



MINUTES OF THE
RAPID CITY PLANNING COMMISSION
June 20, 2002

MEMBERS PRESENT: Ida Marie Fast Wolf, Jeff Hoffmann, Dawn Mashek, Mel Prairie Chicken, Jeff Stone, Bob Wall, and Stuart Wevik. Council liaison Ron Kroeger was also present.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Lisa Seaman, Karen Bulman, Dave Johnson, Randy Nelson, Jason Green, Dan Ladenburger, and Nadine Bauer

Chairperson Wevik called the meeting to order at 7:04 a.m.

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

Staff requested that Items 16 and 19 be removed from the Non-Hearing Consent Agenda for separate consideration. Wall requested that Items 11 and 18 be removed from the Non-Hearing Consent Agenda for separate consideration. Wevik requested that Item 21 be removed from the Non-Hearing Consent Agenda for separate consideration.

Prairie Chicken moved, Wall seconded, and carried unanimously to recommend approval of the Non-Hearing Consent Agenda Items 1 through 22 in accordance with the staff recommendations with the exception of Items 11, 16, 18, 19 and 21. (7 to 0)

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the May 29, 2002 Special Planning Commission Meeting Minutes.
2. Approval of the June 6, 2002 Planning Commission Meeting Minutes
3. No. 02CA032 - Section 23, T1N, R7E
Comprehensive Plan Amendment - South Robbinsdale Neighborhood Future Land Use Plan - **Summary of Adoption Action** on a previously unplatted portion of the SE1/4 of the SW1/4 and the NE1/4 of the SW1/4 of Section 23, Township 1 North, Range 7 East, Black Hills Meridian, City of Rapid City, County of Pennington, South Dakota, more particularly described as follows: Beginning at a 1" I.D. Pipe that is identical with the Southeast corner of the Aladdin Heights Subdivision as shown on the plat filed in Book 12 of plats Page 158 and the point of beginning; thence North 0°00'32" East a distance of 712.38 feet along the East line of the said Aladdin Heights Subdivision; thence South 89°59'28" East a distance of 175.00 feet to a point; thence South 0°00'32" West a distance of 475.00 feet to a point; thence South 25°58'18" East a distance of 789.13 feet to a point; thence South 14°47'21" West a distance of 545.48 feet to a point identical with an angle point on the existing commercial zoning line; thence North 47°07'21" West a distance of 473.75 feet along the existing commercial zoning line to an angle point in the



existing commercial zoning line; thence North 51°24'29" West a distance of 408.10 feet along the existing commercial zoning line to a point; thence North 07°20'48" East a distance of 426.12 feet to a point on the South line of said Aladdin Heights Subdivision; thence South 89°59'15" East a distance of 230.28 feet to the point of beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Blvd.

Planning Commission recommended that the Summary of Adoption Action be approved and authorized publication in the Rapid City.

4. No. 02CA033 - Section 23, T1N, R7E
Comprehensive Plan Amendment - South Robbinsdale Future Land Use Plan - **Summary of Adoption Action** on a previously unplatted portion of the SE1/4 of the SW1/4 and the NE1/4 of the SW1/4 of Section 23, Township 1 North, Range 7 East, Black Hills Meridian, City of Rapid City, County of Pennington, South Dakota, more particularly described as follows: Beginning at a stone monument that is identical to the 1/4 corner common to Sections 23 and 26 T1N, R7E, B.H.M. thence continuing from the point of beginning South 89°50' 50" West a distance of 832.21 feet along the line between Sections 23 and 26 to a point that is identical to the intersection of the line between said sections and the current commercial zoning line; thence North 13°43' 23" East a distance of 33.11 feet along the current commercial zoning line to an angle point in the current commercial zoning line; thence North 50°07' 47" East a distance of 264.10 feet along the current commercial zoning line to an angle point in said zoning line; thence North 0°05' 37" East a distance of 450.00 feet along the current commercial zoning line to an angle point in said zoning line; thence North 72°22' 41" East a distance of 180.00 feet along the current commercial zoning line to angle point in said zoning line; thence North 14°47' 21" East a distance of 545.48 feet to a point; thence North 25 58' 18" West a distance of 789.13 feet to a point; thence North 0°00' 32" East a distance of 475.00 feet to a point; thence North 89°59' 28" West a distance of 175.00 feet to a point on the East line of Lot 1 Block 2 Aladdin Heights Subdivision as shown on the plat filed in Book 12 of plats Page 158; thence North 0°00' 32" East a distance of 30.00 feet along the East line of said Lot 1 to a point identical to the North East corner of said Lot 1; thence North 0°00' 32" East a distance of 199.93 feet along the East line of Lot 3 Block 3 Aladdin Heights Subdivision as shown on the plat recorded in Book 14 of plats Page 68 to a rebar with cap marked Fisk Eng. 1771 said rebar being on the South line of Tract D of Medicine Ridge No. 2 Subdivision as shown on the plat filed in Book 14 of plats Page 227; thence North 89°55' 31" East a distance of 346.35 feet along the South line of said Tract D to a rebar with cap marked Francis Meador 1019 said rebar being on the West line of Tract G as shown on the plat filed in Book 11 of plats Page 59; thence South 0°11' 40" East a distance of 450.90 feet along the West line of said Tract G to a rebar with cap marked Francis Meador 1019 said rebar being identical to the Southwest corner of said Tract G; thence South 89°56' 13" East a distance of 481.92 feet along the South line of said Tract G to a rebar and cap marked Francis Meador 1019 said rebar being identical to the Southeast corner of said Tract G and on the 1/4 line between the SW 1/4 and the SE 1/4 of said Section 23; thence South 0°01' 16" East a distance of 2196.74 feet to the point of beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Blvd.



