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MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
August 8, 2002

MEMBERS PRESENT: Jeff Hoffmann, Dawn Mashek, Mel Prairie Chicken, Ethan Schmidt, Paul Swedlund, Jeff Stone, Stuart Wevik. Also present was Martha Rodriguez, City Council Representative.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Jeff Marino, Lisa Seaman, Karen Bulman, Bill Knight, Randy Nelson, Dave LaFrance, Dave Johnson, Jason Green and Nadine Bauer.

Chairperson Wevik called the meeting to order at 7:02 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 12 and 15 be removed from the Non-Hearing Consent Agenda for separate consideration.**

**Stone moved, Hoffman seconded, and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 through 16 in accordance with the staff recommendations with the exception of Items 12 and 15. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

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

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

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 September 26, 2002 Planning Commission meeting at the applicant's request.**

3. 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

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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 September 5, 2002 Planning Commission meeting to be heard in conjunction with the associated plat.**

4. 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 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 4, Moon Ridge Subdivision be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. Upon submittal of a Preliminary Plat, a grading plan and geotechnical information 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, the plat shall be revised to show a non-access easement along U.S. Highway 16. In addition a non-access easement shall be shown along Moon Meadow Drive except for the approved approach location(s);
6. 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 all adjacent and interior roadways;
7. Upon submittal of the Preliminary Plat, construction plans providing for a collector road to be located through the northwest corner of the

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subject property shall be submitted for review and approval or an amendment to the Major Street Plan shall be approved eliminating and/or relocating the collector road;

8. Upon submittal of the Preliminary Plat, construction plans for the section line highway located along the north lot line shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated;

**Fire Department Recommendations:**

9. 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:**

10. Prior to Final Plat approval by the City Council, the plat shall be revised to show "Moon Meadows Drive" as "Moon Meadows Road";

**Urban Planning Division Recommendations:**

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

5. **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 September 5, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.**

6. **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 September 5, 2002 Planning Commission meeting to allow the applicant time to provide additional required information.**

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7. 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.

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

8. 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 Preliminary and Final Plat be continued to the August 22, 2002 Planning Commission meeting to allow the applicant to provide additional required information.**

9. 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 southeast corner of the intersection of Cambell Street and Philadelphia Street.

**Planning Commission recommended that the Preliminary Plat be continued to the September 5, 2002 Planning Commission meeting at the applicant's request.**

10. No. 02PL068 - Pine View Terrace

A request by Doug Sperlich for Kelly Construction to consider an application for a **Layout, Preliminary and Final Plat** on Lots A thru M of Lot 3, Pine View Terrace, located in the NW1/4 of the SE1/4 and in the SW1/4 of the SE1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; legally described as Lot 3 of Pine View Terrace, located in the NW1/4 of the SE1/4 and in the SW1/4 of the SE1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Park Drive and Wonderland Drive.

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

**Engineering Division Recommendations:**

1. Prior to Final Plat approval by the City Council, the plat shall be revised to include the dedication of an additional 17 feet of right of way along the Park Drive frontage and a triangular area of right of way in the northwest corner of the intersection of Park Drive and Wonderland Drive;
2. Prior to City Council approval of the Final Plat, a Subdivision Improvements Estimate shall be submitted that includes the cost for the mill and overlay of Park Drive for a minimum of 900 linear feet of Park Drive. The overlay shall be required between stations 0+00 and 9+00 shown on the design plans;
3. Prior to City Council approval of the Final Plat, a Subdivision Improvements Estimate shall be submitted that includes the cost for a minimum of 200 linear feet of bike path along the Park Drive frontage and for the repair and/or replacement of any existing sidewalk damaged along Park Drive and Wonderland Drive as a result of the utility service construction;
4. Prior to City Council approval of the Final Plat, the applicant shall provide detailed traffic control plans for the proposed work within the Park Drive right of way;
5. Prior to City Council approval of the Final Plat, the plat shall be revised to include non-access easements along the frontage of Park Drive and Wonderland Drive. The non-access easement shall extend along the south lot line of Lot 6B for a minimum distance of 70 feet and along the east lot line of Lot 6B for a minimum distance of 125 feet;
6. Prior to City Council approval of the Final Plat, the plat shall be revised to include additional drainage easements on Lots 3B, 4A, 4B and 5A;
7. Prior to City Council approval of the Final Plat, the design plans shall be revised to include the provision of sidewalk along the Wonderland Drive frontage or the applicant shall obtain a Subdivision Variance waiving the requirement to construct the sidewalk;
8. Prior to City Council approval of the Final Plat, the design plans shall be revised to include the provision of street lights and street identification and regulatory signage in accordance with the Street Design Criteria Manual;

**Fire Department Recommendations:**

9. Prior to the start of any building construction, fire hydrants shall be installed and operational;
10. Prior to the start of any building construction, wildland fire mitigation shall be completed as required by the Fire Department;
11. All provisions of the Uniform Fire Code shall be continually met;

**Urban Planning Division Recommendations:**

12. Prior to Final Plat approval, the applicant shall obtain approval of the Final Planned Residential Development;
13. All provisions of the Off-Street Parking Ordinance and the parking

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- requirements included in the Street Design Criteria Manual shall be continually;
14. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and,
  15. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.
11. No. 02PL070 - Meadows Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lot 2 Block 7, Lots 8 through 20 Block 8, and Lots 1 through 13 Block 9, located in the SE1/4 of the SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County South Dakota; legally described as Tract 1 of Parcel C of MJK Subdivision located in the E1/4 of The SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along the future extension of Field View Drive west of the Dakota Ridge Subdivision.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the August 22, 2002 Planning Commission meeting to allow the applicant time to submit additional information.**

13. No. 02PL074 - Village on the Green No. 2 Subdivision  
A request by FMG, Inc. for Hart Ranch Development to consider an application for a **Preliminary and Final Plat** on Lots A and B of Lot 30 located in Village on the Green No. 2 Subdivision, located in the SE1/4 SW1/4 of Section 12, T1S, R7E, BHM, Pennington County, South Dakota; legally described as a portion of previously platted Spiken Ridge Parcel and Golf Course Parcel of Hart Ranch Development, located in the SE1/4 SW1/4 of Section 12, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located in the Hart Ranch Development.

