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MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
September 26, 2002

MEMBERS PRESENT: Jeff Hoffmann, Dawn Mashek, Ethan Schmidt, Jeff Stone, Bob Wall, and Stuart Wevik. Also present was Martha Rodriguez, City Council Representative.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Jeff Marino, Lisa Seaman, Tom Kurtenbach, Karen Bulman, Tim Behliings, Damon Hartmann, Dave Johnson, Randy Nelson, Dave LaFrance, Jason Green and Nadine Bauer

Chairperson Wevik called the meeting to order at 7:05 a.m.

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

**No Planning Commissioner, staff member or audience member requested any items to 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 22 in accordance with the staff recommendations. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall and Wevik voting yes and none voting no)**

1. Approval of the September 5, 2002 Planning Commission Meeting Minutes.

2. No. 02AN007 - Neff Subdivision

A request by Dream Design International, Inc. to consider an application for a **Petition for Annexation** on a parcel of land located in the previously unplatted portion of the NW1/4 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota; described by metes and bounds as commencing at the 1/4 corner common to Sections 3 and 4, T1N, R8E, BHM, Said corner being marked by a rebar with survey cap marked LS 1771, thence South 52°31'58" East a distance of 1093.41 feet to the Point of Beginning; continuing from the Point of Beginning; thence South 00°12'42" West a distance of 662.60 feet; thence North 89°42'42" West a distance of 362.69 feet; thence North 00°05'41" East a distance of 314.08 feet; thence North 89°33'05" West a distance of 165.99 feet; thence North 00°13'30" East a distance of 347.44 feet; thence South 89°46'40" East a distance of 529.24 feet; returning to the Point of Beginning, more generally described as being located in the cul-de-sacs at the west end Sweetbriar Street and Avenue A.

**Planning Commission recommended that the Petition for Annexation be continued to the October 24, 2002 Planning Commission meeting at the applicant's request.**

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3. No. 02AN010 - Section 9, T1N, R8E

A request by the City of Rapid City and the South Dakota Department of Transportation to consider an application for a **Petition for Annexation** on the balance of Tract A in the E1/2 SW1/4 and the W1/2 SE1/4, Lot 2 of Tract A of the NE1/4 SW1/4, Orchard Lane in the NE1/4 SW1/4, Lot H1 in Tract A in the E1/2 SW1/4 and the W1/2 SE1/4, Lot H1 in Lot 1 of the Well Addition in the SW1/4, Lot H1 in the N1/2 SE1/4 NW1/4, Lot H2 in the N1/2 SW1/4 NE1/4 lying south and west of SD Highway 44 and railroad right-of-way, Lot H5 in the NE1/4 NW1/4 lying south and west of SD Highway 44, and Lot H2 in the NW1/4 NE1/4 lying south and west of SD Highway 44 and railroad right-of-way, all located in Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of SD Highway 44 East and South Valley Drive.

**Planning Commission recommended that the Petition for Annexation be continued to the October 10, 2002 Planning Commission meeting to obtain additional signatures on the Petition for Annexation.**

4. 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 denied without prejudice.**

5. No. 02PL006 - Springbrook Acres Addition

A request by Fisk Land Surveying & Consulting Engineers for Larry Lewis and Kenneth Kirkeby to consider an application for a **Preliminary and Final Plat** on Parcel A of Tract SB of Springbrook Acres Addition and Lot 19R3 of Fairway Hills PRD located in the SW1/4 NE1/4, NW1/4 SE1/4, and SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; legally described as Lot 19R2 of Fairway Hills PRD and a portion of Tract SB of Springbrook Acres located in the SW1/4 NE1/4, NW1/4 SE1/4, and SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located East of Fairway Hills and Sandstone Ridge Subdivision.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the November 21, 2002 Planning Commission meeting at the applicant's request.**

6. 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 recommends that the Preliminary and Final Plat be continued to the October 10, 2002 Planning Commission meeting to be heard in conjunction with the associated Layout Plat.**

7. No. 02PL032 - Huffman Subdivision

A request by Renner & Sperlich Engineering Co. for Wilburn-Powers, Inc. to consider an application for a **Preliminary Plat** 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 October 24, 2002 Planning Commission meeting to allow the applicant time to have further discussions with the adjacent landowner.**

8. 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; Pine View Terrace, 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 October 10, 2002 Planning Commission meeting to allow the applicant time to provide additional required information.**

9. No. 02PL049 - Murphy Ranch Estates Subdivision

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 October 10, 2002 Planning Commission meeting to allow the applicant time to provide additional required information.**

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10. 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 proposed future 5th Street.

**Planning Commission recommended that the Layout Plat be continued to the October 24, 2002 Planning Commission meeting at the applicant's request.**

11. 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 October 24, 2002 Planning Commission meeting at the applicant's request.**

12. 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, Meadows Subdivision 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 October 10, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.**

13. No. 02PL080 - Grimm Addition

A request by Davis Engineering, Inc. for Robert and Donald Grimm to consider an application for a **Preliminary and Final Plat** on Lot 4 of Grimm Addition and dedicated Creek Drive Right-of-Way all located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; legally described as the unplatted portion of Tract B of Government Lot 3 in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Highway 44 and east of Cambell Street at Creek Drive.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the October 10, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.**

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14. No. 02PL083 - Neff Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1 thru 4, Block 1, Lots 1 thru 9, Block 2, and Outlot A and Dedicated Streets, Neff Subdivision II, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the NW1/4 of the SW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located the cul-de-sacs at the west end Sweetbriar Street and Avenue A.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the October 24, 2002 Planning Commission meeting to allow the applicant time to submit additional required information.**

15. No. 02PL088 - Rapid Valley Subdivision

A request by Renner and Sperlich Engineering for Cody Champion to consider an application for a **Layout Plat** on Lots 1 and 2 of Lot A of Blocks 3 and 4 of Rapid Valley Subdivision located in the NE1/4 NE1/4 of Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; legally described as Lot A of Blocks 3 and 4 of Rapid Valley Subdivision located in the NE1/4 NE1/4 of Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2507 E. St. Patrick Street.

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

**Engineering Division Recommendations:**

1. Upon Preliminary Plat submittal, topographic information and a grading plan shall be submitted for review and approval;
2. Upon Preliminary Plat submittal, a site drainage plan shall be submitted for review and approval;
3. Upon Preliminary Plat submittal, engineering plans for the extension of water and sewer lines along East St. Patrick Street shall be submitted for review and approval;
4. Upon Preliminary Plat submittal, construction plans showing the extension of sidewalk(s) along Sedivy Lane and East St. Patrick Street shall be submitted for review and approval;
5. Upon Preliminary Plat submittal, the plat shall be revised to show the common access easement as a shared approach or road construction plans for the access easement shall be submitted for review and approval;

**Fire Department Recommendations:**

6. Upon Preliminary Plat submittal, 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;

**Urban Planning Division Recommendations:**

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

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

16. No. 02PL089 - Schamber Addition

A request by Renner & Sperlich Engineering for Robert Martin, P.C. to consider an application for a **Layout Plat** on Lots A, B, C and D of Schamber Addition, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; legally described as Lot 16 thru 20, Block 3 of Schamber Addition, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1903 and 1915 Rushmore Street.