Planning Commission recommended that the Summary of Adoption Action be approved.

5. No. 02CA035 - Section 26, T1N, R7E
Comprehensive Plan Amendment - South Robbinsdale Neighborhood Future Land Use Plan - **Summary of Adoption Action** on a previously unplatted parcel of land in the NE1/4 of the NW1/4 Section 26, Township 1 North, Range 7 East, Black Hills Meridian, located in the City of Rapid City, Pennington County, South Dakota,. Being more particularly described as follows: Commencing at the stone monument for the ¼ corner common to Sections 23 and 26, T1N, R7E, B.H.M. thence along the line between Sections 23 and 26 South 89°59'50" West a distance of 329.50 to a rebar and cap marked Davis & Atkins Assoc. 3095 said rebar being identical to the northwest corner of Tract A as shown on the plat recorded in Book 22 of plats Page 182 and the Point of Beginning; thence South 00°08'12" West a distance of 1277.17 along the West line of said Tract A to a rebar with cap marked Davis & Atkins Assoc. 3095 said rebar being identical to the Southwest corner of said Tract A; thence a distance of 48.44 feet southwesterly along a curve that is the northwesterly R.O.W. of the Highway 16 Bypass, said curve is concave to the Southeast, having a radius of 2939.79 feet and a chord direction of South 23°05'24" West, to a rebar with cap marked Fisk Engr. 1771; thence South 89°54'41" West a distance of 644.75 feet along the 1/16th line to a rebar with cap marked Davis & Atkins Assoc. 3095 said rebar being identical to the Southeast corner of said Lot A as shown on the plat recorded in Book 23 of plats Page 157; thence North 0°03'20" East a distance of 660.89 feet along the East line of said Lot A to a rebar with cap marked LS 6117 said rebar being identical to the Northeast corner of said Lot A; thence North 13°52'22" East a distance of 681.69 feet to the intersection of the commercial zoning line with the line between Sections 23 and 26; thence North 89°59'50" East a distance of 502.71 feet to the returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Blvd.

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

6. No. 02PL026 - Knights Acres Subdivision
A request by D.C. Scott Co. Land Surveyors for Thomas Knight to consider an application for a **Layout Plat** on Lot 4 Revised and Lot 5 Revised of Knight's Acres Subdivision, N1/2 SE1/4 NE1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, legally described as Lot 4 and Lot 5 of Knights Acres Subdivision, N1/2 SE1/4 NE1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of Longview Road and west of Anderson Road.

Planning Commission recommended that the Layout Plat be continued to the July 25, 2002 Planning Commission meeting to allow the applicant time to submit a revised Layout Plat.



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.

Planning Commission recommended that the Preliminary and Final Plat be continued to the July 3, 2002 Planning Commission meeting to allow the applicant time to submit additional information.

8. No. 02PL029 - Murphy Ranch Estates

A request by Davis Engineering to consider an application for a **Preliminary and Final Plat** on Tract A of Murphy Ranch Estates Subdivision of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of Tract F of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Reservoir Road and Longview Drive.

Planning Commission recommended that the Preliminary and Final Plat be continued to the July 25, 2002 Planning Commission meeting to be heard in conjunction with the associated Layout Plat.

9. No. 02PL032 - Huffman Subdivision

A request by Renner & Sperlich Engineering Co. for Wilburn-Powers, Inc. to consider an application for a **Preliminary Plat to create one lot** on Lot 3 of Huffman Subdivision located in the NW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 3 and 4 of the NW1/4 of the SW1/4 of Section 32 less Lot H1 of Lots 3, 4, 5 & 6 of the NW1/4 of the SW1/4 of Section 32, and the unplatted portion of the NW1/4 of the SW1/4 of Section 32 and the existing 16 foot wide alley located in the NW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Cambell Street and between US Highway 14 & 16 and East Philadelphia Street.

Planning Commission recommended that the Preliminary Plat be continued to the July 3, 202 Planning Commission meeting to allow the applicant time to submit additional required information.

10. 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 the 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 approved with the following stipulations:

Engineering Division Recommendations:

1. Upon submittal of a Preliminary Plat, a grading plan shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat, a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;
3. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval;
5. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, complete street design plans shall be submitted showing the location of utilities, storm drainage, curb and gutter and sidewalk improvements for East Philadelphia Street and Cambell Street;
6. Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement along Cambell Street except for the approved approach location;

Fire Department Recommendations

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

Emergency Services Communication Center Recommendation:

8. Prior to Final Plat approval by the City Council, the plat title shall be revised to delete "located in" and the following shall be included in the "formerly" description: SW1/4 SW1/4, Section 32, T2N, R8E, BHM";

Urban Planning Division Recommendations:

9. Prior to Final Plat approval by the City Council, the structure located on proposed Lot 2 shall be removed or a Variance to reduce the front yard setback from 35 feet to 8.5 feet shall be obtained or surety shall be posted to insure that the setback issue is addressed as identified;
10. Prior to Final Plat approval by the City Council, documentation shall be submitted indicating that Black Hills Power concurs with the proposed relocation of the 50 foot wide right-of-way utility easement;
11. Prior to Final Plat approval by the City Council, the applicant shall enter into an agreement with the City stating that if the building or that portion of the building located within the north 23 feet of proposed Lot 2 is ever removed, the applicant shall dedicate the area as public right-of-way;
12. Prior to Final Plat approval by the City Council, a subdivision estimate



form shall be submitted for review and approval;

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

South Dakota Department of Transportation Recommendation:

14. **Prior to Final Plat approval by the City Council, an Approach Permit for the Cambell Street access shall be obtained;**

12. **No. 02PL045 - Moon Ridge Subdivision**

A request by Doug Sperlich for 16 Plus, LLC to consider an application for a **Layout, Preliminary and Final Plat** on Layout Plat on Lots 1-5, Moon Ridge Subdivision, located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, and Preliminary and Final Plat on Lot 1, Moon Ridge Subdivision, located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Tract 1 of Pioneer Subdivision, located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Tract 1 of Pioneer Subdivision, located in the E1/2 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north west of U.S. Highway 16 and Moon Meadows Road.

