City Municipal Code Chapter 17.50.27 shall be continually met.

**The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.**

**\*\*29. No. 02UR008 - Section 20, T2N, R8E**

A request by Davis Engineering for Gary & Shirley Wolff to consider an application for a **Conditional Use Permit to allow a Mobile Home Park in the Medium Density Residential District** on the SW1/4 SW1/4 and the N8/10ths of W1/2 W1/2 of SE1/4 SW1/4, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1550 Seger Drive.

**Planning Commission recommended that the Conditional Use Permit to allow a mobile home park in the Medium Density Residential District be continued to the May 23, 2002 Planning Commission meeting to allow the applicant to submit a revised site plan, to remove debris from the property and to remove structures from the Ellsworth Air Force Base water main easement.**

**The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.**

**\*\*30. No. 02UR010 - Rapid City Greenway Tract**

A request by City of Rapid City for Black Hills Heritage Festival, Inc. to consider an application for a **Major Amendment to a Conditional Use Permit to allow temporary structures in the Flood Hazard Zoning District** on Tract 20 of Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in Memorial Park - west of Fifth Street between Omaha Street and New York Street.

**Planning Commission recommended that the Major Amendment to a Conditional Use Permit to allow temporary structures in the Flood Hazard Zoning District be approved with the following stipulations:**

**Engineering Division Recommendations:**

- 1. Prior to initiation of the event, a copy of the evacuation plan shall be submitted to the City and Pennington County Emergency Management Department for review and approval;**
- 2. No camping shall be permitted within the floodway or floodplain at any time;**
- 3. All requirements of Section 17.28 of the Zoning Ordinance regarding the Flood Hazard Zoning District shall be continually met including the requirements for temporary structures set forth in Section 17.28.040;**
- 4. All requirements of the Floodplain Development Ordinance shall be met at all times;**

**Fire Department Recommendations:**

- 5. Prior to initiation of the event, the Heritage Festival representatives shall submit all applicable plans to the Fire Department for approval and shall have received approval of an inspection for all tents and other facilities as required by the Fire Code;**

**Building Inspection Department Recommendations:**

- 6. No banners shall be allowed within the public right-of-way or on fences;**
- 7. The total number of restrooms (including handicapped accessible restrooms) to be provided shall be determined by the Building Inspections Division at the time a Temporary Use Permit is**

- requested;
8. **A Temporary Use Permit shall be received prior to initiation of the event each year;**
  9. **All electrical wiring shall comply with all applicable Uniform Building and Electrical Codes;**

**Parks Division Recommendations:**

10. **Final vendor locations will require verification with the Parks Division Staff in the field due to topographic considerations and the location of existing park amenities;**
11. **An electrical permit shall be obtained for all new electrical wiring required for the festival. All such wiring shall be underground and shall be constructed and inspected in accordance with City standards.**

**Urban Planning Division Recommendations:**

12. **The park grounds shall be cleaned daily and shall be continually kept clear of debris and trash;**
13. **Twenty-four hour security shall be provided for the festival and a weather radio shall be on-site and monitored continually;**

**The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.**

**\*\*31. No. 02UR011 - Rapid River Subdivision**

A request by David Bradsky for Express, Inc. to consider an application for a **Conditional Use Permit to allow a car wash in the General Commercial Zoning District** on Lot 9R-Rev and that portion of vacated Mountain View Road adjacent to said lot of Block 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2123 Jackson Boulevard.

**Planning Commission recommended that the Conditional Use Permit to allow a car wash in the General Commercial Zoning District be continued to the June 6, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.**

**The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.**

**\*\*32. No. 02UR012 - Original Town of Rapid City**

A request by Mike Schmitz for the Radisson Hotel to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment and allow for outdoor seating** on the east 450 feet of Tract A of Block 71-72, Lots

25-32, Lots 33-34 (Subd of the south 56.6 feet of Lots 1-6, 56.6 feet x 150 feet) and the vacated alley of Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 445 Mt. Rushmore Road.

**Planning Commission recommended that the Conditional Use Permit to allow an on-sale liquor establishment and allow for outdoor seating be continued to the May 23, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.**

**The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.**

---END OF HEARING CONSENT CALENDAR---

12. No. 02OA002 - Administrative Approval of Final Plats  
A request by City of Rapid City to consider an application for an **Ordinance Amendment** amending Chapter 16.08 of the Rapid City Municipal Code by adding Chapter 16.08.035 pertaining to Administrative Approval of Final Plats.

Elkins stated that wall had identified the need for the inclusion of a deadline for submitting an appeal similar to the same language used for Conditional Use Permits. She indicated that staff concurred with his suggestion.

**Wall moved, Stone seconded, and carried unanimously to recommend approval of the Ordinance Amendment amending Chapter 16.08 of the Rapid City Municipal Code by adding Chapter 16.08.035 pertaining to Administrative Approval of Final Plats with the inclusion of the deadline for submitting an appeal to be seven working days. (7 to 0)**

- \*\*16. No. 02PD014 - Eastridge Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Planned Development Designation** on Lots 1-6 of Block 1; Lot 1 of Block 2; Lots 1-20 of Block 3, Lots 1-14 of Block 4; Lot 1 of Block 5, of Eastridge Subdivision and dedicated Enchantment Road, Eastridge Drive, Sally Court, and major drainage easements located in the NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as NE1/4 NW1/4; N1/2 NE1/4 less NW1/4 NW1/4 NE1/4 and less NE1/4 NW1/4 NE1/4 and less NW1/4 NE1/4 NE1/4; NW1/4 NW1/4; SE1/4 NW1/4 less the west 460 feet of the south 990 feet and less Lot H1; SW1/4 NW1/4 less the south 990 feet, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Fifth Street.

Hani Shafi, Dream Design International, requested that the Planning Commission reconsider Items 9 and 10 to be considered in conjunction with Items 16, 17, and 18 as he had entered the meeting late.

Elkins advised that the Planning Commission must reconsider the entire Non-Hearing Consent Agenda and the Commission has typically reconsidered these items at the end of the meeting after the regular items.