**Planning Commission recommended that the Layout Plat be continued to the October 10, 2002 Planning Commission meeting to allow the applicant to submit additional information.**

17. No. 02PL090 - Canyon Lake Heights Subdivision

A request by Randy and Bobbie Greenway to consider an application for a **Preliminary and Final Plat** on Lot 1 of R&B Subdivision of Block 5 of Canyon Lake Heights Subdivision, located in the SE1/4 of the SW1/4 of Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; legally described as Lot 4R Revision No. 2, Lot 3R Revised and Lot 5R located in the SE1/4 of the SW1/4 of Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3204 Falls Drive.

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

**Engineering Division Recommendations:**

1. **Prior to Preliminary Plat approval, dedication of one foot of additional right of way along the Falls Drive right of way shall be shown on the plat to comply with the Street Design Criteria Manual;**
2. **Prior to Preliminary Plat approval, a non-access easement shall be delineated along the Falls Drive right of way abutting the subject property, except for approved driveway location;**
3. **Prior to Preliminary Plat approval, surety shall be posted and inspection fees paid for an approximate 20 foot by 50 foot paved approach complying with the Street Design Criteria Manual;**
4. **Prior to Preliminary Plat approval, existing structures shall be shown on the proposed plat;**

**Urban Planning Division Recommendations:**

5. **Prior to Final Plat approval, the subdivision improvements as specified in Section 16.20.040 of the Rapid City Municipal Code shall be completed or a Subdivision Regulations Variance must be obtained;**
6. **Prior to Preliminary Plat approval, the note referencing building setbacks on the proposed plat shall be eliminated;**
7. **Prior to Final Plat approval, a signed Waiver Of Right To Protest Agreement shall be submitted; and**



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**Register of Deeds:**

8. Prior to Final Plat approval, the title of the Plat shall be revised to read "Plat of Lot 1 of R&B Subdivision (formerly Lot 4R Revision No. 2, Lot 3R Revised, and Lot 5 R of Block 5 of Canyon Lake Heights Subdivision) located in the the SE1/4 of the SW1/4 of Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota".

18. **No. 02PL091 - 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 3R, 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 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 southeast of the intersection of Sydney Drive and East Oakland Street.

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

**Engineering Division Recommendations:**

1. Subdivision improvements for these lots are in place or surety has been posted;

**Fire Department Recommendations:**

2. The Uniform Fire Code shall be continually met;

**Urban Planning Division Recommendations:**

3. 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;
4. If the Planning Commission concurs with the recommendation of the South Dakota Department of Transportation that Sydney Drive shall be barricaded, then a Special Exception is hereby granted to allow more than 40 dwelling units to be accessed from one street; and,
5. Prior to Final Plat approval by the City Council, all of the affected utility companies shall concur with the utility easement relocation.

19. **No. 02SE004 - Section 19, T1N, R8E**

A request by Centerline, Inc. for Lazy P-6 Properties, LLC to consider an application for a **Special Exception to allow curbside sidewalks in lieu of property line sidewalks as required by Section 7.5 of the Street Design Criteria Manual** on the SW1/4 NW1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Catron Boulevard and east of proposed future 5th Street.

**Planning Commission recommended that the Special Exception to allow curbside sidewalks in lieu of property line sidewalks as required by Section 7.5 of the Street Design Criteria Manual be continued to the October 24, 2002**

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**Planning Commission meeting.**

20. No. 02SR017 - Rapid City Greenway Tracts

A request by City of Rapid City to consider an application for an **11-6-19 SDCL Review to allow park improvements including permanent and temporary structures** on Tract 28, Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 141 E Omaha Street.

**Planning Commission recommended that the 11-6-19 SDCL Review to allow park improvements including permanent and temporary structures be continued to the October 10, 2002 Planning Commission meeting to allow the applicant time to submit additional information.**

21. No. 02SR018 - Rapid City Greenway Tract

A request by Bryan Schnell for Canyon Lake Little League to consider an application for an **11-6-19 SDCL Review to allow park improvements including structures** on Tract 8 of Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1610 32nd Street.

**Planning Commission recommended that the 11-6-19 SDCL Review to allow park improvements including structures be continued to the October 10, 2002 Planning Commission meeting.**

22. No. 02SR019 - Wasteland Subdivision

A request by the City of Rapid City to consider an application for an **11-6-19 SDCL Review to allow a building and fence** on Tract A of Wasteland Subdivision of Section 19, T1N, R8E, Rapid City, Pennington County, South Dakota, more generally described as being located at 5555 S Highway 79.

**Planning Commission recommended that the 11-6-19 SDCL Review to allow a building and fence be continued to the October 10, 2002 Planning Commission to allow the applicant time to submit additional information.**

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

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.

Wall requested that Items 45 and 46 be removed from the Hearing Consent Agenda for separate consideration.

Hoffman moved, Stone seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 23 thru 56 in accordance with the staff recommendations with the exception of Items 45 and 46. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall and Wevik voting yes and none voting no)



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---HEARING ITEMS CONSENT CALENDAR---

23. 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 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, located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

24. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

25. 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

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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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

26. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

27. No. 02CA044 - Tower Ridge Subdivision

A request by Dream Design International, Inc. to consider an application for an

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**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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

28. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

\*\*29. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Highway 16 and 1/4 mile north of Catron Boulevard.

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**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.***

**\*\*30. 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 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.***

**\*\*31. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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**

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**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.***

**\*\*32. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.***

**\*\*33. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

**34. 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 a



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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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

35. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**

36. 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; located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, 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.**



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37. No. 02CA047 - South Boulevard Addition

Comprehensive Plan Amendment - **Summary of Adoption Action** - to change the future land use designation on a 0.41 acre parcel from Medium Density Residential to Office Commercial with a Planned Commercial Development on Lots 7 thru 11, Block 17, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 615 Flormann Street and 619 Flormann Street.

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

38. No. 02CA048 - Robbinsdale Addition No. 10

A request by Renner and Sperlich Engineering for Walgar Development Corp. to consider an application for an **Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 3.76 acre parcel from Public to Medium Density Residential** on a portion of Tract B of Robbinsdale Addition No. 10 located in SW1/4 of NE1/4 of SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described by metes and bounds as commencing at the southeasterly corner of Tract B of Robbinsdale Addition No. 10, common to a corner of Lot 2 Block 11 of Addition No. 10, and the Point of Beginning; thence, first course: S89°43'09"W along the southerly boundary of said Tract B, common to the boundary of said Lot 2 of Block 11, a distance of 609.78 feet; thence, second course: N00°34'24"E, a distance of 70.00 feet; thence, third course: northeasterly, curving to the right on a curve with a radius of 125.00 feet, a delta angle of 60°01'13", a length of 130.94 feet, a chord bearing of N30°35'00"E, and a chord distance of 125.04 feet; thence, fourth course: northeasterly, curving to the left on a curve with a radius of 385.00 feet, a delta angle of 27°09'49", a length of 182.53 feet, a chord bearing on N47°00'42"E, and a chord distance of 180.82 feet; thence, fifth course: N89°43'09"E, a distance of 416.19 feet, to a point on the boundary of said Lot 2 Block 11; thence, sixth course: S00°34'24"W, along the easterly boundary of said Tract B, common to the boundary of said Lot 2, Block 11 a distance of 300.00 feet, to the southeasterly corner of said Tract B, and the Point of Beginning; more generally described as being located on Minnesota Street.

