



MINUTES OF THE
RAPID CITY PLANNING COMMISSION
February 20, 2003

MEMBERS PRESENT: Ida Fast Wolf, Jeff Hoffmann, Dawn Mashek, Grace Mickelson, Mel Prairie Chicken, Jeff Stone, Bob Wall and Stuart Wevik. Martha Rodriguez, Council representative was also present.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Patsy Horton, Jeff Marino, Tom Kurtenbach, Lisa Seaman, Jason Green, Bill Knight, Randy Nelson, Dave Johnson, Dave LaFrance, 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.

Staff requested that Item 10 be removed from the Non-Hearing Consent Agenda for separate consideration.

Prairie Chicken moved, Hoffmann seconded, and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 through 30 in accordance with the staff recommendations with the exception of Item 10. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

1. Approval of the February 6, 2003 Planning Commission Meeting Minutes.

2. No. 02PL029 - Murphy Ranch Estates

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

Planning Commission recommended that the Preliminary and Final Plat be continued to the March 27, 2003 Planning Commission meeting to allow Staff sufficient time to review a recently submitted revised drainage plan and revised construction plans.

3. No. 02PL093 - Murphy Ranch Estates

A request by Davis Engineering to consider an application for a **Layout, Preliminary and Final Plat** on Lot 1 Block 1, Lots 1 thru 6, Block 2, Lots 1 thru 8, Block 3, Lots 1 thru 7, and Lots 10 thru 15, Block 4, Lots 1 thru 3 and Lots 11 thru 16, Block 5 of Murphy Ranch Estates, all located in NE1/4 NW1/4 of Section 14, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Tract F of the NW1/4 less Murphy's Subdivision and Right of Way, Section 14, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more



generally described as being located on Longview Drive to the east of East 53rd Street and Reservoir Road.

Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the March 27, 2003 Planning Commission meeting to allow Staff sufficient time to review a recently submitted drainage plan and revised construction plans.

4. No. 02PL113 - Stoney Creek South Subdivision

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** on Lots 1 thru 4 of Block 1; Lots 1 thru 6 of Block 2; Lots 1 thru 3 of Block 3; Lots 1 thru 7 of Block 4; Lots 1 thru 3 of Block 5, Lots 1 thru 5 of Block 6 and Outlot A; Stoney Creek South Subdivision, located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted balance of the S1/2 NW1/4 SW1/4 less Lots H1 and H2; and the unplatted balance the N1/2 NW1/4 SW1/4 located south of Catron Boulevard, all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Catron Boulevard and Sheridan Lake Road.

Planning Commission recommended that the Layout Plat be continued to the March 6, 2003 Planning Commission meeting to allow the applicant to submit a revised plat document.

5. No. 02PL116 - Big Sky Business Park

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lot 1, Block 1; Lots 1 thru 5, Block 2; Lots 1 and 2, Block 3; Lots 1 and 2, Block 4; Lots 1 thru 4, Block 5; Lot 1, Block 6 and dedicated Street, Big Sky Business Park, located in the SW1/4 SW1/4 and the S1/2 NW1/4 NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the W1/2 SW1/4 NW1/4 including private drive, less Lot H2 and less right-of-way; the unplatted portion of the E1/2 SW1/4 NW1/4; and the unplatted portion of the S1/2 GL3; S1/2 GL4 less Lot 1 and less Lot H3; SE1/4 NW1/4 less Big Sky Subdivision and less right-of-way; all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of Homestead Street and Elk Vale Road.

Planning Commission recommended that the Preliminary and Final Plat be continued to the March 6, 2003 Planning Commission meeting to allow Staff to review recently submitted revised construction plans and a revised drainage plan.

6. No. 02PL126 - Miracle Pines Subdivision

A request by Renner & Sperlich for Dean Kelly to consider an application for a **Layout Plat** on Lots B thru E of Lot 6 of Miracle Pines Subdivision located in the NW1/4 Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Lot 6 of Miracle Pines Subdivision located in the NW1/4 Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota,



more generally described as being located at 3960 Corral Drive.

Planning Commission recommended that the Layout Plat be continued to the March 6, 2003 Planning Commission meeting to allow the applicant time to submit additional information.