Shafi advised that he did not have an issue with Item #16. Shafi requested that the Planning Commission approve the Planned Development Designation and continue items 9, 10, 17, 18 and 25 to the end of the agenda.

**Prairie Chicken moved, Mashek seconded and carried unanimously to recommend that the Planned Development Designation be approved in conjunction with the association rezoning request with the condition that no sign permits shall be allowed unless approved as part of a Final Development Plan. (7 to 0)**

**The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.**

**Stone moved, Hoffman seconded and carried unanimously to move Items 17, 18, and 25 to be moved to the end of the agenda. (7 to 0)**

**---BEGINNING OF REGULAR AGENDA ITEMS---**

Elkins requested that Items 33-43 be considered concurrently.

33. No. 02CA019 - Section 19, T1N, R8E  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 5.9 acre parcel from Public Drainage to General Commercial with a Planned Development Designation to include a drainage area within 550 feet of Catron Boulevard** on the north 500 feet of the east 460 feet of Government Lot 3 of the NW1/4 SW1/4 and that portion of the SW1/4 NW1/4 lying south of Catron Boulevard, all located in Section 19, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and east of the proposed 5th Street extension.
  
34. No. 02CA020 - Section 19, T1N, R8E  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 1.18 acres parcel from Office Commercial with a Planned Commercial Development to Light Industrial** on legally described as that portion of the SE1/4 SE1/4 lying southeast of the proposed 5th Street extension in Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street

extension.

35. No. 02CA021 - Section 24, T1N, R7E

A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 10.65 acre parcel from Office Commercial with a Planned Commercial Development to Office Commercial** on the east 500 feet of the south 1040 feet of the SE1/4 SE1/4 and west of proposed 5th Street extension, Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.

36. No. 02CA022 - Section 24, T1N, R7E

A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 19.65 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density** on the west 890 feet of the south 1040 feet of the SE1/4 SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.

37. No. 02CA023 - Section 24, T1N, R7E

A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 45.86 acre parcel from Public Drainage and General Commercial with a Planned Commercial Development, Low Density Residential with a Planned Residential Development, and Office Commercial with a Planned Commercial Development to General Commercial with a Planned Development Designation and a Drainage area within 550 feet of Catron Boulevard and General Commercial on the balance of the property on the NE1/4 SE1/4 less Hwy 16B ROW and the north 280 feet of the SE1/4 SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.**

38. No. 02CA024 - Section 24, T1N, R7E

A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 16.63 acre parcel from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development** on the north 730 feet of the west 150 feet of the NE1/4 SE1/4 and the north 600 feet of the east 1170 feet of the NW1/4 SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.



39. No. 02CA025 - Section 24, T1N, R7E  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 6.86 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density Residential** on the south 150 feet of the west 150 feet of the NW1/4 SE1/4 and the south 280 feet of the east 1170 feet of the NW1/4 SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.
40. No. 02CA026 - Section 24, T1N, R7E  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 31.8 acre parcel from Low Density Residential with a Planned Residential Development to Low Density Residential II** on the south 1040 feet of the SW1/4 SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.
41. No. 02CA027 - Section 24, T1N, R7E  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 12.47 acre parcel from Medium Density Residential with a Planned Residential Development to Neighborhood Commercial with a Planned Commercial Development** on that portion of the north 735 feet lying south of Catron Boulevard in the NE1/4 SW1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.
42. No. 02CA028 - Section 24, T1N, R7E  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 51.16 acre parcel from Medium Density Residential with a Planned Residential Development to Medium Density Residential** the south 585 feet of the NE1/4 SW1/4 and that portion of the SE1/4 SW1/4 all lying more than 550 feet from the Catron Boulevard right-of-way in Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.
43. No. 02CA029 - Section 24, T1N, R7E  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan to revise the South Robbinsdale Neighborhood Area Future Land Use Plan to identify an alternative designation as General Commercial with a Planned Commercial Development on a 128.16 acre**

**parcel** on the east 500 feet of the south 1040 feet of the SE1/4 SE1/4 west of the proposed 5th Street extension, the west 820 feet of the south 1040 feet of the SE1/4 SE1/4, NE1/4 SE1/4 less Hwy 16B ROW and the north 280 feet of the SE1/4 SE1/4, the east 860 feet of the NW1/4 SE1/4, and the east 860 feet of the SW1/4 SE1/4, all located in Section 24, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and west of the proposed 5th Street extension.

Elkins reviewed the requests and staff's recommendations for Items 33 thru 43.

Mashek stated that she supports the approval of the Comprehensive Plan Amendments, Items 33 thru 43, but did express concerns with Item #41 - 02CA027 and changing the future land use designation from Medium Density Residential with a Planned Residential Development to Neighborhood Commercial with a Planned Commercial Development. Mashek expressed her concerns regarding the impact that Neighborhood Commercial with a Planned Commercial Development will have on traffic and the need for a traffic signal light on Catron Boulevard. Mashek stated that she does support the request to change the future land use designation from Medium Density Residential with a Planned Residential Development to Medium Density Residential on Item 42 - 02CA028. Mashek added that she does not support the applicant's proposed plans to apply for a Conditional Use Permit on this 51.16 acre parcel.

Hoffman asked if anything was changing from what was approved previously. Elkins advised that there are no changes being made from what had been recommended by the Future Land Use Committee.