**Planning Commission recommended that the Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the future land use designation on a 3.76 acre parcel from Public to Medium Density Residential be approved.**

\*\*39. No. 02PD042 - Robbinsdale Addition No. 10

A request by Renner and Sperlich Engineering for Walgar Development Corp. to consider an application for a **Major Amendment to a Planned Residential Development to reduce the boundary of the Planned Residential Development** on a portion of Tract A of Robbinsdale Addition No. 10 and a portion of Tract B of Robbinsdale Addition No. 10 located in SW1/4 of NE1/4 of SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described by metes and bounds as commencing at the northwesterly corner of Lot 1 of Block 26 of

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Robbinsdale No. 10, common to the southerly right-of-way of Minnesota Street, and the point of beginning, thence, first course: S00°38'52"W, along the westerly boundary of said Lot 1 of Block 26, common to the easterly boundary of Tract A of Robbinsdale Addition No. 10, a distance of 203.04 feet, to the southwesterly corner of said Lot 1 of Block 26, common to the northwesterly corner of Lot 2 of Block 26 of Robbinsdale No. 10, and the easterly boundary of said Tract A; thence, second course: S00°38'52"W, along the westerly boundary of said Lot 2 of Block 26, common to the easterly boundary of said Tract A, a distance of 227.41 feet, to the southwesterly corner of said Lot 2 of Block 26, common to the southeasterly corner of said Tract A; thence, third course: S89°40'37"W, along the southerly boundary of said Tract A, common to the boundary of Lot 2 of Block 11 of Robbinsdale No. 10, a distance of 453.13 feet, to a corner of said Tract A, common to a corner of said Lot 2 of Block 11, and a point on the easterly boundary of Tract B of Robbinsdale No. 10; thence, fourth course: S64°33'00"W, parallel with the southerly right-of-way of Minnesota Street, a distance of 312.04 feet; thence, fifth course: N28°45'23"W, a distance of 229.34 feet, to a point on the southerly right-of-way of Minnesota Street; thence, sixth course: N64°33'00"E, along the southerly right-of-way of Minnesota Street, a distance of 672.09 feet; thence, seventh course: northeasterly, curving to the right on a curve with a radius of 935.36 feet, a delta angle of 15°40'46", a length of 255.97 feet, a chord bearing on N72°23'23"E, and a chord distance of 255.17 feet, to the Point of Beginning, more generally described as being located on Minnesota Street.

**Planning Commission recommended that the Major Amendment to a Planned Residential Development to reduce the boundary of the Planned Residential Development be approved.**

***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.***

40. No. 02RZ047 - Robbinsdale Addition No. 10

A request by Renner and Sperlich Engineering for Walgar Development Corp. to consider an application for a **Rezoning from Low Density Residential District to Medium Density Residential District** on a portion of Tract B of Robbinsdale Addition No. 10 located in SW1/4 of NE1/4 of SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at the northeasterly corner of Tract B of Robbinsdale Addition No. 10 common to a corner of Tract A of Robbinsdale Addition No. 10; thence, S00°34'24"W along the easterly boundary of said Tract B, common to the westerly boundary of said Tract A, a distance of 112.03 feet, to the Point of Beginning; thence, first course: S00°34'24"W along the easterly boundary of said Tract B, common to the westerly boundary of said Tract A, a distance of 9.87 feet, to the west corner common to said Tract A and Lot 2 of Block 11 of Robbinsdale Addition No. 10; thence, second course: S00°34'24"W along the easterly boundary of said Tract B, common to the boundary of said Lot 2 of Block 11, a distance of 545.67 feet, to the southeasterly corner of said Tract B; thence, third course: S89°43'09"W along the southerly boundary of said Tract B, common to the boundary of said Lot 2 of Block 11, a distance of 609.78 feet; thence,

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fourth course: northeasterly, curving to the left on a curve with a radius of 303.62 feet, a delta angle of 48°53'39", a length of 259.10 feet, a chord bearing of N47°46'47"E, and a chord distance of 251.31 feet; thence fifth course: northeasterly, curving to the right on a curve with a radius of 536.05 feet, a delta angle of 15°00'02", a length of 140.34 feet, a chord bearing of N30°49'59"E, and a chord distance of 139.94 feet; thence sixth course: northeasterly, curving to the left on a curve with a radius of 156.08 feet, a delta angle of 44°12'52", a length of 120.45 feet, a chord bearing of N16°13'34"E, and a chord distance of 117.48 feet; thence seventh course: N61°59'49"E, a distance of 43.64 feet; thence eighth course: N64°33'00"E, parallel to the southerly right-of-way of Minnesota Street, a distance of 316.88 feet, to the Point of Beginning, more generally described as being located on Minnesota Street.

**Planning Commission recommended that the Rezoning from Low Density Residential District to Medium Density Residential District be approved in conjunction with the accompanying Future Land Use Plan Amendment.**

41. No. 02OA015 - Ordinance Amendment

A request by the City of Rapid City to consider an application for an **Ordinance Amendment** to modify the public notification requirements for Planned Developments by amending Section 17.50.060 of the Rapid City Municipal Code.

**Planning Commission recommended that the Ordinance Amendment amending the notification requirements for Planned Developments be approved.**

\*\*42. No. 02PD045 - Red Rock Estates

A request by Dream Design International Inc. to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Lots 1 thru 5 of Block 14 and Lots 1 and 2 of Block 13, Red Rock Estates Phase III, Section 29, T1N, R7E, BHM, Rapid City, Pennington County South Dakota, more generally described as being located west of Birkdale Road along Muirfield Drive.

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

**Fire Department Recommendations:**

1. The applicant shall provide fire hydrants as required per the City of Rapid City Municipal Code and the Uniform Fire Code;
2. The applicant shall provide fire hydrants in place and operational prior to any building construction;
3. The applicant shall provide all streets, driveways, cul-de-sacs, turnarounds and access ways in compliance with the City of Rapid City Street Criteria Design Manual, and all access ways shall accommodate Fire Department apparatuses;
4. If the requirements of the Rapid City Municipal Code and the Uniform Fire Code cannot be met, then the applicant shall provide residential fire sprinklers as determined by the authority having jurisdiction;
5. The applicant shall post street signs and individual lot addresses shall be posted prior to or in conjunction with the building construction;

**Engineering Division Recommendations:**

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6. The applicant shall provide drawings showing “as constructed” locations of sewer systems, water systems including service lines, storm water inlets, electrical transformers, street lights, street signs adjacent to the subject properties prior to Initial Development Plan approval by City Council;
7. The applicant shall submit site plan showing proposed driveway locations prior to Initial Development Plan approval by City Council;
8. The applicant shall submit site plan showing existing and proposed lot lines prior to Initial Development Plan approval by City Council;
9. The applicant shall provide a site plan showing “as built” sewer services prior to Initial Development Plan approval by City Council;

**Traffic Engineering Division Recommendations:**

10. Prior to City Council approval, the applicant shall submit a revised site plan showing adequate area for Lot 1, Block 13 and Lot 1, Block 14 for accessing streetway without back into the storm sewer inlets;
11. The applicant shall submit a site plan prior to City Council approval that realigns townhomes to accommodate backing movement.