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

**Urban Planning Division Recommendations:**

1. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted and all subdivision inspection fees paid;
2. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted;
3. A Special Exception to the Street Design Criteria Manual is hereby granted to reduce the right-of-way width from 47 feet to 40 feet; and,
4. A Special Exception to the Street Design Criteria Manual is hereby granted to allow an exclusive access road to serve 44 dwelling units with the condition that, prior to any platting beyond the previously approved 45 lot development (or 58 dwelling units) or any further extension of the cul-de-sac located at the end of Mulligan Mile, Mulligan Mile shall be extended to Arena Road.



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14. No. 02PL075 - 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 2A and 2B 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 Lot 2 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 at 1312 Sydney Drive.

**Planning Commission acknowledge the applicant's request to deny without prejudice the Preliminary and Final Plat.**

16. No. 02PL077 - 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 1A, 1B, 2A, 2B, 3A, 3B, 4AR, and 4BR of Block 4 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 1, 2, 3, 4A, and 4B of Block 4 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 in the 1300 block of Sydney Drive.

**Planning Commission acknowledged that applicant's request to deny without prejudice the Preliminary and Final Plat.**

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

12. No. 02PL073 - Pleasant Hill Addition

A request by Fisk Land Surveying and Consulting Engineers for Wayne and Phyllis Krell to consider an application for a **Layout Plat** on Lot 3A and 3B of Lot 3, Block 1, Pleasant Hill Addition, located in the NE1/4 NE1/4 of Section 9, T1N, R8E, BHM, Pennington County, South Dakota; legally described as Lot 3, Block 1, Pleasant Hill Addition, located in the NE1/4 NE1/4 of Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 2021 Pacific Lane.

Elkins advised that the applicant has requested that the Layout Plat be continued to the August 22, 2002 Planning Commission.

**Stone moved, Hoffman seconded and unanimously carried to recommend that the Layout Plat be continued to the August 22, 2002 Planning Commission at the applicant's request. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

15. No. 02PL076 - Trailwood Village

A request by Renner & Sperlich Engineering Co. for Gordon Howie to consider an application for a **Layout, Preliminary and Final Plat** on Lots 16 thru 24 of Block 14; Lots 7 thru 19 of Block 15; located in the NE1/4 of the SE1/4 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota; legally described as the balance of Tract T of Trailwood Village located in the NE1/4 of the SE1/4 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located on Shad

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Street.

Elkins advised that the applicant met with Engineering staff yesterday and resolved the remaining minor issues and that staff is recommending that the Layout, Preliminary and Final Plat be approved with stipulations.

**Hoffman moved, Stone seconded and unanimously carried to recommend that the Layout, Preliminary and Final Plat be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. Prior to Final Plat approval by the City Council, a geotechnical report shall be provided for review and approval;
2. Prior to City Council approval of the Final Plat, the plat shall be revised to reflect all required water utility easements subject to review and approval by the Engineering Division;
3. Prior to Final Plat approval by the City Council, the applicant shall submit revised engineering plans in accordance with the Engineering Division review comments;

**Fire Department Recommendations:**

4. Prior to the start of any building construction, fire hydrants shall be installed and operational;
5. Prior to issuance of a Certificate of Occupancy, the facility(s) addresses shall be posted;
6. Prior to Final Plat approval by the City Council, design plans shall be submitted showing the location of a temporary road providing an emergency access route from the current terminus of Mercury Drive to the proposed terminus of Shad Street in accordance with the requirements of the Fire Department;
7. Prior to the start of any building construction, all weather access roads shall be constructed to the building sites;

**Urban Planning Division Recommendations:**

8. Prior to Preliminary Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval; and,
9. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and all the subdivision inspection fees shall be paid. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)

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

Staff requested that Items 33, 35, 37, 41, 42 and 43 be removed from the Hearing Consent Agenda for separate consideration.

Prairie Chicken moved, Hoffman seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 17 through 43 in accordance with the staff



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**recommendations with the exception of Items 33, 35, 37, 41, 42 and 43. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

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

17. Approval of the 2003 Capital Improvements Budget

**Planning Commission recommended that the 2003 Capital Improvements Budget be approved.**

18. No. 02CA040 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 0.1468 acre parcel from General Commercial to Office Commercial with a Planned Commercial Development** on property described by metes and bounds as: Point of Beginning: the Southeast corner of the Aladdin Heights Subdivision; thence South 89°58'26" West a distance 12.49 feet along the South line of the Aladdin Heights Subdivision; thence North 50°22'03" West a distance of 94.20 feet; thence North 46°14'08" East a distance of 117.77 feet; thence South 00°00'32" West a distance of 141.54 feet along the East line of the Aladdin Heights Subdivision; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 0.1468 acre parcel from General Commercial to Office Commercial with a Planned Commercial Development be approved.**

19. No. 02CA041 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a .3409 acre parcel from Office Commercial with Planned Commercial Development to General Commercial** on property described by metes and bounds as commencing at the Southeast corner of the Aladdin Heights subdivision; thence North 00°00'32" East a distance of 141.54 feet along the East line of the Aladdin Heights Subdivision to the Point of Beginning; continuing at the Point of Beginning; thence North 00°00'32" East a distance of 196.48 feet along the East line of the Aladdin Heights Subdivision; thence South 71°06'54" East a distance of 159.73 feet; thence South 46°14'08" West a distance of 209.31 feet; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a .3409 acre parcel from Office Commercial with Planned Commercial Development to General Commercial be approved.**