**Mashek moved, Stone seconded and carried unanimously to recommend that:**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 5.9 acre parcel from Public Drainage to General Commercial with a Planned Development Designation to include a drainage area within 550 feet of Catron Boulevard be approved;**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 1.18 acres parcel from Office Commercial with a Planned Commercial Development to Light Industrial be approved;**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 10.65 acre parcel from Office Commercial with a Planned Commercial Development to Office Commercial be approved;**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the**

**future land use designation on a 19.65 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density be approved;**

**the following amendments to the Comprehensive Plan revising the South Robbinsdale Neighborhood Area Future Land Use Plan:**

- 1. Revise the land use from Low Density Residential with a Planned Residential Development and Office Commercial with a Planned Commercial Development to General Commercial on the north 280 feet of the SE1/4 of the SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota;**
- 2. Revise the land use from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development for the west 150 feet of the NE1/4 of the SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota lying within 550 feet of the Catron Boulevard right-of-way;**
- 3. Revise the land use from Public Drainage and General Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development and a Drainage overlay on the east 440 feet less the easternmost 30 feet of the north 487 feet of the NE1/4 of the NE1/4 of the SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota less that portion of H-1 lying in the NE1/4 of the NE1/4 of the SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota with the following stipulation:**
  - a. That when development occurs on the property, the drainage area may be relocated or revised in accordance with any adopted drainage basin master plan and the Drainage Criteria Manual.**
- 4. Revise the land use from Low Density Residential with a Planned Residential Development, Office Commercial with a Planned Residential Development, Medium Density Residential with a Planned Residential Development and General Commercial with a Planned Commercial Development to General Commercial for that portion of the balance of the NE ¼ of the SE ¼ of Section 24, T1N, R7E, BHM, Pennington County, South Dakota lying more than 550 feet south of the Catron Boulevard right-of way;**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 16.63 acre parcel from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development be approved;**

**the Amendment to the Comprehensive Plan by revising the South**

**Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 6.86 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density Residential be approved;**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 31.8 acre parcel from Low Density Residential with a Planned Residential Development to Low Density Residential II be approved;**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 12.47 acre parcel from Medium Density Residential with a Planned Residential Development to Neighborhood Commercial with a Planned Commercial Development be approved;**

**the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 51.16 acre parcel from Medium Density Residential with a Planned Residential Development to Medium Density Residential be approved; and,**

**the Amendment to the Comprehensive Plan to revise the South Robbinsdale Neighborhood Area Future Land Use Plan to identify an alternative designation as General Commercial with a Planned Commercial Development on a 128.16 acre parcel be approved. (7 to 0)**

44. No. 02CA030 - Dunham Estates

A request by FMG, Inc. for George and Nancy Dunham to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation on a 120 acre parcel from General Agriculture to Low Density Residential** on the unplatted portions of the E1/2 NE1/4 SE1/4; W1/2 NE1/4 SE1/4; and the E1/2 NE1/4, all located in Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road, north of corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

Seaman reviewed the application, the legal advertisement and staff's recommendation to continue the Amendment to the Comprehensive Plan to a continued Planning Commission meeting on May 16, 2002. Elkins clarified that this continuance was due to an error by the Rapid City Journal in advertising the request and was not a request by the applicant.

**Wall moved, Hoffman seconded and carried unanimously to recommend that the Amendment to the Comprehensive Plan to change the land use designation on a 120 acre parcel from General Agriculture to Low Density Residential be continued to the continued Planning Commission meeting**

**on May 16, 2002. (7 to 0)**

Seaman requested that Items 45 and 48 be considered concurrently.

45. No. 02PL038 - Section 16, T1N, R7E

A request by FMG, Inc. for George and Nancy Dunham to consider an application for a **Preliminary and Final Plat** on Lots 1 through 4 of Block 3, Lots 1 through 3 of Block 4 and Lots 1 through 11 of Block 5 of Dunham Estates and dedicated public right of way shown as Dunham Drive, Dixon Drive, Severson Street and Heidiway Lane located in NE1/4 SE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as E1/2 NE1/4 SE1/4 and the W1/2 NE1/4 SE1/4 and the E1/2 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road, north of Corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

48. No. 02SV021 - Section 16, T1N, R7E

A request by FMG, Inc. for George and Nancy Dunham to consider an application for a **Variance to the Subdivision Regulations to allow lots twice as long as wide, and to allow curbside sidewalk with roll curb on Dixon Court** on Lots 1 through 4 of Block 3, Lots 1 through 3 of Block 4 and Lots 1 through 11 of Block 5 of Dunham Estates and dedicated public right of way shown as Dunham Drive, Dixon Court, Severson Street and Heidiway Lane located in NE1/4 SE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as the unplatted portions of the E1/2 NE1/4 SE1/4, the W1/2 NE1/4 SE1/4 and the E1/2 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road, north of Corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

Seaman reviewed the temporary turnaround, size of the cul-de-sac bulbs, roll type curbing with curbside sidewalk, the requirement for a special exception to the Street Design Criteria Manual, improvements to Heidiway Lane adjacent to the subject property and the connection of Severson Street where it terminates to the south. Seaman advised that staff is recommending approval of the Preliminary and Final Plat and the Variance to the Subdivision Regulations with stipulations.

Nelson advised that the proposed addition of Phase 2 and 3 would increase the daily trips to approximately 260 daily trips at the intersection of Heidiway Lane and Sheridan Lake Road. Nelson stated that the Engineering staff has concerns with the sight distance, grade and the landing at the intersection of Heidiway and Sheridan Lake Road. Nelson stated that the subdivision phasing needs to be revised. Nelson stated that there are other options available such as working through the subdivision from the north and access out on a different part of the system or constructing Severson Street.

George Dunham, developer, expressed his thanks to Elkins, Seaman and the Fire Department staff for their hard work and efforts in attempting to expedite

meetings to resolve the remaining issues. Dunham explained that he increased the diameter of the cul-de-sacs from 76 feet to 90 feet to accommodate Fire Department apparatus. Dunham added that he is concerned that now he will not be allowed to have roll over curb and curbside sidewalk because the cul-de-sac is now big enough to allow parking. Dunham also expressed concerns with the stipulations concerning Severson Street. He also discussed access, the connection to Heidiway Court, the Layout Plat and the Subdivision Regulations.

Jerry Gill, 4300 Heidiway Court, expressed his opposition to the Preliminary and Final Plat that would allow access to the proposed subdivision from Heidiway Court. He also expressed his concerns with the additional traffic and the condition of Heidiway Lane.