**Urban Planning Division Recommendations:**

12. 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;
13. The proposed townhome development shall conform architecturally to the proposed elevations and design plans submitted as part of this Planned Residential Development
14. 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
15. Lots 2, 3 and 4 of Block 14 shall be allowed a maximum lot coverage of 31 percent. All remaining lots shall not exceed 30 percent lot coverage; and,
16. 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.***

**\*\*43. No. 02PD046 - Minnesota Ridge Subdivision**

A request by Wyss Associates, Inc. for West Hills Village to consider an application for a **Planned Residential Development - Initial Development Plan** on Tract B of Minnesota Ridge Subdivision located in the NW1/4 of the SE1/4 of Section 13, T1N, R7E, Rapid City, Pennington County, South Dakota, more generally described as being located on Alta Vista Drive.

**Engineering Division Recommendations:**

1. A Preliminary and Final Plat shall be reviewed and approved to create individual townhome lots prior to or in conjunction with approval of a Final

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**Planned Residential Development;**

2. Upon Final Planned Residential Development submittal, a water and sewer plan prepared by a Professional Engineer shall be submitted for review and approval;
3. Upon Final Planned Residential Development submittal, a grading plan and geotechnical information shall be submitted for review and approval;
4. Upon Final Planned Residential Development submittal, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall demonstrate that all requirements of the Rapid City Drainage Criteria Manual are being met. In addition, the drainage plan shall be coordinated with drainage from the Minnesota Ridge development located directly south of the subject property to insure that the proposed development complies with the South Robbinsdale Drainage Basin Plan;
5. Upon Final Planned Residential Development submittal, the site plan shall be revised to provide a minimum 50 foot separation from the Alta Vista Drive/proposed cul-de-sac intersection and the driveway to the most northern townhome unit as required by the Street Design Criteria Manual;
6. Upon Final Planned Residential Development submittal, design plans for the retaining wall(s) shall be submitted for review and approval. In particular the design plans shall demonstrate that the retaining wall located along Alta Vista Drive does not interfere with the sidewalk(s);
7. Prior to Final Planned Residential Development and/or Preliminary and Final Plat review and approval, a Special Exception to the Street Design Criteria Manual allowing one street to serve as exclusive access to more than 40 dwelling units or a second access street to the proposed subject property shall be provided;

**Fire Department Recommendations:**

8. Prior to Final Planned Residential Development submittal, the applicant shall work with the Fire Department to insure that the proposed landscaping island located in the terminus of the proposed cul-de-sac allows fire apparatus access or the landscaping island shall be revised and/or eliminated as needed;
9. Prior to issuance of a building permit, fire hydrants shall be in place and operational;
10. 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;
11. All residential structure(s) shall be sprinklered as required by the Uniform Fire Code;

**Transportation Planning Division Recommendations:**

12. Prior to Final Planned Residential Development submittal, the applicant shall demonstrate that the proposed landscaping island located in the terminus of the proposed cul-de-sac shall accommodate transit vehicles or the landscaping island shall be revised and/or eliminated as needed;

**Air Quality Division Recommendations:**

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

**Building Inspection Division Recommendations:**



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

**Urban Planning Division Recommendations:**

15. Upon Final Planned Residential Development submittal, a sign package shall be submitted for review and approval. In particular, the sign package shall demonstrate that the proposed signs to be located at the entrance of the subject property do not encroach into the site triangle;
16. Upon Final Planned Residential Development submittal, a lighting package shall be submitted for review and approval;
17. Upon Final Planned Residential Development submittal, a complete landscaping plan shall be submitted for review and approval. In particular, the landscaping plan shall demonstrate that the proposed trees to be located along Alta Vista Drive do not interfere with water and sewer lines;
18. Upon Final Planned Residential Development submittal, a revised site plan shall be submitted providing a minimum 18 foot front yard setback or any encroaching structure(s) shall be relocated and/or reduced to provide a minimum 18 foot front yard setback;
19. Upon Final Planned Residential Development submittal, elevations for the proposed retaining wall(s) shall be submitted for review and approval. In addition, the site plan shall be revised to clearly delineate the location of the proposed retaining wall(s);
20. Upon Final Planned Residential Development submittal, elevations for the proposed transit shelter shall be submitted for review and approval;
21. Upon Final Planned Residential Development submittal, a list of building materials for all structural development shall be submitted for review and approval; and,
22. All provisions of the Low Density Residential II District shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Residential Development or the Final Planned Residential Development or a subsequent Major 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.*

**\*\*44. No. 02PD047 - Section 3, T1N, R8E**

A request by the City of Rapid City to consider an application for a **Planned Development Designation** on the east 710 feet of NE1/4 NE1/4 less a parcel of land 400 feet by 400 feet in the northeastern most corner of the NE1/4 of Section 3, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

**Planning Commission recommended that the Planned Development Designation be continued to the October 10, 2002 Planning Commission meeting.**

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



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***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.***

47. No. 02RZ053 - Section 3, T1N, R8E

A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to Neighborhood Commercial District** on a parcel of land 400 feet by 400 feet in the northeastern most corner of the NE1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

**Planning Commission recommended that the Rezoning from No Use District to Neighborhood Commercial District be approved in conjunction with a Planned Development Designation.**

\*\*48. No. 02PD049 - Section 34, T2N, R8E

A request by the City of Rapid City to consider an application for a **Planned Development Designation** on the south 450 feet of the SW1/4 SE1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

**Planning Commission recommended that the Planned Development Designation be approved contingent upon the approval of the associated Rezoning from No Use District to Medium Density Residential District with the following stipulation:**

1. **No building permits or sign permits shall be issued for the property until such time as an Initial and Final Development Plan has been approved for the property.**

***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.***

49. No. 02RZ050 - Section 34, T2N, R8E

A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to Medium Density Residential District** on the south 450 feet of the SW1/4 SE1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

**Planning Commission recommended that the Rezoning from No Use District to Medium Density Residential District be approved in conjunction with a Planned Development Designation.**

\*\*50. No. 02PD050 - Section 34, T2N, R8E

A request by the City of Rapid City to consider an application for a **Planned Development Designation** on the north 870 feet of the SW1/4 SE1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally

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described as being located east of Elk Vale Road and north of Degeest Street.