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20. No. 02CA042 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 0.0634 acre parcel from General Commercial to Office Commercial with a Planned Commercial Development** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'26" West a distance of 93.96 feet along the South line of the Aladdin Heights Subdivision to the Point of Beginning; thence South 89°58'26" West a distance of 85.92 feet along the South line of the Aladdin Heights Subdivision; thence North 07°20'48" East a distance of 64.86 feet; thence South 50°22'03" East a distance of 100.79 feet returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 0.0634 acre parcel from General Commercial to Office Commercial with a Planned Commercial Development be approved.**

21. No. 02CA043 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a .5099 acre parcel from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development and a .6149 acre parcel from General Commercial to General Commercial with a Planned Commercial Development** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'27" West a distance of 179.88 feet along the south line of Aladdin Heights Subdivision to the Point of Beginning; continuing at the Point of Beginning; thence South 07°20'48" West a distance of 460.81 feet; thence North 62°14'17" West a distance of 8.95 feet; thence North 51°24'29" West a distance of 48.67 feet; thence North 07°20'48" East a distance of 426.02 feet to the South line of Aladdin Heights Subdivision; thence 89°58'27" East a distance of 50.41 feet along the South line of the Aladdin Heights Subdivision; returning to the Point of Beginning; and, commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'27" West a distance of 179.88 feet; to the Point of Beginning continuing at the Point of Beginning; thence North 07°20'48" East a distance of 64.86 feet; thence North 50°22'03" West a distance of 92.73 feet; thence Northwesterly 58.28 feet along a curve concave Northeasterly having a radius of 226.00 feet said curve having a chord direction of North 42°58'47" West; thence North 35°35'32" West a distance of 26.02 feet; thence South 54°24'28" West a distance of 80.79 feet; thence South 07°20'48" West a distance of 141.20 feet; thence South 89°58'20" East a distance of 201.64 feet; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a .5099 acre parcel from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development and a .6149 acre parcel from General Commercial to General Commercial with a Planned Commercial Development be approved.**

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22. No. 02CA044 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 0.6160 acre parcel from General Commercial to General Commercial with a Planned Commercial Development** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'27" West a distance of 381.52 feet along the South line of the Aladdin Heights Subdivision; to the Point of Beginning; continuing from the Point of Beginning; thence North 07°20'48" East a distance of 141.20 feet; thence North 54°24'28" East a distance of 80.79 feet; thence North 35°35'32" West a distance of 40.00 feet; thence south 54°24'28" West a distance of 342.32 feet; thence North 83°07'59" West a distance of 31.30 feet; thence South 07°20'03" West a distance of 24.17 feet; thence South 89°58'27" East a distance of 252.05 feet; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 0.6160 acre parcel from General Commercial to General Commercial with a Planned Commercial Development be approved.**

\*\*23. No. 02PD035 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for a **Planned Development Designation** on property described by metes and bounds as follows: Point of Beginning: the Southeast corner of the Aladdin Heights Subdivision; thence South 89°58'26" West a distance 12.49 feet along the South line of the Aladdin Heights Subdivision; thence North 50°22'03" West a distance of 94.20 feet; thence North 46°14'08" East a distance of 117.77 feet; thence South 00°00'32" West a distance of 141.54 feet along the East line of the Aladdin Heights Subdivision; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**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.***

\*\*24. No. 02PD036 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for a **Planned Development Designation** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'27" West a distance of 179.88 feet; to the Point of Beginning continuing at the Point of Beginning; thence North 07°20'48" East a distance of 64.86 feet; thence North 50°22'03" West a distance of 92.73 feet; thence Northwesterly 58.28 feet along a curve concave Northeasterly having a radius of 226.00 feet said curve having a chord direction of North

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42°58'47" West; thence North 35°35'32" West a distance of 26.02 feet; thence South 54°24'28" West a distance of 80.79 feet; thence South 07°20'48" West a distance of 141.20 feet; thence South 89°58'20" East a distance of 201.64 feet; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**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.***

**\*\*25. No. 02PD037 - Tower Ridge Subdivision**

A request by Dream Design International, Inc. to consider an application for a **Planned Development Designation** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'27" West a distance of 381.52 feet along the South line of the Aladdin Heights Subdivision; to the Point of Beginning; continuing from the Point of Beginning; thence North 07°20'48" East a distance of 141.20 feet; thence North 54°24'28" East a distance of 80.79 feet; thence North 35°35'32" West a distance of 40.00 feet; thence south 54°24'28" West a distance of 342.32 feet; thence North 83°07'59" West a distance of 31.30 feet; thence South 07°20'03" West a distance of 24.17 feet; thence South 89°58'27" East a distance of 252.05 feet; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**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.***

**\*\*26. No. 02PD038 - Tower Ridge Subdivision**

A request by Dream Design International, Inc. to consider an application for a **Planned Development Designation** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'26" West a distance of 93.96 feet along the South line of the Aladdin Heights Subdivision to the Point of Beginning; thence South 89°58'26" West a distance of 85.92 feet along the South line of the Aladdin Heights Subdivision; thence North 07°20'48" East a distance of 64.86 feet; thence South 50°22'03" East a distance of 100.79 feet returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Planned Development Designation be**

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**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.***

27. No. 02RZ037 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on property described by metes and bounds as commencing at the Southeast corner of the Aladdin Heights subdivision; thence North 00°00'32" East a distance of 141.54 feet along the East line of the Aladdin Heights Subdivision to the Point of Beginning; continuing at the Point of Beginning; thence North 00°00'32" East a distance of 196.48 feet along the East line of the Aladdin Heights Subdivision; thence South 71°06'54" East a distance of 159.73 feet; thence South 46°14'08" West a distance of 209.31 feet; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Rezoning from Office Commercial District to General Commercial District be approved in conjunction with the Comprehensive Plan Amendment.**