7. No. 03PL004 - Section 25, T2N, R7E

A request by FMG, Inc. for Williston Basin Interstate Pipeline Co. to consider an application for a **Preliminary and Final Plat** on the dedicated public right-of-way shown as Disk Drive, formerly a portion of Parcel No. 5 located in the NE1/4 of NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Haines Avenue and north of Interstate 90.

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

Engineering Division Recommendation:

1. Prior to Final Plat approval by the City Council, Disk Drive shall be constructed with a 36 foot wide paved surface, curb, gutter, sidewalk, water and sewer;

Register of Deed's Office Recommendation:

2. Prior to Final Plat approval by the City Council, the plat title shall be revised to read "...formerly a portion of Parcel 5 of NE1/4NW1/4 of Section 525, T2N, R7E located in..."

Urban Planning Division Recommendations:

3. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
4. Prior to Final Plat approval by the City Council, a developer's agreement shall be signed by the applicant and/or some other form of surety, acceptable by the City Attorney's Office, shall be posted for the improvements that have not been completed. The developer's agreement may also serve to secure the subdivision inspection fees.

8. No. 03PL011 - Skyline Pine Subdivision

A request by Renner & Sperlich Engineering for Pat Wyss to consider an application for a **Layout, Preliminary and Final Plat** on Lot 12R-2 and Lot 13R-2 of Block 3, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 12R and Lot 13R of Block 3, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1434 and 1444 Pevans Parkway.

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

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, the applicant shall



submit letters to the utility companies serving this area; and, the returned utility company letters shall demonstrate agreement to the vacation of utility easements, or the plat shall be revised to identify that the existing utility and minor drainage easements shall be retained;

2. Prior to Final Plat approval by the City Council, the applicant shall revise the utility and access easement on the south lot line of Lot 12R to read "utility maintenance easement";
3. Prior to Final Plat approval by the City Council, the applicant shall vacate the existing 30 foot wide utility easement, and submit a sewer easement for review and approval by City Engineering Staff; the applicant shall submit letters to the utility companies serving this area; and, the returned utility company letters shall demonstrate agreement to the vacation of the utility easement;
4. Prior to Final Plat approval by the City Council, the applicant shall revise the proposed plat according to the Engineering Division redlines;

Fire Department Recommendations:

5. Prior to Final Plat approval by the City Council, the applicant shall revise the note describing driveway slope to read: "Buildings on any lots having driveways exceeding 16% slope shall be equipped with an automated residential sprinkler system subject to approval by the Rapid City Fire Department.";

Pennington County Register of Deeds Recommendations:

6. Prior to Final Plat approval by the City Council, the plat heading shall be revised to read "... (formerly Lots 12R and 13R of Block 3 of Skyline Pines Subdivision)";

Urban Planning Division Recommendations:

7. Prior to Final Plat approval by the City Council, a subdivision estimate form for any uncompleted subdivision improvements shall be submitted for review and approval; and,
8. Prior to Final Plat approval by the City Council, surety for the uncompleted improvements shall be posted and the subdivision inspection fees shall be paid.

9. **No. 03PL012 - North Rapid Addition**

A request by Marie Camping to consider an application for a **Layout Plat** on Lots 1R and 2R of Block 24 of North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1 thru 4 of Block 24, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 227 Adams Street.

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

Urban Planning Division Recommendations:

1. 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.



11. 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.

Planning Commission recommended that the 11-6-19 SDCL Review to allow for the construction of a public building and related improvements be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to Planning Commission approval, a revised drainage plan shall be submitted for review and approval;
2. Prior to Planning Commission approval, a revised utility plan shall be submitted for review and approval. In particular, the plan shall show the location of water line(s) for future on-site fire hydrant locations;
3. Prior to the start of any work within the Centre Street right-of-way, construction plans shall be submitted for review and approval. In addition, a Right-of-way Permit shall be obtained and a Traffic Control Plan shall be submitted for review and approval;
4. Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval showing the alignment of the proposed approach along Centre Street with an existing approach located along the north side of the street;

Fire Department Recommendations:

5. All Uniform Fire Codes shall be continually met;

Urban Planning Division Recommendations:

6. Prior to Planning Commission approval, a landscaping plan shall be submitted for review and approval; and,
7. Prior to Planning Commission approval, a sign package and lighting plan shall be submitted for review and approval.