**Planning Commission recommended that the Planned Development Designation be approved contingent upon approval of the associated rezoning from No Use District to Low Density Residential District with the following stipulations:**

- 1. No building permits or sign permits shall be issued for the property until such time as an Initial and Final Development Plan has been approved for the property; and**
- 2. The property may be developed with a maximum density of 1.5 dwelling units per acre.**

***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.***

51. No. 02RZ051 - Section 34, T2N, R8E

A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to Low Density Residential District** on the north 870 feet of the SW1/4 SE1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

**Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District be approved in conjunction with a Planned Development Designation.**

52. No. 02RZ049 - Section 3, T1N, R8E

A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to Public District** on the NW1/4 NE1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

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

53. No. 02RZ048 - Section 17, T1N, R8E

A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to Heavy Industrial District** on that portion of the NW1/4 SW1/4, formerly known as Lots 8, 9, & 10 of Swander's Addition located in the NW1/4 SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Lot A lying in the NW1/4 SW1/4, Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Lot 1 of BHPL Hwy 79 Substation in Tract D in W1/2 of SW1/4, Section 17, T1N, R8E, BHM, Pennington County, South Dakota; Tract D of W1/2 SW1/4 less BHPL Hwy 79 Substation, less E. Hoff Subdivision and less Lot H1, and Lot H1 and Lot H2 and Lot H3 of W1/2 SW1/4, Lot H2 and Lot H3 of Lot C of W1/2 SW1/4, Lot H1 of Tract D of W1/2 SW1/4 less Lot 1 of BHPL Highway 79 Substation, Lot H1 in Lot E in the SW1/4

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SW1/4, Lot H1 in Lot F in the SW1/4 SW1/4, Lot H1 in Lot B in the SW1/4 SW1/4, Lot H1 in Lot A in the SE1/4 SW1/4, Lot H5 of NW1/4 SW1/4, all located in Section 17, T1N, R8E, BHM, Pennington County, South Dakota, and All railroad rights-of-way, previously not annexed, located in the NW1/4 SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota; and All rights-of-way not previously annexed lying west of the east boundary of the DM&E railroad right-of-way located in the SW1/4 of Section 17, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of SD Highway 79 and north of Folsom Road.

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

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

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

**Planning Commission recommended that the Variance to the Subdivision Regulations to allow sidewalks on one side of the street be continued to the November 21, 2002 Planning Commission meeting at the applicant's request.**

55. 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 October 10, 2002 Planning Commission meeting to be heard in conjunction with the associated Preliminary and Final Plat request.**

56. No. 02SV038 - Rapid Valley Subdivision

A request by Fisk Land Surveying and Consulting Engineers for Cody Champion to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install sidewalk along E. St. Patrick Street and Sedivy Lane** on Lot A of Blocks 3 and 4 of Rapid Valley Subdivision located in the NE1/4 NE1/4 of Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2507 E. St. Patrick Street.

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**Planning Commission acknowledged the applicant's request to withdraw the Variance to the Subdivision Regulations.**

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

Wall requested that items 45 and 46 be considered concurrently.

45. No. 02RZ052 - Section 3, T1N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Office Commercial District** on the east 710 feet of NE1/4 NE1/4 less a parcel of land 400 feet by 400 feet in the northeastern most corner of the NE1/4 of Section 3, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

\*\*46. No. 02PD048 - Section 3, T1N, R8E

A request by the City of Rapid City to consider an application for a **Planned Development Designation** on a parcel of land 400 feet by 400 feet in the northeastern most corner of the NE1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Degeest Street.

Bulman reviewed the letter received from Jeff and Lori Slathar regarding Reservoir Road improvements and maintenance.

**Wall moved, Stone seconded and unanimously carried to recommend that the Rezoning from No Use District to Office Commercial District and the Planned Development Designation be continued to the October 10, 2002 Planning Commission meeting. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall and Wevik voting yes and none voting no)**

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

57. No. 02AN008 - Sections 16, 21, 22, 23, 26, and 27, T2N, R7E

A request by the City of Rapid City to consider an application for a **Resolution of Intent to Annex** on Lots 1 and 2 of Block 1, Lot 1 of Block 4 and Lot 1 of Block 5, and dedicated right-of-way, Farrar Business Park, Section 16, T2N, R7E, BHM, Pennington County, South Dakota; That portion of N1/2 SE1/4 lying north and east of the right-of-way line of Interstate Highway 90, Section 16, T2N, R7E, BHM, Pennington County, South Dakota; That portion of SE1/4 SE1/4 lying north & east of highway right-of-way, Section 16, T2N, R7E, BHM, Pennington County, South Dakota; Lot H1 of the SE1/4 of Section 16, T2N, R7E, BHM, Pennington County, South Dakota; Lot H1 of the SW1/4, Section 16, T2N, R7E, BHM, Pennington County, South Dakota; Lots 1 thru 4 of Tract A of Lien Subdivision located in E1/2 of NE1/4 and in NE1/4 of SE1/4 of Section 21, T2N, R7E, BHM, Pennington County, South Dakota; Lot H1 of the NE1/4 NE1/4 of Section 21, T2N, R7E, BHM, Pennington County, South Dakota; Lot H1 of the SE1/4 NE1/4 of Section 21, T2N, R7E, BHM, Pennington County, South Dakota; NW1/4, Section 22, T2N, R7E, BHM, Pennington County, South Dakota; Lot X of Lot H-2 of

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SW1/4 less Lot H1 of Lot X of Lot H2 of SW1/4, Section 22, T2N, R7E, BHM, Pennington County, South Dakota; Lot Y of Lot H-2 of SW1/4 less Lot H-1 of Lot Y of Lot H2 of SW1/4, Section 22, T2N, R7E, BHM, Pennington County, South Dakota; Lot B of the NW1/4 SW1/4 and SW1/4 SW1/4, Section 22, T2N, R7E, BHM, Pennington County, South Dakota; W1/2 W1/2 NE1/4, Section 22, T2N, R7E, BHM, Pennington County, South Dakota; E1/2 SE1/4 SE1/4 SW1/4 SW1/4 and the SW1/4 SW1/4 SE1/4 SW1/4 and the W1/2 SE1/4 SW1/4 SE1/4 SW1/4 and the S1/2 NW1/4 SW1/4 SE1/4 SW1/4 and the SW1/4 NE1/4 SW1/4 SE1/4 SW1/4, all located in Section 22, T2N, R7E, BHM, Pennington County, South Dakota; E1/2 NE1/4; and the E1/2 W1/2 NE1/4; and the SE1/4; and the Unplatted Balance of SW1/4 lying north and east of Highway I-90 right-of-way and including a strip of land 80 feet in width adjacent and parallel to the southeast boundary of R & L Subdivision and also including a strip of land 100 in width adjacent and parallel to the northern boundary of Highway I-90 right-of-way, all located in Section 22, T2N, R7E, BHM, Pennington County, South Dakota; SW1/4 NW1/4 and the W1/2 SW1/4, Section 23, T2N, R7E, BHM, Pennington County, South Dakota; NW1/4 NW1/4 and that part of the SW1/4 NW1/4 lying north of Interstate I-90 right-of-way, Section 26, T2N, R7E, BHM, Pennington County, South Dakota; NE1/4 NE1/4 and the NW1/4 NE1/4 and the SE1/4 NE1/4 and the NE1/4 NW1/4 and the NW1/4 NW1/4 lying north of Highway I-90 right-of-way, Section 27, T2N, R7E, BHM, Pennington County, South Dakota; That portion of the Section line highway lying north of Interstate 90 known as Deadwood Avenue lying within 33 feet either side of the north-south section line between the Southeast quarter of Section 21 and the Southwest quarter of Section 22 and including the 17 foot wide dedicated right-of-way adjacent to Lot 1R Revised of Summit Industrial Park located in the NW1/4 SW1/4 of Section 22, T2N, R7E, BHM, Pennington County, South Dakota; That portion of the Section line highway known as Deadwood Avenue lying within 33 feet either side of the north-south section line between the Northeast quarter of Section 21 and the Northwest quarter of Section 22, T2N, R7E, BHM, Pennington County, South Dakota; That portion of the Section line highway known as Deadwood Avenue lying within 33 feet either side of the north-south line between the Southwest quarter of Section 15 and the Southeast quarter of Section 16, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located north and east of US Interstate 90 and Deadwood Avenue within Sections 16, 21, 22, 23, 26, and 27.