Cleone Barnett, 4202 Heidiway Court, expressed her opposition to the Preliminary and Final Plat. She expressed her concerns regarding the grade, sight distance at Sheridan Lake Road and Heidiway Lane, increased traffic, access and the condition of Heidiway Lane.

Discussion followed concerning the Subdivision Regulations, the Street Design Criteria Manual, roll over curb and curbside sidewalks, parking and pedestrian safety.

Stone stated that he drove Heidiway Lane recently and added that he does not oppose the proposed connection to access 18 additional homes.

In response to a question by Stone, Nelson stated that the line of sight at the intersection of Sheridan Lake Road and Heidiway Lane should be 470 feet. Nelson explained that he measured the line of sight and it is approximately 280-300 feet.

Wall stated that in his opinion all of the issues regarding access have been of the applicant's own creation in attempting to develop one piece of property from both ends at the same time. Wall stated that there is sufficient access and the legal means of utilizing Nicklaus Drive. Wall expressed his concerns with sight distances and the condition of Heidiway Lane.

Mashek stated that in her opinion she believes that a compromise could be reached regarding the curbs and sidewalks, if the needs of the Fire Department have been met. She expressed concerns with the condition of Heidiway Lane, the landing at Heidiway Lane and Sheridan Lake Road, increased traffic, access and sight distances. She added that she would not support Heidiway Lane being utilized as access to 18 additional homes.

Discussion followed concerning the Layout Plat and the connection to Heidiway Court. Dunham advised that he would not object to an additional stipulation limiting the development to 18 lots until Severson Street is constructed.

Wall stated that he objects to Heidiway Lane being used as access to 18 homes.

Discussion followed concerning design and construction of Severson Street.

Elkins clarified that the Layout Plat did identify that there would be a connection through Heidiway Lane. She added that it was staff's understanding at that time that Heidiway Lane was not going to be the only access.

Hoffman stated that in his opinion the issue of curbing is minor and he believes that a compromise can be reached. He added that the main issue is access. Hoffman explained that he did not have an issue with making a special exception with the roll type curbing but suggested that the code should be revised so that if parking is allowed then curbing should be required. Hoffman added that he would support Heidiway Lane as access to the proposed 18 homes with the understanding that no further development occurs until Severson Street is constructed.

Stone concurred with Hoffman.

**Wall moved, Hoffman seconded to recommend approval of the Preliminary and Final Plat with the following stipulations:**

**Engineering Division Recommendations:**

1. **Prior to Preliminary Plat approval by the Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review;**
2. **Prior to Preliminary Plat approval by the City Council, the applicant shall submit a sanitary sewer master plan for all phases of the subdivision;**
3. **Prior to Preliminary Plat approval by the City Council, a complete grading plan including provisions for lot line drainage shall be submitted for review and approval;**
4. **Prior to Preliminary Plat approval by the City Council, a complete drainage report shall be submitted for review and approval;**
5. **Prior to City Council approval of the Preliminary Plat, complete road design plans shall be submitted for review and approval for the construction of Severson Drive south to the existing terminus of Severson Street;**
6. **Prior to Final Plat approval by the City Council, the plat shall be revised to provide a 50 foot non-access easement along the Dixon Court frontage of Lots 4 and 11 of Block 5 from the intersection of Dixon Court and Severson Street and along the Dunham Lane frontage of Lot 2 of Block 3 and Lot 3 of Block 4;**
7. **Prior to Preliminary Plat approval by the City Council, plans shall be submitted showing the provision of either standard curb with curbside sidewalk or roll over curb with property line sidewalk in the Dixon Court cul-de-sac;**
8. **Prior to Preliminary Plat approval by the City Council, the engineer's estimate shall be submitted for review and approval;**
9. **Design plans for Severson Street and any required revisions as**

identified by the Engineering Division shall be submitted for review and approval a minimum of ten working days prior to City Council approval of the Preliminary Plat;

10. Prior to City Council approval of the Final Plat, a public right of way shall be dedicated, an H-Lot granted to the City or a public access and utility easement shall be provided and assigned to the City for the public utilities and street improvements crossing the adjacent property to the south;

**Fire Department Recommendations:**

11. All requirements of the Uniform Fire Code shall be continually met;
12. Prior to the start of any building construction, fire hydrants shall be installed and operational;
13. A Special Exception is hereby granted to allow for a dead-end street in excess of 150 feet;
14. All streets, turnarounds and access shall comply with all the requirements of the Rapid City Street Design Criteria Manual;

**Urban Planning Division Recommendations:**

15. Prior to Final Plat approval by the City Council all the subdivision inspection fees shall be paid; and,
16. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

Discussion followed concerning revising stipulation #7 and granting a Special Exception to allow roll over curb with curbside sidewalk on Dixon Court.

**Wall amended his motion to recommend that stipulation #7 be revised as follows: A Special Exception is hereby granted to allow rollover curb with curbside sidewalk in the Dixon Court cul-de-sac. The second concurred.**

Additional discussion followed concerning clarifying stipulation #5. Elkins advised that the Layout Plat does not make any specific reference to the fact that Severson Drive would have to be constructed as part of this plan.

**Wall amended his amended motion to recommend that stipulation #5 be revised to read: Prior to City Council approval of the Preliminary Plat, complete road design plans shall be submitted for review and approval for the construction of Severson Drive south of the existing terminus of Severson Street and that Severson Drive shall be constructed in conjunction with all of the other subdivision improvements. The second concurred.**

Wevik stated that he supported stipulation #7 and limiting development. He expressed concerns with increased traffic on Heidiway Lane and Heidiway Court. Wevik advised that he supports the project but will not be voting in favor of the motion due to the revised stipulation #5.

Nelson reiterated his concerns with the lack of sight distance at the intersection



of Heidiway Lane and Sheridan Lake Road. Nelson asked the Planning Commission to consider the intersection issues and to continue the Preliminary and Final Plat to allow staff to work with the applicant to resolve the sight distance issues.

Discussion followed concerning construction of Severson Drive.