28. No. 02RZ038 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Commercial District to Office Commercial District** on property described by metes and bounds as follows: Point of Beginning: the Southeast corner of the Aladdin Heights Subdivision; thence South 89°58'26" West a distance 12.49 feet along the South line of the Aladdin Heights Subdivision; thence North 50°22'03" West a distance of 94.20 feet; thence North 46°14'08" East a distance of 117.77 feet; thence South 00°00'32" West a distance of 141.54 feet along the East line of the Aladdin Heights Subdivision; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Rezoning from General Commercial District to Office Commercial District be approved in conjunction with the Planned Development Designation.**

29. No. 02RZ039 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Commercial District to Office Commercial District** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'26" West a distance of 93.96 feet along the South line of the Aladdin Heights Subdivision to the Point of Beginning; thence South 89°58'26" West a distance of 85.92 feet along the South line of the Aladdin Heights Subdivision; thence North 07°20'48" East a distance of 64.86 feet; thence South 50°22'03" East a distance of 100.79 feet returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron





Boulevard.

**Planning Commission recommended that the Rezoning from General Commercial District to Office Commercial District be approved in conjunction with the Planned Development Designation.**

30. No. 02RZ040 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on property described by metes and bounds as commencing at the Southeast corner of Aladdin Heights Subdivision; thence South 89°58'27" West a distance of 179.88 feet along the south line of Aladdin Heights Subdivision to the Point of Beginning; continuing at the Point of Beginning; thence South 07°20'48" West a distance of 460.81 feet; thence North 62°14'17" West a distance of 8.95 feet; thence North 51°24'29" West a distance of 48.67 feet; thence North 07°20'48" East a distance of 426.02 feet to the South line of Aladdin Heights Subdivision; thence 89°58'27" East a distance of 50.41 feet along the South line of the Aladdin Heights Subdivision; returning to the Point of Beginning, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

**Planning Commission recommended that the Rezoning from Office Commercial District to General Commercial District be approved in conjunction with the Comprehensive Plan Amendment.**

\*\*31. No. 02PD019 - Section 23, T1N, R7E

A request by Dream Design International, Inc. to consider an application for a **Revocation of a portion of an area designated as a Planned Development Designation** on property described by metes and bounds as commencing at the Southeast corner of the Aladdin Heights subdivision; thence North 00°00'32" East a distance of 141.54 feet along the East line of the Aladdin Heights Subdivision to the Point of Beginning; continuing at the Point of Beginning; thence North 00°00'32" East a distance of 196.48 feet along the East line of the Aladdin Heights Subdivision; thence South 71°06'54" East a distance of 159.73 feet; thence South 46°14'08" West a distance of 209.31 feet; 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 Revocation of a portion of an area designated as a Planned Development Designation be approved in conjunction with a Comprehensive Plan Amendment.**

***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. 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,



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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 August 22, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.**

**\*\*34. No. 02PD031 - Pine View Terrace**

A request by Doug Sperlich for Kelly Construction to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Lot 3 of Pine View Terrace, located in the NW1/4 of the SE1/4 and in the SW1/4 of the SE1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Park Drive and Wonderland Drive.

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

**Engineering Division Recommendations:**

1. Shared approaches shall be required for all townhome lots taking access from Park Drive as shown on the Final Development Plans. Any modification to the approach locations as shown on the Final Development Plans shall require a Major Amendment to the Planned Residential Development;
2. A minimum distance of 105 feet shall be required between all shared approaches taking access from Park Drive;
3. That parking courts shall be required for all dwelling units taking access from Park Drive. The parking courts shall be constructed to allow vehicles to circulate on the property and enter the Park Drive right of way in a forward direction;

**Fire Department Recommendations:**

4. The exterior building materials of all dwelling units shall be of a limited combustibility;

**Air Quality Division Recommendations:**

5. 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

**Urban Planning Division Recommendations:**

6. Prior to approval of the Final Planned Residential Development, the applicant shall obtain approval from the City Council rezoning the proposed lots to Low Density Residential Zoning District;
7. That all townhomes shall be setback a minimum of 15 feet from the Park Drive right of way. Any garage entrances facing Park Drive shall be setback a minimum of 18 feet from the Park Drive right of way;
8. All provisions of the Off-Street Parking Ordinance and the parking requirements included in the Street Design Criteria Manual shall be

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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.***

36. 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 September 3, 2002 Planning Commission meeting to be heard in conjunction with the associated Preliminary and Final Plat request.**

38. No. 02SV034 - Village on the Green No. 2 Subdivision

A request by FMG, Inc. for Hart Ranch Development to consider an application for a **Variance to the Subdivision Regulations to allow sidewalks on one side of the street as regulated by Chapter 16.16.090 of the Rapid City Municipal Code** on a portion of the previously plated Spiken Ridge Parcel and Golf Course Parcel of Hart Ranch Development, located in the SE1/4 SW1/4 of Section 12, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located in the Hart Ranch Development.

**Planning Commission recommended that the Variance to the Subdivision Regulations to allow sidewalks on one side of the street as regulated by Chapter 16.16.090 of the Rapid City Municipal Code be approved.**

39. No. 02TP005 - Transportation Improvement Program

A request by the Rapid City Area Metropolitan Planning Organization to consider the **2003-2007 Rapid City Area Transportation Improvement Plan**.

**Staff recommends that the 2003-2007 Rapid City Area Transportation Improvement Plan be approved.**

\*\*40. 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.

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**Planning Commission recommended that the Conditional Use Permit to allow a Mobile Home Park in the Medium Density Residential District be continued to the September 5, 2002 Planning Commission meeting to allow the applicant to submit a revised site plan, to remove debris from the property and structures from the Ellsworth Air Force Base water main easement.**

**---END OF HEARING CONSENT CALENDAR---**

**\*\*33. No. 02PD026 - Rapid City Regional Hospital**

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 2908 Fifth Street.