Planning Commission recommended that the Layout Plat for Lots 2 thru 5 be continued to the July 25, 2002 Planning Commission meeting at the applicant's request.

13. **No. 02PL047 - Pine View Terrace**

A request by Wyss Associates, Inc. to consider an application for a **Layout Plat** on Lots 1 thru 22, Block 1; Lots 1 thru 4, Block 2; Lot 1 thru 18, Block 3; Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Tract 2; Tract 4 less Lot H1, Pine View Terrace, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of Southwest Middle School, 4501 Park Drive.

Planning Commission recommended that the Layout Plat be continued to the July 25, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.

14. **No. 02PL049 - Section 14, T1N, R8E**

A request by Davis Engineering to consider an application for a **Layout Plat** on Block 1, Lots 1 thru 20; Block 2, Lots 1 thru 11; Block 3, Lots 1 thru 21; Block 4, Lots 1 thru 18; Block 5, Lots 1 thru 16; Block 6, Lots 1 thru 20; Block 7, Lots 1 thru 9; Block 8, Lots 1 thru 18; Block 9, Lots 1 thru 25; Block 10, Lots 1 thru 48; and Block 11, Lots 1 thru 29; Murphy Ranch Estates Subdivision, located in the NW1/4 Section 14, T1N, R8E, BHM, Pennington County, South Dakota, legally described as Tract F of the NW1/4 less Murphy's Subdivision and ROW, Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 800 feet east of Reservoir Road on Longview Road.



Planning Commission recommended that the Layout Plat be continued to the July 25, 2002 Planning Commission meeting to allow the applicant time to provide additional required information.

15. No. 02PL051 - Original Town of Rapid City

A request by CSU Properties, LLC to consider an application for a **Preliminary and Final Plat** on Lot 1 of Professional Plaza Subdivision, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot RU-9A, Lots 1 thru 4 of Block 6, Lot 16 and the west 9.77 feet of Lot 15 in Block 7, and adjacent vacated 4th Street R.O.W. and 1/2 vacated adjacent alley in Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located the southeast corner of the intersection of 5th Street and North Street.

Planning Commission recommended that the Layout Plat be continued to the July 3, 2002 Planning Commission meeting to allow the applicant time to provide additional required information.

17. No. 02PL056 - Devine Subdivision

A request by Renner & Sperlich for J&J Truck & Auto Body to consider an application for a **Preliminary Plat** on Lots 1 and 2 of Devine Subdivision located in the SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Tract B of the SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Less Lot H1 of Tract B of the SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of the intersection of Cambell Street and Philadelphia Street.

Planning Commission recommended that the Preliminary Plat be continued to the July 25, 2002 Planning Commission meeting to allow the applicant time to submit additional information.

20. No. 02PL059 - Park Meadows Subdivision

A request by CETEC Engineering for Park Hill Development, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 5R, 6AR, 6BR, 7AR and 7BR of Block 2 of Park Meadows Subdivision located in the NE1/4 of SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 5, 6A, 6B, 7A and 7B of Block 2 of Park Meadows Subdivision located in the NE1/4 of SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of Smith Avenue and East Oakland Street.

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

Urban Planning Division Recommendation:

1. Prior to City Council approval of the Final Plat, a Variance to the



Subdivision Regulations to allow the lot length to be greater than twice the lot width, or the plat shall be revised to comply with the length to width requirement.

22. No. 02SR009 - 11-6-19 SDCL Review

A request by TSP Three, Inc. to consider an application for a **11-6-19 SDCL Review to allow public improvements** on Block 34, 35, 36, 37, 46, 47, 48, and the west 145 feet of Block 49, Airport Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Curtis Street and Lindbergh Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow public improvements be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, an erosion/sediment control plan shall be submitted for review and approval;
2. Applicable Haines Avenue Drainage Basin Fees shall be paid upon issuance of a building permit;
3. All approach, sidewalk and curb and gutter construction and repair shall be completed in the same construction season as the parking lot improvements are completed;
4. Prior to issuance of a Building Permit, a grading plan shall be submitted for review and approval showing the location of a overflow channel between the buildings and that the final floor elevation of the buildings shall be eighteen inches above the bottom of the overflow channel;

Fire Department Recommendations:

5. All Uniform Fire Codes shall be continually met;
6. All requirements of the Street Design Criteria Manual shall be continually met;

Air Quality Division Recommendations:

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

Building Inspection Division Recommendations:

8. A Building Permit shall be obtained prior to any construction; and,

Urban Planning Division Recommendations:

9. All provisions of Section 17.50.270, the Minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met;

END OF NON HEARING ITEMS CONSENT CALENDAR---

11. 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.

In response to a question by Wall, Fisher advised that the Preliminary and Final Plat were submitted in conjunction with requests for a Rezoning and a Planned Development Designation. Fisher added that the subject property was originally General Agriculture District but has since been rezoned to Low Density Residential in conjunction with a Planned Development Designation.