**The vote on the motion 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 Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review;
2. Prior to Preliminary Plat approval by the City Council, the applicant shall submit a sanitary sewer master plan for all phases of the subdivision;
3. Prior to Preliminary Plat approval by the City Council, a complete grading plan including provisions for lot line drainage shall be submitted for review and approval;
4. Prior to Preliminary Plat approval by the City Council, a complete drainage report shall be submitted for review and approval;
5. Prior to City Council approval of the Preliminary Plat, complete road design plans shall be submitted for review and approval for the construction of Severson Drive south of the existing terminus of Severson Street and that Severson Drive shall be constructed in conjunction with all of the other subdivision improvements;
6. Prior to Final Plat approval by the City Council, the plat shall be revised to provide a 50 foot non-access easement along the Dixon Court frontage of Lots 4 and 11 of Block 5 from the intersection of Dixon Court and Severson Street and along the Dunham Lane frontage of Lot 2 of Block 3 and Lot 3 of Block 4;
7. A Special exception is hereby granted to allow rollover curb with curbside sidewalk in the Dixon Court cul-de-sac;
8. Prior to Preliminary Plat approval by the City Council, the engineer's estimate shall be submitted for review and approval;
9. Design plans for Severson Street and any required revisions as identified by the Engineering Division shall be submitted for review and approval a minimum of ten working days prior to City Council approval of the Preliminary Plat;
10. Prior to City Council approval of the Final Plat, a public right of way shall be dedicated, an H-Lot granted to the City or a public access and utility easement shall be provided and assigned to the City for the public utilities and street improvements crossing the adjacent property to the south;

**Fire Department Recommendations:**

11. All requirements of the Uniform Fire Code shall be continually met;

12. **Prior to the start of any building construction, fire hydrants shall be installed and operational;**
  13. **A Special Exception is hereby granted to allow for a dead-end street in excess of 150 feet;**
  14. **All streets, turnarounds and access shall comply with all the requirements of the Rapid City Street Design Criteria Manual;**
- Urban Planning Division Recommendations:**
15. **Prior to Final Plat approval by the City Council all the subdivision inspection fees shall be paid; and,**
  16. **Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted. (6 to 1 with Wevik voting no)**

Seaman reviewed the Variance to the Subdivision Regulations to allow lots twice as long as wide, and to allow curbside sidewalk with roll curb on Dixon Court and staff's recommendation.

Discussion followed concerning the approval of the Special Exception and the recommendation to deny without prejudice the request for a Subdivision Variance to allow curbside sidewalk with roll curb on Dixon Court.

**Wall moved, Mashek seconded and carried unanimously to recommend that the Variance to the Subdivision Regulations to allow lots twice as long as wide be approved and to deny without prejudice the request to allow curbside sidewalk with roll curb on Dixon Court. (7 to 0)**

46. No. 02PL039 - Section 16, T1N, R7E

A request by FMG, Inc. for George and Nancy Dunham to consider an application for a **Preliminary and Final Plat** on Lots 1 through 14 of Block 1 and Lots 1 through 6 of Block 2 of Dunham Estates and dedicated public right of way shown as Ward Drive and Ward Court located in NE1/4 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as the unplatted portions of the E1/2 NE1/4 SE1/4, the W1/2 NE1/4 SE1/4 and the E1/2 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road, north of Corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

Seaman presented the request, reviewed the slides and staff's recommendation.

Discussion followed concerning placement of the sidewalk on Nicklaus Drive, location of an overhead power line, granting a special exception, and revising stipulations #7 and #12.

Nelson explained that staff is recommending that the 140 feet of existing sewer line on Nicklaus be re-laid. Discussion followed concerning placement of manholes, traffic control and costs.

Fast Wolf left the meeting at 8:48 a.m.

Dunham expressed his concerns with Engineering staff's recommendation and stated that in his opinion it would be less expensive and more cost effective to run the sewer line parallel to the existing sewer line. He also expressed concerns with the construction of sidewalk on Nicklaus Drive, guide wires, relocation of power lines, the process for naming of streets and the major drainage easement on the subject property.

Discussion followed concerning revising stipulations #7 and #12, good engineering practices, topography of the subject property, parallel sewer lines, re-routing sewer lines, developer costs, the contractor's estimate and sewer grade.

Fast Wolf returned to the meeting at 8:58 a.m.

**Hofmann moved and Wall seconded 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 Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review;**
- 2. Prior to Preliminary Plat approval by the City Council, complete engineering plans shall be submitted for review and approval of the sanitary sewer connection on Nicklaus Drive and the elimination of the sanitary sewer main on private property;**
- 3. Prior to Preliminary Plat approval by the City Council, a complete grading plan including provisions for lot line drainage shall be submitted for review and approval;**
- 4. Prior to Preliminary Plat approval by the City Council, the Developer shall coordinate with the City for the accommodation of a high pressure water main within the City right of way;**
- 5. Prior to Preliminary Plat approval by the City Council, a complete drainage report shall be submitted for review and approval;**
- 6. A Special Exception is hereby granted to allow the use of corrugated metal pipe for drainage improvements on Lots 6, 7, 8 and 9 of Block 1;**
- 7. A Special Exception to the Street Design Criteria Manual be granted to allow for the reduction of the separation between the back of the curb and the sidewalk from 6.33 feet to three feet;**
- 8. Prior to Preliminary Plat approval by the City Council, staff shall coordinate a meeting to review and resolve issues related to the future water transmission line, sidewalk located with a minimum three foot boulevard and other private utilities to be located within the Nicklaus Drive right of way;**
- 9. That any public or private utility work required on Nicklaus Street for the proposed lots abutting Nicklaus Drive must be installed**