Seaman advised that the applicant provided staff with a site plan showing the existing landscaping on the property and noted that the applicant does have sufficient landscaping to meet the requirements of the Landscaping Ordinance. She added that staff is recommending that Stipulation #8 be modified to read that *"8. All provisions of the Landscaping Ordinance shall be continually met."*

Alan Berreth, Rapid City Regional Hospital Planning Director, presented Regional Hospital's proposal for a wall mounted back-lit sign to be located at the top of the main hospital structure and discussed stipulation #12.

Discussion followed concerning alternatives to wall mounted back-lit signs.

**Swedlund moved and Hoffman seconded to approve the Planned Commercial Development - Initial and Final Development with the following stipulations:**

**Engineering Division Recommendations:**

1. Upon issuance of a Building Permit, Meade-Hawthorne Drainage Basin fees shall be paid;

**Fire Department Recommendations:**

2. All Uniform Fire Codes must be continually met;

**Building Inspection Division Recommendations:**

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

**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,

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**Urban Planning Division Recommendations:**

5. The proposed structures shall conform architecturally to the plans and elevations submitted as part of this Planned Commercial Development;
6. All lighting, excluding street lighting, shall be directed so as to reflect away from the adjacent residential development, and shall be so situated so as not to reflect directly onto any public rights-of-way, so as to create a traffic hazard;
7. Prior to issuance of a building permit, the applicant shall provide a site plan showing all of the existing landscaping plan on the subject property;
8. All provisions of the Landscaping Ordinance shall be continually met;
9. A Major Amendment to the Planned Commercial Development shall be required prior to issuance of a Building Permit for additional structures or parking areas or for the expansion of any existing structure or existing parking lot by more than 10,000 square feet. A Minimal Amendment may be reviewed and approved by the Planning Director for any building or parking lot expansions less than 10,000 square feet;
10. All provisions of the Off-Street Parking Ordinance shall be continually met;
11. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years;
12. The uses of structures on the property shall be limited to medical uses and appropriate uses accessory to medical uses; and,

to continue that portion of the project related to the sign package to the August 22, 2002 Planning Commission meeting. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)

***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.***

35. **No. 02RZ036 - Meadows 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 Tract A of Parcel C of MJK Subdivision located in the E1/4 of the SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along the future extension of Field View Drive west of the Dakota Ridge Subdivision.

Elkins explained that the notification requirements were not met and staff is recommending that the Rezoning from General Agriculture District to Low Density

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Residential District be continued to the August 22, 2002 Planning Commission meeting.

**Prairie Chicken moved, Stone seconded and unanimously carried to recommend that the Rezoning from General Agriculture District to Low Density Residential District be continued to the August 22, 2002 Planning Commission meeting. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

37. No. 02SV033 - Pleasant Hill Addition

A request by Fisk Land Surveying and Consulting Engineers for Wayne and Phyllis Krell to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter and street lights as regulated by Section 16.16 of the Subdivision Regulations** on Lot 3, Block 1, Pleasant Hill Addition, located in the NE1/4 NE1/4 of Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 2021 Pacific Lane.

Elkins stated that the applicant has requested that the Variance to the Subdivision Regulations be continued to the August 22, 2002 Planning Commission meeting.

**Stone moved, Prairie Chicken seconded and unanimously carried to recommend that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk, curb and gutter and street lights as regulated by Section 16.16 of the Subdivision Regulations be continued to the August 22, 2002 Planning Commission meeting at the applicant's request. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

\*\*41. 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.

Elkins stated that the correct continuation date should be September 5, 2002 not September 3, 2002.

**Hoffman moved, Stone seconded and unanimously carried to recommend that the Conditional Use Permit to allow a car wash in the General Commercial Zoning District be continued to the September 5, 2002 Planning Commission meeting to allow the applicant time to submit additional required information. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

\*\*42. No. 02UR022 - Original Town of Rapid City

A request by Troy Williamson for Native American Heritage Association to

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consider an application for a **Renewal of a Conditional Use Permit to allow a Mission in the Central Business District** on Lots 1-7, Block 96, Original Town of Rapid City, Section T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 405 Saint Joseph Street.

Elkins stated that staff has recommended approval of the Renewal of the Conditional Use Permit to allow a Mission in the Central Business District with stipulations.

In response to a question by Prairie Chicken, Elkins advised that the letter from John Morrison was the only complaint that staff has received.

In response to a question by Swedlund, Elkins advised that the renewal is for three (3) years.

**Hoffman moved, Stone seconded and unanimously carried to recommend that the Renewal of a Conditional Use Permit to allow a Mission in the Central Business District be approved with the following stipulations:**

**Urban Planning Division Recommendations:**

1. That the Conditional Use Permit be granted for a period of three years subject to review within the three year period on a complaint basis. Renewal of the Conditional Use Permit shall be reviewed and approved by the Planning Commission;
2. That annual reports provided by a member of the Native American Heritage Association Board of Directors shall be provided to the Planning Commission at a regularly scheduled meeting in the month of August each year. The annual report shall include an annual statistical summary of occupancy for the year, updates on any administrative changes, stability of the Mission, a prepared statement by a law enforcement representative describing any events that required police action and a prepared statement by a Building Inspection representative describing the exterior and interior maintenance conditions of the building and grounds.
3. That the post and chain barrier located across the east curb cut on Saint Joseph Street and the signage installed at the west curb cut on Saint Joseph Street to identify it as an "enter only" access location be continually maintained;
4. There shall be no inoperable vehicles on the site;
5. There shall be no outside storage of personal belongings;
6. That all Life and Safety Codes shall be continually met;
7. If required, an 11.1 Historic Preservation approval shall be received prior to the issuance of any Building Permits;
8. That a Services Plan be provided and approved by the City Planning Commission and any change in the services plan shall require a Major Amendment to the Conditional Use Permit;
9. That the services plan shall include provisions for 24 hour supervision by an individual or individuals trained and qualified to administer the



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**functions and activities of the mission. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

***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.***

**\*\*43. No. 02UR023 - Pineview Subdivision**

A request by Morton Buildings, Inc. for Sunburst, Inc. to consider an application for a **Conditional Use Permit to allow for mini storage buildings in the General Commercial District** on Lots 1, 2 and 3 of Block 4, Pineview Subdivision, Section 25, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 620 Howard Street.