Wall moved, Stone seconded and 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, a hydraulic study shall be submitted for review and approval demonstrating that the U.S. Highway 16 water zone shall function correctly to serve the development;
2. No further platting shall be allowed beyond this phase without a water connection to the Terracita Water Zone being completed;
3. Prior to Preliminary Plat approval by the Planning Commission, a design sketch shall be submitted for review and approval showing how the sewer service lines shall be extended to within two feet of the septic tanks. In addition, a cover letter shall be submitted indicating that the lots are sufficient in size and that the soil profile is adequate to accommodate both building pads and conventional on-site sewer systems;
4. Prior to Final Plat approval by the City Council, a note shall be placed on the plat stating that a Professional Engineer shall design each individual on-site wastewater system. In addition, the note shall indicate that a Certificate of Completion shall be signed by the same Professional Engineer upon construction of the on-site wastewater system;
5. Upon availability of City sewer services, the property owner must connect to City sewer within six months and abandon the septic tank per State Regulations;
6. Prior to Preliminary Plat approval by the City Council, revisions to the recently submitted Master Plan for the water, sewer and street(s) shall be submitted for review and approval;
7. Prior to Preliminary Plat approval by the Planning Commission, a revised geotechnical report, including pavement designs and specifications, shall be submitted for review and approval;
8. Prior to Preliminary Plat approval by the Planning Commission, a



revised grading and drainage easement shall be submitted for review and approval. In particular, the revised plan(s) shall demonstrate that the transfer of drainage flows between basins shall be limited to a maximum of 4 cfs and that no flows in excess of this shall be conveyed to the east of the subject property;

9. Prior to Preliminary Plat approval by the City Council, the plat shall be revised to show additional utility and drainage easement(s) as needed;
10. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;
11. Prior to City Council approval of the Final Plat, the plat shall be revised to show a non-access easement along Enchantment Road except for the approved approach locations;
12. Design Plans for all improvements, including off-site improvements, 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;

Fire Department Recommendation:

13. The Uniform Fire Code shall be continually met;

South Dakota Department of Transportation Recommendation:

14. Prior to Final Plat approval by the City Council, the applicant shall sign a cost sharing agreement for the construction of an east bound left turn lane along Catron Boulevard if and when deemed necessary by the South Dakota Department of Transportation;

Emergency Services Communication Center Recommendation:

15. Prior to Final Plat approval by the City Council, an alternate road name for "Eastridge Road" shall be submitted for review and approval. In addition, the plat shall be revised accordingly;

Register of Deed's Office Recommendation:

16. Prior to Final Plat approval by the City Council, the plat title shall be revised to include "Estates" in the lot and block description;

Urban Planning Division Recommendations:

17. Prior to Preliminary Plat approval by the Planning Commission, the plat shall be revised to eliminate eight (8) lots along the west lot line of the subject property or a Special Exception shall be obtained to allow more than 40 dwelling units to be served by one point of access and the section line highway shall be improved to City street standards or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated.
18. Prior to Final Plat approval by the City Council, the property shall be rezoned to Low Density Residential District with a Planned Development Designation;
19. Prior to Final Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot length greater than twice the lot width or the plat shall be revised to comply with the length to width requirement.



20. **Prior to Preliminary Plat approval by the City Council, a subdivision estimate form for the uncompleted subdivision improvements shall be submitted for review and approval; and,**
21. **Prior to Final Plat approval by the City Council, surety for the uncompleted improvements shall be posted and the subdivision inspection fees shall be paid. (7 to 0)**

16. No. 02PL052 - Section 19, T1N, R8E

A request by Centerline, Inc. for Lazy P-6 Properties, LLC to consider an application for a **Layout Plat** on GL 1-2 Less ROW, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Catron Boulevard and east of future 5th Street.

Elkins advised that the applicant requested that this item be continued to the end of the agenda to allow the applicant's engineer to be present.

Prairie Chicken moved, Hoffman seconded and carried unanimously to continue the Layout Plat to the end of the agenda. (7 to 0)

18. No. 02PL057 - Robbinsdale Addition No. 10

A request by Renner & Sperlich for Gary Rasmusson to consider an application for a **Final Plat** on Lots 7 through 13 of Block 3, and Lot 24 of Block 3, Robbinsdale Addition No. 10 located in the Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as A portion of the SE1/4 of the NE1/4 and a portion of the NE1/4 of the SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the eastern terminus of Nebraska Street.

Wall asked why staff was recommending that the eight foot utility and minor drainage easement between Lots 8 and 9 and between Lots 10 and 11 be eliminated from the plat.

Seaman explained that there is a major drainage channel is located along the north side of the subdivision and that staff is recommending that the minor drainage easement be reserved for a specific type of easement.

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

Engineering Division Recommendations:

1. **Prior to City Council approval of the Final Plat, the plat shall be revised to eliminate the eight foot utility and minor drainage easement between Lots 8 and 9 and between Lots 10 and 11;**
2. **Prior to City Council approval of the Final Plat, the applicant shall enter into a restrictive covenant agreement with the City for the maintenance of the adjacent drainage lot;**

Fire Department Recommendations:

3. **Prior to the start of any building construction, fire hydrants shall be**



- installed and operational;
4. Prior to the start of any building construction, street signs and lot addresses shall be posted. The street signs may be constructed of temporary material initially. Prior to issuance of a Certificate of Occupancy, permanent street signs shall be posted;

Urban Planning Division Recommendations:

5. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review; and,
6. Prior to Final Plat approval by City Council, surety shall be posted for any subdivision improvements that have not been completed and the subdivision inspection fee shall be paid. (7 to 0)

19. No. 02PL058 - Tower Ridge

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 3 through 7 Block 1, Lots 1 through 6 Block 2, Tower Ridge, a portion of the Aladdin Drive R.O.W. a portion of the Silver Nugget R.O.W. and all of the Southview Drive R.O.W. of the Aladdin Heights Subdivision, Lot B and the dedicated street in the NW1/4 of the SW1/4, and unplatted portions of the NE1/4 of the SW1/4, the SE1/4 of the SW1/4, and the NW1/4 of the SW1/4 all in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of US Highway 16 and 1/4 mile north of Catron Boulevard.