- within two years from start of construction of Phase I.
10. Prior to Preliminary Plat approval by the City Council, all road cuts including replacement of curb and gutter, sidewalks and patching of asphalt to City Standards shall be included in the engineer's estimate;
  11. Prior to Final Plat approval by the City Council, the plat shall be revised to provide a 50 foot non-access easement along the Ward Court frontage of Lots 7 and 13 of Block 1 from the intersection of Ward Court and Ward Drive;
  12. A Special Exception is hereby granted to allow rollover curb with curbside sidewalk in the Ward Court cul-de-sac;
  13. Prior to Preliminary Plat approval by the City Council, the engineer's estimate shall be submitted for review and approval;

**Fire Department Recommendations:**

14. All requirements of the Uniform Fire Code shall be continually met;
15. Prior to the start of any building construction, fire hydrants shall be installed and operational;
16. All streets, turnarounds and access shall comply with all the requirements of the Rapid City Street Design Criteria Manual;

**Emergency Services Communications Center Recommendations:**

17. Prior to Final Plat approval by the City Council, the plat shall be revised to eliminate the name "Ward" for two different streets;

**Urban Planning Division Recommendations:**

18. Prior to Final Plat approval by the City Council all the subdivision inspection fees shall be paid; and,
19. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.

Stone asked for clarification of the sewer location. Nelson reviewed the location alternatives and standards, design and topography.

The vote on the motion carried unanimously 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 Planning Commission, complete engineering plans and related information as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review;
2. Prior to Preliminary Plat approval by the City Council, complete engineering plans shall be submitted for review and approval of the sanitary sewer connection on Nicklaus Drive and the elimination of the sanitary sewer main on private property;
3. Prior to Preliminary Plat approval by the City Council, a complete grading plan including provisions for lot line drainage shall be submitted for review and approval;
4. Prior to Preliminary Plat approval by the City Council, the Developer

- shall coordinate with the City for the accommodation of a high pressure water main within the City right of way;
5. Prior to Preliminary Plat approval by the City Council, a complete drainage report shall be submitted for review and approval;
6. A Special Exception is hereby granted to allow the use of corrugated metal pipe for drainage improvements on Lots 6, 7, 8 and 9 of Block 1;
7. A Special Exception to the Street Design Criteria Manual be granted to allow for the reduction of the separation between the back of the curb and the sidewalk from 6.33 feet to three feet;
8. Prior to Preliminary Plat approval by the City Council, staff shall coordinate a meeting to review and resolve issues related to the future water transmission line, sidewalk located with a minimum three foot boulevard and other private utilities to be located within the Nicklaus Drive right of way;
9. That any public or private utility work required on Nicklaus Street for the proposed lots abutting Nicklaus Drive must be installed within two years from start of construction of Phase I.
10. Prior to Preliminary Plat approval by the City Council, all road cuts including replacement of curb and gutter, sidewalks and patching of asphalt to City Standards shall be included in the engineer's estimate;
11. Prior to Final Plat approval by the City Council, the plat shall be revised to provide a 50 foot non-access easement along the Ward Court frontage of Lots 7 and 13 of Block 1 from the intersection of Ward Court and Ward Drive;
12. A Special Exception is hereby granted to allow rollover curb with curbside sidewalk in the Ward Court cul-de-sac;
13. Prior to Preliminary Plat approval by the City Council, the engineer's estimate shall be submitted for review and approval;

**Fire Department Recommendations:**

14. All requirements of the Uniform Fire Code shall be continually met;
15. Prior to the start of any building construction, fire hydrants shall be installed and operational;
16. All streets, turnarounds and access shall comply with all the requirements of the Rapid City Street Design Criteria Manual;

**Emergency Services Communications Center Recommendations:**

17. Prior to Final Plat approval by the City Council, the plat shall be revised to eliminate the name "Ward" for two different streets;

**Urban Planning Division Recommendations:**

18. Prior to Final Plat approval by the City Council all the subdivision inspection fees shall be paid; and,
  19. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted. (7 to 0)
47. No. 02SV020 - Section 16, T1N, R7E  
A request by FMG, Inc. for George and Nancy Dunham to consider an

application for a **Variance to the Subdivision Regulations to allow lots twice as long as wide, to allow 25 foot reserve strip adjacent to Lot 1 of Block 1, waive the requirement for sidewalk on Nicklaus Drive and Meadowbrook Drive and to allow curbside sidewalk with roll curb on Ward Court** on Lots 1 through 14 of Block 1 and Lots 1 through 6 of Block 2 of Dunham Estates and dedicated public right of way shown as Ward Drive and Ward Court located in NE1/4 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as the unplatted portions of the E1/2 NE1/4 SE1/4, the W1/2 NE1/4 SE1/4 and the E1/2 NE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road, north of Corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

Seaman presented the request and reviewed staff's recommendation.

Discussion followed concerning granting a Special Exception on Nicklaus Drive and waiving the requirement for sidewalk on Meadowbrook Drive.

**Wall moved, Hoffman seconded and carried unanimously to recommend that the Variance to the Subdivision Regulations to allow lots twice as long as wide, to allow 25 foot reserve strip adjacent to Lot 1 of Block 1 and to waive the requirement for sidewalk on Meadowbrook Drive and to deny without prejudice the request to waive the requirement for sidewalk on Nicklaus Drive and to allow curbside sidewalk with roll curb on Ward Court. (7 to 0)**

Discussion followed concerning a motion to reconsider the Non-Hearing Consent Agenda.

**Prairie Chicken moved, Wall seconded and carried unanimously to reconsider the Non-Hearing Consent Agenda.**

**Mashek moved, Hoffman seconded and carried unanimously to recommend approval of the Non-Hearing Consent Agenda Items 1 through 11 in accordance with the staff recommendations with the exception of Items 1, 5, 7, 9 and 10. (7 to 0)**

9. No. 02PL037 - Auburn Hills Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1-19 Block 1, Lots 1-37 Block 2, Lots 1-52 Block 3, Lots 1-38 Block 4, Lots 1-37 Block 5, Tract A, Tract B, and dedicated streets, being a replat of the SW1/4 NW1/4 and NW1/4 SW1/4, and Lot 6A and 6B of the Madison Subdivision, being a replat of Lot 6 of the Madison Subdivision, all in Section 13, T2N, R7E, BHM, Pennington County, South Dakota legally described as a parcel of land located in the SW1/4 NW1/4, less Haines Avenue Right-of-Way and NW1/4 SW1/4 of Section 13, T2N, R7E, BHM, Pennington County, South Dakota; and Lot 6 of Madison's Subdivision, in the City of Rapid City, as shown on the Final Plat recorded in Book 12 of Plats on Page 106, Pennington County Register of Deeds, more generally described as

being located west of Haines Avenue.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the May 23, 2002 Planning Commission meeting to allow the applicant to submit a revised drainage plan and to adjust the construction plans to comply with the proposed phasing plan.**

Hani Shafi, Dream Design International, reviewed the Preliminary and Final Plat request.