Elkins advised that the applicant has requested that the Planning Commission acknowledge his request to withdraw the application for a Conditional Use Permit to allow for mini storage buildings in the General Commercial District.

Discussion followed concerning the applicant's reasons for withdrawing the request. Discussion also took place regarding placing a Planned Commercial Development on the property in the General Commercial District.

In response to a question by Swedlund, Elkins suggested having a Discussion Item on the agenda for the September 5, 2002 Planning Commission meeting in reference to attaching Planned Commercial Developments on property in the General Commercial District.

**Swedlund moved, Mashek seconded and unanimously carried to acknowledge the applicant's request to withdraw the application for a Conditional Use Permit to allow for mini storage buildings in the General Commercial District. (7 to 0 with Hoffman, Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and none voting no)**

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

Fisher requested that Items 44, 45, and 46 be considered concurrently.

**\*\*44. 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.

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45. 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.

46. 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.

Fisher presented the request, reviewed the slides and the staff's recommendations for Items 44 thru 46.

Swedlund expressed his concerns with the pending lawsuit, elevation and cross section drawings, design criteria, covenants, fencing, building materials and the development of Skyline Drive.

Green provided an update on the status of the pending lawsuit.

Discussion followed.

**Hoffman moved and Stone seconded to recommend that the Planned Residential Development be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. **Prior to Initial Development Plan approval by the Planning Commission, Preliminary and Final Plat #02PL028 shall be approved;**
2. **Prior to Initial Development Plan approval by the Planning Commission, a revised water plan shall be submitted for review and approval. In particular, the water plan must provide looping with the southwest water zone. In addition, connection fees and agreements shall be executed for the proposed water line(s);**
3. **Prior to Initial Development Plan approval by the Planning Commission, a revised sewer plan shall be submitted for review and approval;**
4. **Prior to Initial Development Plan approval by the Planning Commission, the site plan shall be revised to show the lowest floor elevation(s) of the proposed residences to insure sewer gravity flow;**

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5. Prior to Initial Development Plan approval by the Planning Commission, a revised drainage plan shall be submitted for review and approval. In particular, the drainage plan must provide road ditch design and calculations and address the design controls necessary for protecting Lots 1 thru 7 from drainage off of Skyline Drive;
6. Prior to Initial Development Plan approval by the Planning Commission, revisions to the geotechnical report shall be submitted for review and approval. In addition, revised grading and topographic data shall be submitted as necessary to insure slope stability for the proposed development;
7. Prior to Initial Development Plan approval by the Planning Commission, the existing utility line shall be shown on the site plan;
8. Prior to issuance of a building permit, geotechnical information, specific to the individual lot, shall be submitted for review and approval to insure soil stability on the site;

**Fire Department Recommendation:**

9. The Uniform Fire Code shall be continually met;
10. Prior to issuance of a building permit, fire hydrants shall be in place and operational;
11. Prior to issuance of a building permit, all weather access road(s) shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;

**Building Inspection Division Recommendation:**

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

**Air Quality Division Recommendation:**

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

**Urban Planning Division Recommendations:**

14. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Development Plan or a subsequent Major Amendment;
15. A minimum 15 foot front yard setback for all principal structures and a minimum 18 foot front yard setback for all garages shall be provided on Lots 1 thru 7. In addition, all structures shall be located within the building envelopes as identified on the site plan. Specifically, a minimum 60 foot rear yard setback shall be provided on Lots 2, 5, 6 and 7. A minimum 80 foot rear yard setback shall be provided on Lot 1. A minimum 70 foot rear yard setback shall be provided on Lot 3 and a minimum 90 foot rear yard setback shall be provided on Lot 4;
16. Prior to Initial Development Plan approval by the Planning Commission, the maximum building elevations on Lots 3 and 4 shall be lowered by 4.15 feet and 2.87 feet, respectively;
17. No aerial or antenna, including satellite dishes shall be maintained on the roof of any building or at any location so as to be visible to the

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- neighboring property owners;
18. Other than street light(s) and residential lighting, no other lighting shall be allowed within the Planned Residential Development;
  19. A four foot by eight foot ground sign, displaying the name of the subdivision, shall be allowed in the southeast corner of the interior road/Skyline Drive intersection. The sign shall be constructed of rock, wood, stone and/or brick and shall not be lighted;
  20. No landscaping, other than groundcover, shall be allowed in the site distance triangle located in the northwest corner of the subject property adjacent to Skyline Drive;
  21. The proposed single family residential development shall conform architecturally to the proposed covenants submitted as part of this Planned Residential Development with no structural elevation(s) exceeding the adjacent pavement elevation(s) of Skyline Drive;
  22. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years;

*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.*

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 revised water plan shall be submitted for review and approval. In particular, the water plan must provide looping with the southwest water zone;
2. Prior to Final Plat approval by the City Council, connection fees and agreements shall be executed for the proposed water line(s);
3. Prior to Preliminary Plat approval by the Planning Commission, a revised sewer plan shall be submitted for review and approval. In addition, access for maintenance of the manholes shall be provided;
4. Prior to Final Plat approval by the City Council, the plat shall be revised to show the lowest floor elevation(s) of the proposed residences to insure sewer gravity flow;
5. Prior to Preliminary Plat approval by the Planning Commission, a revised drainage plan shall be submitted for review and approval. In particular, the drainage plan must provide road ditch design and calculations and address the design controls necessary for protecting Lots 1 thru 7 from drainage off of Skyline Drive;
6. Prior to Preliminary Plat approval by the City Council, the plat shall be revised to show additional utility and drainage easement(s) as needed;
7. Prior to Preliminary Plat approval by the Planning Commission,