Fisher distributed copies of the stipulations for approval and reviewed the request. She added that the applicant has submitted the requested additional information and that staff recommends that the Preliminary and Final Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Construction plans for all improvements, including off-site improvements, and any required revisions as identified by the Engineering Division shall be submitted by the applicant and approved by the Engineering Division prior to start of any construction or grading;
2. The applicant shall obtain approval of construction plans for any necessary improvements along U.S. Highway 16 from the South Dakota Department of Transportation prior to Engineering Division's approval of the plans;
3. Construction plans for the half-bulb intermediate turnaround on Tablerock Road shall be revised to provide a hammerhead turnaround with shared approaches to adjacent lots;
4. Construction plans shall be revised to provide property line sidewalks, or an Exception to the Street Design Criteria Manual shall be obtained for property line sidewalks in lieu of curb side sidewalks;
5. The applicant shall obtain a vacation of right-of-way petition from all affected property owners and utility companies for the proposed vacation of right-of-way prior to Final Plat approval by the City



Council;

6. **An access easement to the remainder of existing Lot 2, Block 2 shall be filed with the Register of Deeds' Office prior to Final Plat approval by the City Council;**
7. **Prior to Preliminary Plat approval by the Planning Commission for subsequent phases of the development, the applicant shall obtain the Engineering Division's approval of the water and sewer utility master plan;**
8. **The applicant shall obtain a permit to occupy the right-of-way from the South Dakota Department of Transportation for proposed water and sewer lines prior to Engineering Division's approval of the plans;**
9. **Prior to obtaining a building permit, a drainage plan must be submitted and approved for each lot. The drainage plan(s) shall include conveyance system(s) down the entire length of the slopes and shall provide for erosion and sediment control; and,**
10. **Prior to Preliminary Plat approval by the Planning Commission for subsequent phases of the development, the applicant shall obtain the Engineering Division's approval of a revision to the drainage plan which identifies the phase of development with which the future detention pond will be constructed.**

Urban Planning Division Recommendations:

11. **Prior to Preliminary Plat approval by the City Council, a structural site plan shall be submitted for review and approval;**
12. **Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;**
13. **Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid;**

Register of Deed's Office Recommendation:

14. **Prior to Final Plat approval by the City Council, a plat shall be revised to show a plat title including the block and lots. In addition, the name "Tower Ridge Subdivision, cannot be utilized; and,**

Fire Department Recommendation:

15. **All Uniform Fire Codes shall be continually met.**

Discussion followed concerning the stipulations of approval. Fisher advised that the applicant and Engineering staff met on Monday, June 17, 2002 and resolved the remaining issues.

In response to a question by Wall, Nelson advised that staff has had adequate time to review the stipulations and recommended approval of the Preliminary and Final Plat with the stipulations presented today.

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



Engineering Division Recommendations:

1. Construction plans for all improvements, including off-site improvements, and any required revisions as identified by the Engineering Division shall be submitted by the applicant and approved by the Engineering Division prior to start of any construction or grading;
2. The applicant shall obtain approval of construction plans for any necessary improvements along U.S. Highway 16 from the South Dakota Department of Transportation prior to Engineering Division's approval of the plans;
3. Construction plans for the half-bulb intermediate turnaround on Tablerock Road shall be revised to provide a hammerhead turnaround with shared approaches to adjacent lots;
4. Construction plans shall be revised to provide property line sidewalks, or an Exception to the Street Design Criteria Manual shall be obtained for property line sidewalks in lieu of curb side sidewalks;
5. The applicant shall obtain a vacation of right-of-way petition from all affected property owners and utility companies for the proposed vacation of right-of-way prior to Final Plat approval by the City Council;
6. An access easement to the remainder of existing Lot 2, Block 2 shall be filed with the Register of Deeds' Office prior to Final Plat approval by the City Council;
7. Prior to Preliminary Plat approval by the Planning Commission for subsequent phases of the development, the applicant shall obtain the Engineering Division's approval of the water and sewer utility master plan;
8. The applicant shall obtain a permit to occupy the right-of-way from the South Dakota Department of Transportation for proposed water and sewer lines prior to Engineering Division's approval of the plans;
9. Prior to obtaining a building permit, a drainage plan must be submitted and approved for each lot. The drainage plan(s) shall include conveyance system(s) down the entire length of the slopes and shall provide for erosion and sediment control; and,
10. Prior to Preliminary Plat approval by the Planning Commission for subsequent phases of the development, the applicant shall obtain the Engineering Division's approval of a revision to the drainage plan which identifies the phase of development with which the future detention pond will be constructed.

Urban Planning Division Recommendations:

11. Prior to Preliminary Plat approval by the City Council, a structural site plan shall be submitted for review and approval;
12. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;
13. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed



shall be posted and the subdivision inspection fees shall be paid;

Register of Deed's Office Recommendation:

14. Prior to Final Plat approval by the City Council, a plat shall be revised to show a plat title including the block and lots. In addition, the name "Tower Ridge Subdivision, cannot be utilized; and,

Fire Department Recommendation:

15. All Uniform Fire Codes shall be continually met. (7 to 0)

21. No. 02SR006 - 11-6-19 SDCL Review

A request by Randy Adams for Black Hills Power & Light to consider an application for an **11-6-19 SDCL Review** to allow the construction of a utility line located in the Section Line Right-of-Way between Section 13, T1N, R7E and Section 18, T1N, R8E and between Section 24, T1N, R7E and Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota.

Wevik advised that he requested this item to be removed from the consent calendar so that he may abstain from voting.