Shafi expressed his concerns with inaccuracies in the staff report and how it reflects on the applicant and the agent. He further discussed the shale mine, master water and sewer plans, drainage issues, detention facilities, culvert design, expansion of Haines Avenue, existing 10 foot by 5 foot box under Haines Avenue, obtaining easements along the north side of the subject property, the pressure reducing station, increased pressures within the subdivision, and costs.

Shafi requested that the Planning Commission recommend approval of the Preliminary and Final Plat with the following stipulations:

1. Prior to Final Plat approval, all offsite drainage, sewer and water plans shall be revised and submitted for approval;
2. Prior to Preliminary Plat approval by City Council, all red lines on the plans shall be addressed;
3. Prior to approval of any phases next to the section line on the west side of the property, the right-of-way along the section line shall be vacated or a variance to be obtained; and,
4. Prior to Final Plat approval, the owner shall reach an agreement with the City for the final connection fees for his share of the upgrade costs of the sanitary sewer lift station.

Wevik stated that staff's recommendation is to continue the Preliminary Plat to the May 23, 2002 Planning Commission meeting.

Elkins stated that there are major drainage issues concerning the Preliminary Plat and recommended that the Planning Commission continue the Preliminary Plat so that these issues can be resolved. She suggested that the request could be continued to the continued meeting on May 16, 2002.

**Wall moved, Stone seconded and carried unanimously to recommend that the Preliminary Plat and Final Plat and the balance of the agenda be continued to the May 16, 2002 continued Special Planning Commission meeting. (7 to 0)**



MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
May 16, 2002

PLANNING COMMISSION MEMBERS PRESENT: Ida Marie Fast Wolf, Dawn Mashek, Robert Scull, Jeff Stone, Paul Swedlund and Bob Wall

PLANNING COMMISSION PRESENT: Marcia Elkins, Vicki Fisher, Lisa Seaman, Dave Johnson, Randy Nelson, Dave LaFrance, Jason Green, and Nadine Bauer

Vice-Chairperson Wall reconvened the May 9, 2002 meeting at 7:00 a.m.

Staff requested that Items 9, 10, 17, 18, and 25 be considered concurrently.

9. No. 02PL037 - Auburn Hills Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1-19 Block 1, Lots 1-37 Block 2, Lots 1-52 Block 3, Lots 1-38 Block 4, Lots 1-37 Block 5, Tract A, Tract B, and dedicated streets, being a replat of the SW1/4 NW1/4 and NW1/4 SW1/4, and Lot 6A and 6B of the Madison Subdivision, being a replat of Lot 6 of the Madison Subdivision, all in Section 13, T2N, R7E, BHM, Pennington County, South Dakota legally described as a parcel of land located in the SW1/4 NW1/4, less Haines Avenue Right-of-Way and NW1/4 SW1/4 of Section 13, T2N, R7E, BHM, Pennington County, South Dakota; and Lot 6 of Madison's Subdivision, in the City of Rapid City, as shown on the Final Plat recorded in Book 12 of Plats on Page 106, Pennington County Register of Deeds, more generally described as being located west of Haines Avenue.

10. No. 02PL040 - Eastridge Estates Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1-6 of Block 1; Lot 1 of Block 2; Lots 1-20 of Block 3, Lots 1-14 of Block 4; Lot 1 of Block 5, of Eastridge Subdivision and dedicated Enchantment Road, Eastridge Drive, Sally Court, and major drainage easements located in the NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as NE1/4 NW1/4; N1/2 NE1/4 less NW1/4 NW1/4 NE1/4 and less NE1/4 NW1/4 NE1/4 and less NW1/4 NE1/4 NE1/4; NW1/4 NW1/4; SE1/4 NW1/4 less the west 460 feet of the south 990 feet and less Lot H1; SW1/4 NW1/4 less the south 990 feet, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Fifth Street.

17. No. 02RZ023 - Eastridge Estates Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Agriculture District to Low Density Residential District** on Lots 1-6 of Block 1; Lot 1 of Block 2; Lots 1-20 of Block 3, Lots 1-14 of Block 4; Lot 1 of Block 5, of Eastridge Subdivision and dedicated Enchantment Road, Eastridge Drive, Sally Court, and major drainage easements located in the NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; legally described as NE1/4 NW1/4; N1/2 NE1/4 less NW1/4 NW1/4



NE1/4 and less NE1/4 NW1/4 NE1/4 and less NW1/4 NE1/4 NE1/4; NW1/4 NW1/4; SE1/4 NW1/4 less the west 460 feet of the south 990 feet and less Lot H1; SW1/4 NW1/4 less the south 990 feet, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Fifth Street.

18. No. 02SV022 - Eastridge Estates Subdivision

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to allow lots twice as long as wide** on Lots 1-6 of Block 1; Lot 1 of Block 2; Lots 1-20 of Block 3, Lots 1-14 of Block 4; Lot 1 of Block 5, of Eastridge Subdivision and dedicated Enchantment Road, Eastridge Drive, Sally Court, and major drainage easements located in the NW1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota legally described as NE1/4 NW1/4; N1/2 NE1/4 less NW1/4 NW1/4 NE1/4 and less NE1/4 NW1/4 NE1/4 and less NW1/4 NE1/4 NE1/4; NW1/4 NW1/4; SE1/4 NW1/4 less the west 460 feet of the south 990 feet and less Lot H1; SW1/4 NW1/4 less the south 990 feet, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Fifth Street.