Wevik advised that he would be abstaining.

Bulman reviewed the slides, annexation boundaries and staff's recommendation.

Discussion followed concerning voluntary annexation, the County's desire to annex an additional one mile to the Meade County line, future development, support for a Tax Increment Financing District, road maintenance, and funding sources.

Kyle White, Vice-President of Corporate Affairs for Black Hills Corporation, outlined Black Hills Corporation's opposition to the proposed involuntary annexation of the 40 acres where their unmanned facility is located.

The Commission discussed the impact the involuntary annexation will have on taxes, electric rates, future urbanization, the tax base, utility rates, infrastructure and contiguous properties.

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Ron Buskerud, Assistant to the Pennington County Commissioners, stated that Pennington County supports the involuntary annexation proposal and requested that an additional one-mile section of Deadwood Avenue, north to the Meade County line be included in the annexation.

The Commission reviewed road maintenance issues, the County's request and the possibility of the City and County establishing a mutual agreement to swap roads for snow removal and maintenance on the additional one-mile section of road.

Owen Emme, property owner, spoke in opposition to the annexation request and expressed his concerns with the lack of a definitive plan for infrastructure improvements. He added that in his opinion the annexation request should be continued to allow the property owners time to meet with the Engineering Division to work out a master plan.

Steve Zellmer, GCC Dacotah, expressed his concerns regarding increases in taxes, improvements to Deadwood Avenue, zoning issues and current uses of the property, and the need for a master plan.

Jim Nelson, attorney for GCC Dacotah, expressed concerns with GCC Dacotah's ability to continue to mine sand and gypsum from their property if it is annexed into the City.

Discussion continued concerning future development of the area, current land uses and zoning districts.

**Schmidt moved and Mashek seconded to recommend that the Resolution of Intent to Annex be denied.**

Bob Borgmeyer, area property owner, spoke in support of the annexation and the development of the area.

Green explained the City annexation process.

**Mashek advised that she supports the annexation request and withdrew her second to the motion.**

**Hoffman moved and Stone seconded to approve the Resolution of Intent to Annex.**

Steve Flannery, Butler Machinery, spoke in opposition to the annexation request. He added that he knows annexation is inevitable but in his opinion, the property owners should have more involvement.

Elkins reviewed the steps involved in involuntary annexations and potential funding sources for improvements.

**Schmidt called the question. There were no objections to calling the question.**

**The vote on the motion unanimously carried to recommend that the Resolution**



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**of Intent to Annex be approved. (5-0-1 with Hoffmann, Mashek, Schmidt, Stone, and Wall voting yes, none voting no and Wevik abstaining)**

**\*\*58. 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 stated that staff is recommending that the Planned Commercial Development - Initial and Final Development Plan for a sign package be continued to the October 10, 2002 Planning Commission meeting as the revised stipulations of approval have not been met.

**Schmidt moved and Mashek seconded to continue to the Planned Commercial Development - Initial and Final Development Plan to the October 10, 2002 Planning Commission meeting.**

Tim Sughre, Rapid City Regional Hospital, explained that the Rapid City Regional Hospital has agreed to the stipulations outlined by staff and requested that the Planning Commission approve the Planned Commercial Development - Initial and Final Development Plan for a sign package. He distributed a drawing of the revised sign proposed for location at the top of the hospital structure.

Discussion followed concerning internally-lit signs and revising to Stipulation #1 to read that prior to issuance of a Sign Permit rather than prior to Planning Commission approval.

**Stone made a substitute motion to recommend approval of the Planned Commercial Development - Initial and Final Development Plan per staff's recommendation with the revision to Stipulation #1. Mashek seconded the motion.**

**The vote on the motion unanimously carried to recommend that the Planned Commercial Development - Initial and Final Development Plan for a sign package be approved with the following stipulations:**

**Urban Planning Division Recommendations:**

- 1. Prior to issuance of a Sign Permit, the proposed signage located at the top of the main hospital structure shall be revised to eliminate the wall mounted internally-lit signs with a white background and include either separate internally-lit sign sections, neon sign sections or a similar style sign approved by the Planning Director showing the "cradled heart" Rapid City**

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Regional Hospital logo directly mounted at the top of the main hospital structure. The sign sections shall be maroon in color;

2. All provisions of the Sign Code shall be continually met;
3. All signs shall conform to the design and location as shown in the sign package submitted as part of the Planned Commercial Development. A minimal amendment may be reviewed and approved by the Planning Director for any changes to the sign package that are deemed insignificant and continue to comply with all requirements of the Sign Code. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall 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.*

59. No. 01PL127 - Sunset Heights Subdivision

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

Seaman advised that the applicant has submitted the necessary required information and staff is recommending that the Preliminary Plat be approved with stipulations.

Mashek moved and Hoffman seconded to recommend that the Preliminary Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to City Council approval of the Preliminary Plat, all necessary easements for the drainage improvements shall be recorded with the Pennington County Register of Deeds;
2. Prior to City Council approval of the Preliminary Plat, revised design plans addressing all of the redline comments and for the installation of all required subdivision improvements including street lights, regulatory signs and sidewalks shall be submitted for review and approval;
3. Prior to City Council approval of the Preliminary Plat, the pavement design for the proposed private road shall be submitted for review and approval;
4. A Special Exception to the Street Design Criteria Manual shall be hereby granted to allow forty dwelling units to take access from one access location;
5. A Special Exception to the Street Design Criteria Manual shall be hereby granted to allow for a cul-de-sac in excess of 1,200 feet in length with the provision of intermediate turnarounds that comply with the Uniform Fire Code at the west edge of the subject property and at the east end of the

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proposed cul-de-sac;

**Fire Department Recommendations:**

6. Prior to the start of any building construction, fire hydrants shall be installed and operational;
7. Prior to the start of any building construction, street signs 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;
8. Prior to Preliminary Plat approval by the City Council, the wildland fire mitigation plan shall be reviewed and approved by the Fire Department;
9. Prior to the start of any building construction, all weather access roads shall be constructed to the building sites;
10. All streets, driveways, grades, turnarounds, cul-de-sacs and access shall comply with all requirements of the Uniform Fire Code and the Street Design Criteria. If requirements cannot be met residential fire sprinkler shall be required in applicable residential structures;

**Urban Planning Division Recommendations:**

11. Prior to Preliminary Plat approval by the City Council, the applicant shall provide a certified copy of the recorded agreement to provide for a perpetual nonexclusive private easement of ingress and egress over the streets of Broadmoor Subdivision Phase 1 from the Pennington County Register of Deeds;
12. Prior to Preliminary Plat approval by the City Council, documentation identifying the legal entity responsible for the long term maintenance of the private road must be submitted for review and approval;
13. Prior to Final Plat approval by the City Council, the applicant must either remove the existing accessory building or post financial surety in the amount necessary to remove the accessory structure;
14. Prior to Preliminary Plat approval by the City Council, surety shall be posted for the design of the section line highway located along the south lot line or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated. Prior to Final Plat approval by the City Council, surety shall be posted for the required improvements within the section line highway in the event the section line highway is not vacated or a Variance to the Subdivision Regulations is not granted;
15. Prior to Preliminary Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
16. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

Doug Sperlich requested that stipulations 1 and 14 be revised.