Stone moved, Hoffman seconded and carried to recommend that the 11-6-19 SDCL Review to allow the construction of a utility line in the section Line Right-of-Way be approved with the following stipulation:

Air Quality Division Recommendation:

1. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre. (6 to 0 with Wevik abstaining)

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

A member of the audience requested that Items 29 and 30 be removed from the Hearing Consent Agenda for separate consideration.

Prairie Chicken moved, Mashek seconded, and carried unanimously to recommend approval of the Hearing Consent Agenda Items 23 through 31 in accordance with the staff recommendations with the exception of Items 29 and 30. (10 to 0)

---HEARING ITEMS CONSENT CALENDAR---

23. No. 02OA009 - Ordinance Amendment - Sight Triangles

A request by the City of Rapid City to consider an application for an Ordinance to change the requirements for sight triangles at controlled intersections by amending Section 17.50.335 of the Rapid City Municipal Code.

Planning Commission recommended that the Ordinance Amendment be approved.



24. No. 02OA010 - Ordinance Amendment - Street Design Criteria Manual
A request by the City of Rapid City to consider an application for an Ordinance amending the Street Design Criteria Manual to clarify the requirements for curb and sidewalk for Lane/Place streets in Table 7-1 "Parking/Curb/Sidewalk Matrix."

Planning Commission recommended that the Ordinance Amendment be approved.

25. No. 02OA011 - Ordinance Amendment - Notification Requirements
A request by the City of Rapid City to consider an application for an Ordinance to establish a uniform requirement for notification of property owners for Planning Department hearings by amending Sections 17.50.060, 17.54.020, 17.54.030, 17.54.0404 and 15.32.240 of the Rapid City Municipal Code.

Planning Commission recommended that the Ordinance Amendment be approved.

- **26. No. 02PD020 - Kepp Heights Subdivision #3
A request by Renner & Sperlich Engineering Co. for Robert E. Moore to consider an application for a **Planned Residential Development - Initial and Final Development Plan** 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 Planned Residential Development - Initial and Final Development Plan be continued to the July 3, 2002 Planning Commission meeting to allow the applicant to submit additional 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.

27. 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 along Skyline Drive be continued to the July 3, 2002 Planning Commission meeting to be heard in conjunction with the associated plat.

****28. No. 02PD025 - Original Town of Rapid City**

A request by CSU Properties, LLC to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot RU-9A, Lots 1 thru 4 of Block 6, Lot 16 and the west 9.77 feet of Lot 15 in Block 7, and adjacent vacated 4th Street R.O.W. and 1/2 vacated adjacent alley in Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located the southeast corner of the intersection of 5th Street and North Street.

Planning Commission recommended that the Planned Commercial Development - Initial and Final Development Plan be continued to the July 3, 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.

31. No. 02SV016 - Murphy Ranch Estates

A request by Davis Engineering to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for curb and gutter, sidewalks, street light conduit, dry sewer and water** on Tract A of Murphy Ranch Estates Subdivision of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of Tract F of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Reservoir Road and Longview Drive.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement for curb and gutter, sidewalks, street light conduit, dry sewer and water be continued to the July 25, 2002 Planning Commission meeting to be heard in conjunction with the associated Preliminary and Final Plat.

---END OF HEARING CONSENT CALENDAR---



****29 No. 02PD026 - Regional Hospital / Health System Condominium**

A request by Vernon Osterloo for Rapid City Regional Hospital to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Tract AR-1 & North 30 feet of vacated 3rd Street adjacent to said lot, Tract AR-5, and Tract B, located in Regional Hospital Subdivision, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, and Unit #1 (Tract AR-2 & Common Area as of Master Deed), Unit #3 (Tract AR-3, AR-4 & AR-8 & Common Area of Master Deed), and Unit #2 (Tract AR-9 & Common Area of Master Deed), all located in Health System Condominium, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 353 Fairmont Boulevard and at 2908 Fifth Street.

Robert Tolman, 3215 Wisconsin Avenue, requested that Items 29 and 30 be removed from the Hearing Consent Agenda. Tolman expressed his concerns with the Lifeflight helicopter flying over residential areas and increased residential development i.e. condominiums. Tolman urged the Planning Commission to deny both requests due to Regional Hospital's past performance related to the Lifeflight helicopter.

Seaman reviewed the request and clarified that the Planned Commercial Development - Initial and Final Development Plan is to allow for the expansion of the Cancer Care institute to provide additional space for a medical oncology addition, radiation oncology addition, support for tomo therapy and other support services.

Tim Sughrue, Chief Operating Officer for Rapid City Regional Hospital, reassured Tolman that Regional Hospital has not made an application to construct condominiums. Sughrue added that in his opinion he believes that Tolman's confusion comes from the word "condominium" being a part of the current legal description which describes Units 1, 2 and 3 as being located in Health System Condominium. He also advised that the applications for Planned Commercial Development - Initial and Final Development Plan are not related to the issues Tolman has regarding the Lifeflight helicopter. He briefly discussed the Lifeflight helicopter operation and added that he would be willing to visit with Tolman to address his concerns.

In response to a question by Wevik, Elkins advised that there was no time frame specified for a review of the Conditional Use Permit. She added that Planning staff and Rapid City Regional Hospital staff could schedule a meeting to visit with Mr. Tolman to address his concerns.

Stone moved, Hoffman seconded and carried unanimously to recommend that the Planned Commercial Development - Initial and Final Development Plan be continued to the July 3, 2002 Planning Commission meeting to allow the applicant time to submit a landscaping 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.