25. No. 02SV014 - Auburn Hills Subdivision

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to allow lots more than twice as long as they are wide** on Lots 1-19 Block 1, Lots 1-37 Block 2, Lots 1-52 Block 3, Lots 1-38 Block 4, Lots 1-37 Block 5, Tract A, Tract B, and dedicated streets, being a replat of the SW1/4 NW1/4 and NW1/4 SW1/4, and Lot 6A and 6B of the Madison Subdivision, being a replat of Lot 6 of the Madison Subdivision, all in Section 13, T2N, R7E, BHM, Pennington County, South Dakota legally described as a parcel of land located in the SW1/4 NW1/4, less Haines Avenue Right-of-Way and NW1/4 SW1/4 of Section 13, T2N, R7E, BHM, Pennington County, South Dakota; and Lot 6 of Madison's Subdivision, in the City of Rapid City, as shown on the Final Plat recorded in Book 12 of Plats on Page 106, Pennington County Register of Deeds, more generally described as being located west of Haines Avenue.

Elkins advised that the applicant and staff is requesting that items 9, 10, 17, 18, and 25 be continued to the May 23, 2002 Planning Commission meeting.

**Stone moved, Scull seconded and carried unanimously to recommend that the Preliminary and Final Plat for Auburn Hills, the Preliminary and Final Plat for Eastridge Estates Subdivision, the Rezoning from General Agriculture District to Low Density Residential District for Eastridge Estates Subdivision, and the Variance to the Subdivision Regulations to allow lots more than twice as long as they are wide for Eastridge Estates Subdivision, and the Variance to the Subdivision Regulations to allow lots more than twice as long as they are wide for Eastridge Estates Subdivision be continued to the May 23, 2002 Planning Commission meeting. (6 to 0)**

44. No. 02CA030 - Dunham Estates

A request by FMG, Inc. for George and Nancy Dunham to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation on a 120 acre parcel from General Agriculture to Low Density Residential** on the unplatted portions of the E1/2 NE1/4 SE1/4; W1/2 NE1/4 SE1/4; and the E1/2 NE1/4, all located in Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Sheridan Lake Road, north of corral Drive, south of Nicklaus Drive and east of Parkridge Subdivision.

Seaman presented the request and reviewed staff's recommendation.

George Dunham, 3133 Heidiway Lane, expressed his appreciation of the Planning Commission's willingness to convene for a special meeting on this matter.

A brief discussion following concerning Low Density Residential and future plans for the area.

**Swedlund moved, Stone seconded and carried unanimously to recommend that the Amendment to the Comprehensive Plan to change the land use designation on a 120 acre parcel from General Agriculture to Low Density Residential be approved. (6 to 0)**

49. No. 02OA006 - Procedures for Conditional Use Permits

A request by the City of Rapid city to consider an application for an Ordinance Amendment amending Section 17.54.030 of the Rapid City Municipal Code pertaining to the procedures for Conditional Use Permits.

Discussion followed concerning Conditional Use Permits being automatically approved if the Planning Commission did not act within 60 days.

Swedlund expressed his concerns with the automatic approval process.

Discussion followed concerning Plat Waivers, continuances, completion of all necessary information, denying a request without prejudice and the appeal process.

Green recommended that the Planning Commission add a provision into the Ordinance Amendment that allows the applicant to sign a waiver of the time period if more information is requested by Planning Commission. He suggested that the Planning Commission continue the Ordinance Amendment to the May 23, 2002 Planning Commission meeting so that he could include a waiver provision.

**Scull moved, Stone seconded and carried unanimously to recommend that the Ordinance Amendment be continued to the May 23, 2002 Planning Commission. (6 to 0)**

50. No. 02SR004 - Rapid City Greenway Tract

A request by FMG, Inc. for Black Hills Pony League to consider an application for an **11-6-19 SDCL Review** on Tract 8 (also in Section 4 and Section 10, T1N, R7E), Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located intersection of Jackson Blvd and 32nd Street (Jamie Johnson Memorial Field).

Elkins explained that the applicant is requesting a Special Exception to the Floodplain Building District Ordinance. She advised that staff is recommending that the 11-6-19 SDCL Review be continued to the May 23, 2002 Planning Commission meeting to be heard in conjunction with the request for a Special Exception to the Floodplain Building District Ordinance.

**Stone moved, Mashek seconded and carried unanimously to recommend that the 11-6-19 SDCL Review be continued to the May 23, 2002 Planning Commission meeting. (6 to 0)**

51. Discussion Items

A. Sight Triangles

Elkins reviewed Doug Adelman's memo and staff's recommendation regarding sight triangle requirements.

Discussion followed concerning the intersection of two alleys, sight triangle requirements and constructing garages in older parts of town.

**Scull moved, Mashek seconded and carried unanimously to authorize staff to draft an ordinance amendment clarifying the sight triangle requirements for the intersection of two alleyways. (6 to 0)**

B. Distribution of Application Resumes

Discussion followed concerning the distribution of application resumes.

Swedlund advised that he would not be able to attend the May 23, 2002 Planning Commission meeting. Swedlund expressed his desire to be present for the discussion on "Distribution of Application Resumes" and added that this would be a good topic for a Planning Commission training session.

Additional discussion followed concerning scheduling a training session lunch meeting in the near future.

C. Parking requirements

Elkins advised that when the high tech industrial parking requirements were discussed at the City Council meeting, Tom Johnson suggested that the Planning Commission review all parking requirements

Scull stated that in his opinion this could be placed on the goals list. Scull added that due to the present work load he did not feel that this was a high priority.

The Planning Commission members concurred with Scull and the review of the parking requirements was placed on the Planning Commission goals list.

**There being no further business Swedlund moved, Stone seconded and carried unanimously to adjourn the meeting at 8:30 a.m. (6 to 0)**