Discussion followed concerning continuances, the existing section line and posting surety.

**Maskek amended her motion, the second concurred, and carried to recommend that the Preliminary Plat be approved with the following stipulations:**

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**Engineering Division Recommendations:**

1. Prior to City Council approval of the Final Plat or construction plans, all necessary easements for the drainage improvements shall be recorded with the Pennington County Register of Deeds;
2. Prior to City Council approval of the Preliminary Plat, revised design plans addressing all of the redline comments and for the installation of all required subdivision improvements including street lights, regulatory signs and sidewalks shall be submitted for review and approval;
3. Prior to City Council approval of the Preliminary Plat, the pavement design for the proposed private road shall be submitted for review and approval;
4. A Special Exception to the Street Design Criteria Manual shall be hereby granted to allow forty dwelling units to take access from one access location;
5. A Special Exception to the Street Design Criteria Manual shall be hereby granted to allow for a cul-de-sac in excess of 1,200 feet in length with the provision of intermediate turnarounds that comply with the Uniform Fire Code at the west edge of the subject property and at the east end of the proposed cul-de-sac;

**Fire Department Recommendations:**

6. Prior to the start of any building construction, fire hydrants shall be installed and operational;
7. Prior to the start of any building construction, street signs 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;
8. Prior to Preliminary Plat approval by the City Council, the wildland fire mitigation plan shall be reviewed and approved by the Fire Department;
9. Prior to the start of any building construction, all weather access roads shall be constructed to the building sites;
10. All streets, driveways, grades, turnarounds, cul-de-sacs and access shall comply with all requirements of the Uniform Fire Code and the Street Design Criteria. If requirements cannot be met residential fire sprinkler shall be required in applicable residential structures;

**Urban Planning Division Recommendations:**

11. Prior to Preliminary Plat approval by the City Council, the applicant shall provide a certified copy of the recorded agreement to provide for a perpetual nonexclusive private easement of ingress and egress over the streets of Broadmoor Subdivision Phase 1 from the Pennington County Register of Deeds;
12. Prior to Preliminary Plat approval by the City Council, documentation identifying the legal entity responsible for the long term maintenance of the private road must be submitted for review and approval;
13. Prior to Final Plat approval by the City Council, the applicant must either remove the existing accessory building or post financial surety in the amount necessary to remove the accessory structure;
14. Prior to Final Plat approval by the City Council, surety shall be posted for the required improvements within the section line highway located along the

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south lot line or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated;

15. Prior to Preliminary Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
16. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid. (5 to 0 with Hoffmann, Mashek, Schmidt, Wall and Wevik voting yes, none voting no and Stone abstaining)

60. No. 02SR011 - Section 6, T1N, R8E

A request by Ron Buskerud for Pennington County to consider an application for an **11-6-19 SDCL Review to allow for the construction of a public building and related improvements** on the E1/2 of the NE1/4 of the SW1/4 of the NE1/4 and NW1/4 of the NE1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the Pennington County Fairgrounds.

Schmidt advised that he would be abstaining.

Fisher presented the slides, the revised site plan, parking requirements and staff's recommendation.

The Commission discussed the requirements for the Flood Plain Permit, parking, and landscaping on the site.

**Wall moved, Stone seconded and carried to continue the 11-6-19 SDCL Review to allow for the construction of a public building and related improvements to the October 10, 2002 Planning Commission meeting. (5 to 0 with Hoffmann, Mashek, Stone, Wall and Wevik voting yes, none voting no and Schmidt abstaining)**

61. No. 02TI003 - Disk Drive Extension

A request by Kevin Conway for Rodney and Norman McKie to consider an application for a **Resolution Creating Tax Increment No. 36** on Lot 1 & Lot 2 of Block 1, & Dedicated right-of-way, of Tires Plus Addition, located in the Unplatted portion of the NE1/4 of the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 to 8 of Lot M-1 of the S1/2 of the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, including Lot A-B of Lot 1 of Lot M1 and the strip of land marked "Private Road", all located in the S1/2 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Tracts 4-B & 4-C of Parcel #4; and Tracts 4-A, C and D; of the SE1/4 NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel #3 in SW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel #7 in SW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, described by metes and bounds as follows: Beginning on the West Section Line at the Northwest corner of the SW1/4 NW1/4 of said Section 25; thence East along the one-sixteenth line a distance of 350 feet to the TRUE POINT OF BEGINNING, thence due South a distance of 145 feet; thence North 76 degrees 15 feet East a distance of 610 feet to the East-West one-sixteenth line; thence West along the one-sixteenth line a distance of 592.6 feet to the true point of beginning; Lot 18 (except that portion of Lot 18 platted as Lot C of Pine View Subdivision, as shown on the plat filed in Plat Book 17, page 144), and all of Lots 19-22



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together with the vacated Street abutting said lots as recorded in Miscellaneous Book 115, page 678, all located in Block 4, Pine View Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 8R of Block 3 as recorded on Plat of Tract CR and Lot 8R of Block 3 formerly Tract C and Lot 8 of Block 3 located in the NW1/4 NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 and Lot 2 of Lowe's Subdivision, formerly Tract 1 of Martley Subdivision and Tract CR of the NW1/4 of the NE1/4 located in the NW1/4 of NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel No. 4 and Parcel No. 5 as shown on the "Plat for Montana-Dakota Utilities Co., a corporation with principal offices at 831 Second Avenue South, Minneapolis 2, Minnesota, showing lands in Section 25 and 26 of Township 2 North Range 7 East of the BHM in Pennington County, South Dakota, acquired by Warranty Deed from Oldfield and Butterfield, Grantors, of Rapid City, South Dakota"; Parcel No. 8 in the N1/2 NW1/4 of Section 25, T2N, R7E, BHM, Pennington County, South Dakota; said strip of land being Fifty feet wide, Twenty-five feet on each side of the following described center-line, with both sides of the strip terminating at the South boundary of the NW1/4 NW1/4 of said Section 25: Beginning at the North Quarter corner of said Section 25, thence South along the quarter line a distance of 886.5 feet to the TRUE POINT OF BEGINNING; thence South 76 degrees 15 feet West a distance of 1846.9 feet to the East-West one-sixteenth line at a point 1794 feet West of the North-South one-quarter line, as shown in Book 7 Page 173 of the Plat Records at the Pennington County Register of Deeds; Unplatted portion of NW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Unplatted Balance of NE1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot H-1 in the S1/2 NW1/4 of Section 25, T2N, RE, BHM, Rapid City, Pennington County, South Dakota; The 100 foot Haines Avenue right-of-way located between the south boundary of Disk Drive right-of-way and south boundary of Mall Drive right-of-way, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; more generally described as being located Interstate 90 extending north to Lakota Homes and from the west property boundary of SCI to Howard Street.

Bulman presented the slides and reviewed the boundaries of Tax Increment No. 36, the relocation of the Williston Basin Pipeline and the extension of Disk Drive.