****30 No. 02PD027 - Section 12, T1N, R7E**

A request by Vernon Osterloo for Rapid City Regional Hospital to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on the Southwest 1/4 and the South 30 feet of vacated 3rd Street, less Walpole and Regional Hospital Addition, Less Tract A-G and less Right-of-way, more generally described as being located at 353 Fairmont Boulevard.

Tolman stated that he had the same concerns with this application as he did with the previous application and requested that the Planning Commission deny the request for a Planned Commercial Development - Initial and Final Development Plan.

Discussion following concerning the off-premise sign and the parking lot.

Stone moved, Hoffman seconded and carried unanimously to recommend that the Planned Commercial Development - Initial and Final Development Plan to allow an off-premise sign be denied without prejudice and that the Planned Commercial Development - Initial and Final Development Plan to allow a parking lot be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, a sediment and erosion control plan shall be submitted for review and approval;
2. Upon issuance of a Building Permit, Meade-Hawthorne Drainage Basin fees shall be paid;

Building Inspection Division Recommendations:

3. A Building Permit shall be obtained prior to any construction;

Air Quality Division Recommendations:

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

Urban Planning Division Recommendations:

5. Prior to issuance of a Building Permit, the site plan shall be revised to provide landscaping material in the parking lot islands at a ratio of one area for every fifty parking spaces. Each island shall have a minimum of one deciduous non-fruit-bearing tree and two shrubs.

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.

---BEGINNING OF REGULAR AGENDA ITEMS---



32. No. 02OA008 - Ordinance Amendment - Adult Oriented Businesses

A request by the City of Rapid City to consider an application for an Ordinance amending Chapter 17.50 of the Rapid City Zoning Ordinance by adding a new Section 17.50.186 prohibiting sexually oriented businesses in Residential Zoning Districts, the Central Business District, and within 1000 feet of certain facilities.

Jason Green, Assistant City Attorney, reviewed the changes to the ordinance.

Discussion followed concerning Conditional Use Permits, preparing a separate ordinance amendment, the ordinance amendment being too stringent, legal advertisement deadlines, and constitutionality issues.

In response to a question by Wall, Elkins advised that the ordinance amendment may be changed in order to make sure that certain locations are available for adult oriented businesses. She further explained that the Planning Department has hired an intern to work on the zoning data and for the City Attorney's Office.

Wall expressed his concerns with approving an ordinance amendment knowing that it may change. He stated that in his opinion the Planning Commission should review and address any issues prior to forwarding a recommendation to City Council.

Discussion followed concerning adult oriented businesses that are "grandfathered", media attention and the City Council's desire to take action on this issue.

Tom Murphy, City Council, advised that the Adult Oriented Business Committee will meet on Monday, June 24, 2002 to review the ordinance amendments. He added that the Committee has been in contact with a law firm that has worked with a number of cities comparable to Rapid City on constitutionality issues concerning adult oriented businesses and zoning.

Mashek advised that subsection F was broader than she initially requested but still supports approval of the ordinance amendment as presented.

Discussion followed concerning a moratorium, the severability clause and City Council's desire to make an appropriate legal decision

Mashek moved, Stone seconded and carried unanimously to recommend that the Ordinance Amendment be approved. (7 to 0)

33. No. 02PL050 - Flannery Subdivision No. 2

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



Seaman advised that the applicant has not completed the required subdivision improvements and staff is recommending that the Preliminary and Final Plat be continued to the July 3, 2002 Planning Commission meeting. She further stated that staff and the applicant's engineer met and agreed to the required subdivision improvements. Seaman stated that the City Attorney's office has also recommended that the Preliminary and Final Plat not be approved until the improvements are completed and accepted by the City.

Wall moved, Stone seconded and carried unanimously to recommend that the Preliminary and Final Plat be continued to the July 3, 2002 Planning Commission meeting to allow the applicant time to complete the required subdivision improvements in accordance with the approved engineering plans. (7 to 0)

34. No. 02SR010 - 11-6-19 SDCL Review

A request by Michael Pelly for the Rapid City Area Character Counts Coalition to consider an application for an **11-6-19 SDCL Review for Six Pillars of Character Pavilion Proposal** on all of Blocks 1 and 2, Boulevard Addition, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at Halley Park.

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

Discussion followed concerning adding a stipulation regarding additional parking, current parking spaces available at the Children's Museum, classification as a destination point and the need for a Historic Preservation 11.1 Review.

Elkins advised that the Children's Museum building is listed on the Historic Preservation register and is subject to review. She explained that during the 11.1 Review the Historic Preservation Commission will determine on June 21, 2002 if the Six Pillars of Character Pavilion is compatible with the historic district.

In response to a question by Prairie Chicken, Elkins reviewed the various sites considered by the Committee.

Wall moved, Hoffman seconded and carried unanimously to continue the 11-6-19 SDCL Review for Six Pillars of Character Pavilion Proposal to the July 3, 2002 Planning Commission. (7 to 0)

**35 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.



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

Mike Schmitz, Radisson Hotel, reviewed the size and location of the deck, width of the sidewalk and access.

Mashek moved, Stone seconded and carried unanimously to recommend that the Conditional Use Permit to allow an On-Sale Liquor Establishment be approved with the following stipulations:

Engineering Division Recommendations:

1. The fenced outdoor seating area shall be located entirely on the subject property and in no way impede the pedestrian walkway between the back of the curb on Main Street and the south property line of the subject property;
2. The fence shall be a maximum height of four feet above grade;
3. A right of way permit shall be obtained if any portion of the adjacent sidewalk is obstructed during construction of the fence;

Fire Department Recommendations:

4. The outdoor seating shall in no way impede emergency access to the existing structure or hinder emergency access to any firefighting equipment or appliances;

Building Inspection Division Recommendation

5. A Building Permit shall be obtained prior to any construction;

Urban Planning Division Recommendations:

6. That the outdoor on-sale liquor establishment use and outdoor seating shall be restricted to the fenced area;
7. That the applicant shall provide security to check identification of patrons entering the fenced area and to ensure that the consumption of alcoholic beverages occurs only within the fenced area;
8. All provisions of Section 17.50.300, the Landscaping Requirements of the Rapid City Municipal Code shall be continually met; and,
9. That the Conditional Use Permit approval shall expire if the use is not undertaken and completed within two years of the date of approval by City Council, or if the use as approved has ceased for a period of two years. (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.