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revisions to the geotechnical report shall be submitted for review and approval. In addition, revised grading and topographic data shall be submitted as necessary to insure slope stability for the proposed development;

8. Prior to Preliminary Plat approval by the Planning Commission, Skyline Drive shall be constructed in compliance with Section 16.20.040 of the Rapid City Municipal Code or a Variance to the Subdivision Regulations shall be obtained;
9. Prior to Preliminary Plat approval by the Planning Commission, Flormann Street shall be revised to comply with the previously approved construction plans or a Variance to the Subdivision Regulations shall be obtained;
10. Prior to Preliminary Plat approval by the Planning Commission, revised road construction plans for the proposed interior road, showing its relocation to the east, shall be submitted for review and approval;
11. Prior to Preliminary Plat approval by the City Council, the existing utility line shall be shown on the construction plans. In addition, the plat shall be revised to show existing and/or proposed utility easements for the overhead electric line;
12. 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;
13. 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:**

14. The Uniform Fire Code shall be continually met;

**Urban Planning Division Recommendations:**

15. Prior to Final Plat approval by the City Council, an Initial and Final Residential Development Plan shall be reviewed and approved for the subject property;
16. 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.
17. 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,
18. Prior to Final Plat approval by the City Council, surety for all subdivision improvements shall be posted and the subdivision inspection fees shall be paid; and,

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 approved with the following stipulations:

**Draft**

***Engineering Division Recommendations:***

1. **Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment to install pavement, curb and gutter, water, sewer, street light conduit and sidewalk improvements along Skyline Drive; and,**
2. **A sidewalk shall be provided on the south side of Skyline Drive between the interior road and Flormann Street.**

Swedlund left the meeting at 8:57 a.m.

Discussion followed.

Swedlund returned at 9:00 a.m.

Doug Sperlich, Renner and Sperlich for Robert Moore, stated that the applicant has complied with all of the City requirements and expressed his concerns with continuing the applications another two weeks. He added that the applicant is willing to work with staff and the Planning Commission regarding revising the covenants.

**Swedlund made a substitute motion and Mashek seconded to continue the Planned Residential Development - Initial and Final Development Plan, the Preliminary and Final Plat and the Variance to the Subdivision Regulations be continued to the August 22, 2002 Planning Commission meeting.**

Discussion followed concerning improving the quality of the development, flexibility in terms of housing construction, examining detailed landscaping issues, fencing, tree barriers, covenants, stipulations and building materials.

Sperlich requested that Planning Commission approve Items 44 thru 46 per staff's recommendations with additional stipulations concerning landscaping, fencing and building materials rather than continue the requests for another two weeks.

Discussion followed concerning construction delays and timeframes to begin grading operations to build the street.

Hoffman left the meeting at 9:12 a.m.

Hoffman returned at 9:15 a.m.

**Mashek made a second substitute motion and Swedlund 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, a revised water plan shall be submitted for review and approval. In particular, the water plan must provide looping with the southwest**



**Draft**

- water zone;
2. Prior to Final Plat approval by the City Council, connection fees and agreements shall be executed for the proposed water line(s);
  3. Prior to Preliminary Plat approval by the Planning Commission, a revised sewer plan shall be submitted for review and approval. In addition, access for maintenance of the manholes shall be provided;
  4. Prior to Final Plat approval by the City Council, the plat shall be revised to show the lowest floor elevation(s) of the proposed residences to insure sewer gravity flow;
  5. Prior to Preliminary Plat approval by the Planning Commission, a revised drainage plan shall be submitted for review and approval. In particular, the drainage plan must provide road ditch design and calculations and address the design controls necessary for protecting Lots 1 thru 7 from drainage off of Skyline Drive;
  6. Prior to Preliminary Plat approval by the City Council, the plat shall be revised to show additional utility and drainage easement(s) as needed;
  7. Prior to Preliminary Plat approval by the Planning Commission, revisions to the geotechnical report shall be submitted for review and approval. In addition, revised grading and topographic data shall be submitted as necessary to insure slope stability for the proposed development;
  8. Prior to Preliminary Plat approval by the Planning Commission, Skyline Drive shall be constructed in compliance with Section 16.20.040 of the Rapid City Municipal Code or a Variance to the Subdivision Regulations shall be obtained;
  9. Prior to Preliminary Plat approval by the Planning Commission, Flormann Street shall be revised to comply with the previously approved construction plans or a Variance to the Subdivision Regulations shall be obtained;
  10. Prior to Preliminary Plat approval by the Planning Commission, revised road construction plans for the proposed interior road, showing its relocation to the east, shall be submitted for review and approval;
  11. Prior to Preliminary Plat approval by the City Council, the existing utility line shall be shown on the construction plans. In addition, the plat shall be revised to show existing and/or proposed utility easements for the overhead electric line;
  12. 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;
  13. 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:**

14. The Uniform Fire Code shall be continually met;

**Urban Planning Division Recommendations:**

15. Prior to Final Plat approval by the City Council, an Initial and Final

**Draft**

Residential Development Plan shall be reviewed and approved for the subject property;

16. 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.
17. 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,
18. Prior to Final Plat approval by the City Council, surety for all subdivision improvements shall be posted and the subdivision inspection fees shall be paid; and,

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 approved with the following stipulations:

***Engineering Division Recommendations:***

1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment to install pavement, curb and gutter, water, sewer, street light conduit and sidewalk improvements along Skyline Drive; and,
2. A sidewalk shall be provided on the south side of Skyline Drive between the interior road and Flormann Street;

that the Planned Residential Development - Initial Development Plan be approved with the following stipulations:

**Engineering Division Recommendations:**

1. Prior to Initial Development Plan approval by the Planning Commission, Preliminary and Final Plat #02PL028 shall be approved;
2. Prior to Initial Development Plan approval by the Planning Commission, a revised water plan shall be submitted for review and approval. In particular, the water plan must provide looping with the southwest water zone. In addition, connection fees and agreements shall be executed for the proposed water line(s);
3. Prior to Initial Development Plan approval by the Planning Commission, a revised sewer plan shall be submitted for review and approval;
4. Prior to Initial Development Plan approval by the Planning Commission, the site plan shall be revised to show the lowest floor elevation(s) of the proposed residences to insure sewer gravity flow;
5. Prior to Initial Development Plan approval by the Planning Commission, a revised drainage plan shall be submitted for review and approval. In particular, the drainage plan must provide road ditch design and calculations and address the design controls necessary for protecting Lots 1 thru 7 from drainage off of Skyline Drive;

**Draft**

6. Prior to Initial Development Plan approval by the Planning Commission, revisions to the geotechnical report shall be submitted for review and approval. In addition, revised grading and topographic data shall be submitted as necessary to insure slope stability for the proposed development;
7. Prior to Initial Development Plan approval by the Planning Commission, the existing utility line shall be shown on the site plan;
8. Prior to issuance of a building permit, geotechnical information, specific to the individual lot, shall be submitted for review and approval to insure soil stability on the site;

**Fire Department Recommendation:**

9. The Uniform Fire Code shall be continually met;
10. Prior to issuance of a building permit, fire hydrants shall be in place and operational;
11. Prior to issuance of a building permit, all weather access road(s) shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;

**Building Inspection Division Recommendation:**

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

**Air Quality Division Recommendation:**

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

**Urban Planning Division Recommendations:**

14. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Development Plan or a subsequent Major Amendment;
15. A minimum 15 foot front yard setback for all principal structures and a minimum 18 foot front yard setback for all garages shall be provided on Lots 1 thru 7. In addition, all structures shall be located within the building envelopes as identified on the site plan. Specifically, a minimum 60 foot rear yard setback shall be provided on Lots 2, 5, 6 and 7. A minimum 80 foot rear yard setback shall be provided on Lot 1. A minimum 70 foot rear yard setback shall be provided on Lot 3 and a minimum 90 foot rear yard setback shall be provided on Lot 4;
16. Prior to Initial Development Plan approval by the Planning Commission, the maximum building elevations on Lots 3 and 4 shall be lowered by 4.15 feet and 2.87 feet, respectively;
17. No aerial or antenna, including satellite dishes shall be maintained on the roof of any building or at any location so as to be visible to the neighboring property owners;
18. Other than street light(s) and residential lighting, no other lighting shall be allowed within the Planned Residential Development;
19. A four foot by eight foot ground sign, displaying the name of the subdivision, shall be allowed in the southeast corner of the interior road/Skyline Drive intersection. The sign shall be constructed of rock, wood, stone and/or brick and shall not be lighted;
20. No landscaping, other than groundcover, shall be allowed in the site

**Draft**

- distance triangle located in the northwest corner of the subject property adjacent to Skyline Drive;
21. The proposed single family residential development shall conform architecturally to the proposed covenants submitted as part of this Planned Residential Development with no structural elevation(s) exceeding the adjacent pavement elevation(s) of Skyline Drive;
  22. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years;

and, that the Planned Residential Development - Final Development Plan be continued to the August 22, 2002 Planning Commission meeting.

*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.*

Discussion followed.

The vote on the second substitute motion carried. (6 to 1 with Mashek, Prairie Chicken, Schmidt, Swedlund, Stone and Wevik voting yes and Hoffman voting no)

**\*\*47. No. 02UR019 - Marshall Heights Tract**

A request by Lamar Advertising to consider an application for a **Conditional Use Permit to allow the construction of a billboard** on Lot 9 of Lot K-3, Marshall Heights Tract, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 532 East Anamosa Street.

Discussion followed concerning pole diameter, flat surfaced billboards, scaffolding projecting from the surface of the billboard, wing span, notification of property owners within 150 feet of the subject property, sign credits, downsizing billboards and the new Sign Ordinance.

**Swedlund moved and Schmidt seconded to recommend that the Conditional Use Permit to allow the construction of a billboard be continued to the August 22, 2002 Planning Commission meeting.**

Discussion followed.

The vote on the motion to recommend that the Conditional Use Permit to allow the construction of a billboard be continued to the August 22, 2002 Planning Commission meeting carried. (5 to 2 with Mashek, Prairie Chicken, Schmidt, Swedlund and Wevik voting yes and Hoffman and Stone voting no)

**48. Discussion Items**  
None

49. Staff Items

A. Planning Department Staffing

Elkins introduced Jeff Marino, the new Planner I, hired on July 29, 2002. She explained that an offer is pending for another Planner position and added that she is in the process of completing reference checks on a third candidate.

B. Laptop Computers

Wevik reminded the Planning Commission that Doug Aldrich with the Computer Center would need to take their laptop computers to conduct upgrades today.

50. Planning Commission Items

A. Roosevelt Park

Swedlund expressed concerns with the large mound of dirt and weeds growing by the Roosevelt Park Ice Rink. Elkins stated that she recently advised the Public Works Department that the landscaping needed to be completed for the Ice Arena within one construction season.

B. Sprawl Committee

Elkins stated that the Sprawl Committee renamed themselves the Smart Growth Committee. She added that the Committee will be looking at conducting a growth audit, examining policies, procedures, and regulations to see how they affect development trends within the community. She stated that the Committee plans to prepare a draft Request for Proposals that will be reviewed at their next meeting on September 5, 2002.

**There being no further business, Prairie Chicken moved, Schmidt seconded and unanimously carried to adjourn the meeting at 9:50 a.m. (7 to 0)**