John Nooney, representing Rodney and Norman McKie, stated that in his opinion this area was an ideal utilization of the Tax Increment Financing process. He added that this area is blighted and it fits the criteria for financing improvements and development. Nooney stressed that this Resolution Creating Tax Increment No. 36 had to be approved by November 1, 2002 in order to utilize the Lowe's property in the district.

Discussion followed concerning the Tax Increment Base Valuation for the district, utilization of the Lowe's property, boundaries of the district and time constraints.

**Hoffman moved and Schmidt seconded to recommend that the Resolution Creating Tax Increment No. 36 be approved.**

Paul Evans, property owner to the north of Lowe's, questioned why improvements to Mall Drive were not included in Tax Increment No. 36.

Discussion followed concerning the boundaries for the district, potential additional revenues that could be captured, timeframes for completing improvements, up front costs

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to landowners, annexation of the properties to the north of Mall Drive, and time constraints.

Jim White, Sound Pro, expressed his concern with area property owners receiving a tax benefit.

Elkins explained the Tax Increment process and the use of these accumulated funds. She noted that Lowe's would continue to pay their property taxes.

Ernie Davis, property owner, expressed his concern with losing commercial frontage when Howard Street is closed and the impact it will have on his motel.

**The vote on the motion unanimously carried to recommend that the Resolution Creating Tax Increment No. 36 be approved. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall and Wevik voting yes and none voting no)**

62. No. 02TI005 - Disk Drive Extension

A request by Kevin Conway for Rodney and Norman McKie to consider an application for a **Tax Increment District No. 36 Project Plan** on Lot 1 & Lot 2 of Block 1, & Dedicated right-of-way, of Tires Plus Addition, located in the Unplatted portion of the NE1/4 of the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 to 8 of Lot M-1 of the S1/2 of the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, including Lot A-B of Lot 1 of Lot M1 and the strip of land marked "Private Road", all located in the S1/2 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Tracts 4-B & 4-C of Parcel #4; and Tracts 4-A, C and D; of the SE1/4 NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel #3 in SW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel #7 in SW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, described by metes and bounds as follows: Beginning on the West Section Line at the Northwest corner of the SW1/4 NW1/4 of said Section 25; thence East along the one-sixteenth line a distance of 350 feet to the TRUE POINT OF BEGINNING, thence due South a distance of 145 feet; thence North 76 degrees 15 feet East a distance of 610 feet to the East-West one-sixteenth line; thence West along the one-sixteenth line a distance of 592.6 feet to the true point of beginning; Lot 18 (except that portion of Lot 18 platted as Lot C of Pine View Subdivision, as shown on the plat filed in Plat Book 17, page 144), and all of Lots 19-22 together with the vacated Street abutting said lots as recorded in Miscellaneous Book 115, page 678, all located in Block 4, Pine View Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 8R of Block 3 as recorded on Plat of Tract CR and Lot 8R of Block 3 formerly Tract C and Lot 8 of Block 3 located in the NW1/4 NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 and Lot 2 of Lowe's Subdivision, formerly Tract 1 of Martley Subdivision and Tract CR of the NW1/4 of the NE1/4 located in the NW1/4 of NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel No. 4 and Parcel No. 5 as shown on the "Plat for Montana-Dakota Utilities Co., a corporation with principal offices at 831 Second Avenue South, Minneapolis 2, Minnesota, showing lands in Section 25 and 26 of Township 2 North Range 7 East of the BHM in Pennington County, South Dakota, acquired by Warranty Deed from Oldfield and Butterfield, Grantors, of Rapid City, South Dakota"; Parcel No. 8 in the N1/2 NW1/4 of Section 25, T2N, R7E, BHM,

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Pennington County, South Dakota; said strip of land being Fifty feet wide, Twenty-five feet on each side of the following described center-line, with both sides of the strip terminating at the South boundary of the NW1/4 NW1/4 of said Section 25: Beginning at the North Quarter corner of said Section 25, thence South along the quarter line a distance of 886.5 feet to the TRUE POINT OF BEGINNING; thence South 76 degrees 15 feet West a distance of 1846.9 feet to the East-West one-sixteenth line at a point 1794 feet West of the North-South one-quarter line, as shown in Book 7 Page 173 of the Plat Records at the Pennington County Register of Deeds; Unplatted portion of NW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Unplatted Balance of NE1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot H-1 in the S1/2 NW1/4 of Section 25, T2N, RE, BHM, Rapid City, Pennington County, South Dakota; The 100 foot Haines Avenue right-of-way located between the south boundary of Disk Drive right-of-way and south boundary of Mall Drive right-of-way, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located Interstate 90 extending north to Lakota Homes and from the west property boundary of SCI to Howard Street.

**Wall moved, Stone seconded and unanimously carried to recommend that the Tax Increment District No. 36 Project Plan and Resolution be approved. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall and Wevik voting yes and none voting no)**

**\*\*63. 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, Rapid River Subdivision, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2123 Jackson Boulevard.

Seaman reviewed the request and suggested revising Stipulation #11 to allow for a dark green roof.

**Hoffman moved, Wall seconded and unanimously carried to recommend that the Conditional Use Permit to allow a car wash in the General Commercial Zoning District be approved with the following stipulations:**

**Engineering Division Recommendations:**

1. Prior to issuance of a Building Permit, the applicant shall submit plans prepared by a Registered Professional Engineer for the construction of the retaining walls;
2. Prior to issuance of a Building Permit, the applicant shall submit traffic control plans for the construction of improvements within the Jackson Boulevard right of way for review and approval;
3. Prior to issuance of a Building Permit, design plans prepared by a Registered Professional Engineer for proposed sanitary sewer and water main improvements shall be submitted for review and approval;

**Fire Department Recommendations:**

4. Access for emergency vehicles shall be continually maintained

**Building Inspection Division Recommendations:**

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

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6. Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted for review and approval;

**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;

**South Dakota Department of Transportation Planning Division Recommendations:**

8. Prior to issuance of a Building Permit, the applicant shall obtain access permits and permits to work within the South Dakota Department of Transportation right-of-way;

**Urban Planning Division Recommendations:**

9. Prior to Planning Commission approval, the applicant shall submit a shared access agreement with adjoining property owners for review and approval;
10. Prior to issuance of a Building Permit, the applicant shall file the shared access agreement with the Pennington County Register of Deeds and provide a copy of the filed document to the Rapid City Planning Department;
11. The proposed car wash building shall be a maximum of 3,500 square feet one story structure and shall be constructed of materials that are earth tone in color or dark green in color (excluding red or bright green). Metal siding and roofing may be used as construction materials; however, a maximum of fifty percent of the siding visible from Jackson Boulevard may be metal with the balance of the siding being brick or masonry;
12. Prior to Planning Commission approval of the Conditional Use Permit, the applicant shall submit a sign package for review and approval.
13. All provisions of Section 17.50.270, the Minimum Off-Street Parking Requirements of the Rapid City Municipal Code shall be continually met; and,
14. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall 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.***

Wall moved, Hoffmann seconded and unanimously carried to continue Item 64 - Discussion Items to the October 10, 2002 Planning Commission meeting. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall and Wevik voting yes and none voting no)

There being no further business, Wall moved, Hoffman seconded and unanimously carried to adjourn the meeting at 8:59 a.m. (6 to 0 with Hoffmann, Mashek, Schmidt, Stone, Wall and Wevik voting yes and none voting no)

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