16. **No. 02PL052 - Section 19, T1N, R8E**

A request by Centerline, Inc. for Lazy P-6 Properties, LLC to consider an application for a **Layout Plat** on GL 1-2 Less ROW, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as



being located north of Catron Boulevard and east of future 5th Street.

Discussion followed concerning the applicant's memorandum regarding the staff's recommendation and stipulations.

Lawrence Kostanski, Centerline Inc. for Lazy P-6 Properties, stated that he is not opposed to providing a Master Plan but expressed concerns with the number of issues related to the Master Plan for the property to the north of the Layout Plat. He added that the applicant requests that the Planning Commission approve the Layout Plat with revised stipulations.

Discussion followed concerning the Layout Plat process.

Wall asked if the applicant was requesting an exception to the Layout Plat requirement to submit a Master Plan. Kostaneski advised that the applicant is requesting an exception to the sequence of events.

Elkins suggested that the Layout Plat be continued to the July 3, 2002 Planning Commission meeting so that the applicant's engineer and the Engineering staff have time to resolve any issues related to the Master Plan for the north area.

Hoffman moved, Mashek seconded and carried unanimously to recommend that the Layout Plat be continued to the July 3, 2002 Planning Commission meeting. (7 to 0)

36. Discussion Items

A. Proposed Changes to the Shopping Center Ordinance

Elkins presented the request, reviewed the staff report and staff's recommendation.

Wall moved, Stone seconded and carried unanimously to authorize staff to advertise a public hearing to consider an ordinance amendment modifying Shopping Center I and Shopping Center II to reference Planned Developments and to delete the current terminology of Site Plans and Final Site Development Plans; and, to authorize staff to advertise for a public hearing to allow Planned Developments in both the Shopping Center I and Shopping Center II districts. (7 to 0)

37. Staff Items

A. Hiring Process Update

Elkins provided an update and noted that the interviews for the two full-time positions will be held on Tuesday, June 25, 2002. She stated that Kroeger and Wall will participate in those interviews. In response to a question by Mashek, Elkins advised that she may have to repost one of the positions.



B. Resolution in Support of Current Hiring Practices

In response to a question by Wall, Elkins advised that the Planning staff is working with the City Attorney's Office in preparing the Resolution in Support of Current Hiring Practices for the Chair's signature.

38. Planning Commission Items

A. Election of Officers

Discussion followed concerning Planning Commissioners term expiration dates. Elkins advised that Fast Wolf, Prairie Chicken and Wevik have been reappointed for another three year term. Elkins advised that Ethan Schmidt has been appointed effective July 1, 2002 as Ward 3 representative to the Planning Commission replacing Robert Scull. In response to a question, Elkins indicated that Kooiker's position will be vacant as of July 1, 2002.

Wevik entertained nominations for Chairperson.

Wall nominated Wevik.

Mashek nominated Wall.

Fast Wolf nominated Hoffman.

Wall advised that he did not wish to be Chairperson at this time. Hoffman concurred and advised that he would like to have a little more time on the Planning Commission before assuming the Chairperson position.

Nominations ceased and Wevik was unanimously appointed as Planning Commission Chairperson. (6 to 0)

Wevik entertained nominations for Vice-Chairperson.

Stone nominated Wall.

Nominations ceased and Wall was unanimously appointed as Planning Commission Vice-Chairperson. (6 to 0)

Wevik entertained nominations for Secretary.

Fast Wolf nominated Hoffman.

Nominations ceased and Hoffman was unanimously appointed as Planning Commission Secretary. (6 to 0)

39. Committee Reports

A. City Council Report - Action on Administrative Approval of Final Plats



In response to a question by Wall, Tom Murphy advised that the City Council denied the proposed ordinance amendment to allow administrative approval of Final Plats because they felt that the amendment was giving too much authority to the Planning Commission.

In response to a question, Elkins advised that the vote was 5 to 2 with Dreyer and Kroeger voting no.

Wall stated that he was disappointed in the City Council's denial of this attempt to streamline the process for approving Final Plats.

Discussion followed concerning the City Council reconsidering their action

Murphy stated he wanted to make sure that the Council members understood the issues involved in the administrative approval of Final Plats. He discussed reconsideration of his vote on this issue.

B. Off-Premise Sign Permit Committee

Mashek advised that the City Council passed second reading of an Ordinance Revising the Regulation of Signs Within the City of Rapid City by Amending Chapter 15.28 of the Rapid City Municipal Code. Mashek explained the permitting fee and the appeal process.

C. Drinking Water Protection Committee

In response to a question by Wall, Elkins advised that the Drinking Water Ordinance has not been placed on the City Council agenda. She added that the City is waiting to see what action the County Commission takes on the Drinking Water Ordinance.

D. City Council Liaison

Hoffman asked if Kroeger would remain as the Planning Commission's City Council liaison. Kroeger advised that the Mayor appoints the Council liaisons for a term of one year. Kroeger advised that his term is up and that the Mayor will appoint new Council liaisons to the various committees sometime in July.

There being no further business, Mashek moved, Wall seconded and carried unanimously to adjourn the meeting at 8:45 a.m.