12. No. 02SR028 - Fountain Springs Business Park

A request by Jerry Gyles for Golden West Technologies to consider an application for an **11-6-19 SDCL Review of a public utility in Light Industrial Zoning District** on Tract E of Fountain Springs Business Park, Section 27, T2N, R7E, BHM, Rapid City, Pennington County South Dakota, more generally described as being located at 2727 North Plaza Drive.

Planning Commission recommended that the 11-6-19 SDCL Review of a public utility in Light Industrial Zoning District be continued to the March 6, 2003 Planning Commission meeting to allow the applicant time to submit additional information.



13. No. 02SR031 - Original Town of Rapid City

A request by Robert Schlimgen for the Rapid City Area School District to consider an application for an **11-6-19 SDCL Review to move the heating, venting, air conditioning unit on public property** on Parcel 1-2; Lots 1-16; Lot A; Parcel 5-6; and vacated alley (also in Section 1, T1N, R7E), all located in Block 65 of Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 300 6th Street.

Planning Commission recommended that the 11-6-19 SDCL Review to move the heating, venting, air conditioning unit on public property be denied without prejudice at the applicant's request.

14. No. 03SR002 - Rapid City Greenway Tract

A request by the City of Rapid City to consider an application for an **11-6-19 SDCL Review of a public facility in a public place** on Tract 35 and Tract 36, Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Cambell Street along East St. James Street at the Black Hills Polo and Soccer Grounds.

Planning Commission recommended that the 11-6-19 SDCL Review of a public facility in a public place be continued to the March 6, 2003 Planning Commission meeting to allow time for the applicant to submit additional information.

15. No. 03SR003 - Original Town of Rapid City

A request by MegaCom for Verizon Wireless to consider an application for an **11-6-19 SDCL Review of a public utility** on Lots 1 thru 16 of Block 91; Lots 21 thru 24 of Block 91; and, Lots 12 and 13 of Block 101; all located in Original Town of Rapid City, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of West Boulevard between St. Joseph Street and Quincy Street.

Planning Commission recommended that the 11-6-19 SDCL Review of a public utility be continued to the March 27, 2003 Planning Commission meeting at the applicant's request.

16. No. 03SR004 - Section 12, T1N, R7E

A request by MegaCom for Verizon Wireless to consider an application for an **11-6-19 SDCL Review of a public utility** on Tract A of Lot 1 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 636 Cathedral Drive.

Planning Commission recommended that the 11-6-19 SDCL Review of a public utility be continued to the March 27, 2003 Planning Commission meeting at the applicant's request.

17. No. 03SR005 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid**



Creek for the Adopt-A-Creek Project on Tract 8 (also in Section 4 and 10, T1N, R7E), Rapid City Greenway Tract located in Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2900 Jackson Boulevard.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

18. No. 03SR006 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 10 and Tract 10A, Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County South Dakota, more generally described as being located at 1111 Mountain View Road.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

19. No. 03SR007 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 4 and the north 27 feet of vacated Flormann Street (also in Section 10, T1N, R7E), Rapid City Greenway Tract, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2330 Arrowhead Drive.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

20. No. 03SR008 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 12 less Lot 1 of Tract 12 (also in Section 3, T1N, R7E), Rapid City Greenway Tract, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of W. Main Street and the bike path.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.



21. No. 03SR009 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 18, Rapid City Greenway Tract, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of W. Philadelphia Street and 12th Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

22. No. 03SR010 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 20, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of the intersection of Omaha Street and North 8th Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

23. No. 03SR011 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 24, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of North 5th Street and New York Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

24. No. 03SR012 -Seventh Street Right-of-Way

A request by Sandi Thirstrup for the Seventh Street Promenade Project to consider an application for an **11-6-19 SDCL Review to allow a promenade in public right of way** in the Seventh Street right of way between Main Street and St. Joseph Street, more generally described as being located on 7th Street between Main Street and St. Joseph Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow a promenade in public right of way be continued to the March 6, 2003 Planning Commission meeting to allow the applicant to revise the site plan and/or to



consider an alternate location for the proposed activity.

25. No. 03SR013 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 27 (also in Section 6, T1N, R8E), Rapid City Greenway Tract, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 203 St. Louis Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

26. No. 03SR014 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 28, Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of Omaha Street and Steele Avenue.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

27. No. 03SR015 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Lot B of Tract 32 less Lot H-1, Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of E. Main Street and Brennan Avenue.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

28. No. 03SR016 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on the unplatted portion of the SW1/4 NE1/4 and the west 10 acres of the SE1/4 NE1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 801 San Francisco Street.



Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

30. No. 03SR018 - Rapid City Greenway Tract

A request by the Rapid City Weed and Seed Project to consider an application for an **11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek Project** on Tract 26 less Lot H1 (also in Section 1, T1N, R7E), Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of the intersection of East Boulevard and East Omaha Street along Rapid Creek.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the placement of a plaque along Rapid Creek for the Adopt-A-Creek project be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional information.

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

10. No. 03PL014 - Lazy P-6 Subdivision

A request by Centerline, Inc. for Lazy P-6 Properties, LLC to consider an application for a **Layout Plat** on Lots 1 thru 23, Lazy P-6 Subdivision, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as GL 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.

Fisher distributed a revised Staff Report and copies of an email between staff and the applicant's consultant. Fisher explained that there were two errors in the staff report that the consultant asked to be corrected. She advised that the requested corrections were made and added that Staff is recommending that the Layout Plat be approved with stipulations.

Prairie Chicken moved, Mickelson seconded and unanimously carried to recommend approval of the Layout Plat with the following stipulations:

Engineering Division Recommendations:

1. **Upon submittal of a Preliminary Plat, a grading plan and geotechnical information shall be submitted for review and approval;**
2. **Upon submittal of a Preliminary Plat, a field topographic survey shall be submitted for review and approval;**
3. **Upon submittal of a Preliminary Plat, a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;**
4. **Upon submittal of a Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval.**



If an interim on-site wastewater system is proposed, then all rules and regulations of South Dakota Title 74 and the South Dakota Department of Environment and Natural Resources On-site Wastewater Regulations shall be met. In addition, an Industrial Disposal Permit shall be obtained from the Environmental Protection Agency;

5. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval. If an interim on-site water system is proposed, then all rules and regulations of the South Dakota Department of Environment and Natural Resources shall be met;
6. Upon submittal of the Preliminary Plat, the plat shall be revised to show a non-access easement along Fifth Street, except for the approved approach location(s) and along Catron Boulevard. In addition, a non-access easement shall be shown along the first 175 feet on the southern most access road as it extends east from Fifth Street;
7. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, complete street design plans shall be submitted showing the location of utilities, storm drainage, curb and gutter and sidewalk improvements for all adjacent and interior roadways. In particular, the street design plans shall provide property line sidewalks instead of curb side sidewalks or a Special Exception to the Street Design Criteria Manual shall be obtained.
8. Upon submittal of the Preliminary Plat, a phasing schedule for the balance of the Master Plan shall be submitted for review and approval. In addition, the Master Plan shall be revised to show access to the northern most lots;
9. Upon submittal of the Preliminary Plat, the plat shall be revised to provide the dedication of the entire right-of-way width for Fifth Street as it abuts the subject property or a Variance to the Subdivision Regulations shall be obtained to allow platting of half of the right-of-way;
10. Prior to Preliminary Plat approval by the City Council, construction plans for the section line highway located along the west lot line shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated;

Fire Department Recommendations:

11. Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval. Any interim on-site water system shall provide necessary fire flows;

Emergency Services Communication Center Recommendation:

12. Upon submittal of the Preliminary Plat, a plat document showing road names shall be submitted for review and approval;

Urban Planning Division Recommendations:

13. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
14. 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. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

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

Staff requested that Items 32, 33 and 34 be removed from the Hearing Consent Agenda for separate consideration. Mickelson requested that Item 43 be removed from the Hearing Consent Agenda for separate consideration.

Hoffmann moved, Wall seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 31 thru 43 in accordance with the staff recommendations with the exception of Items 32, 33, 34 and 43. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

---HEARING ITEMS CONSENT CALENDAR---

31. No. 03CA001 - Section 5, T1N, R8E
Comprehensive Plan Amendment - **Summary of Adoption Action** to change the future land use designation on a 2.0 acre parcel of land from Industrial to General Commercial on Tract A of SW1/4 NE1/4 and NW1/4 SE1/4 located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1981 East Centre Street.

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

- *35. No. 02PD025 - Original Town of Rapid City
A request by CSU Properties, LLC to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot RU-9A, Lots 1 thru 4 of Block 6, Lot 16 and the west 9.77 feet of Lot 15 in Block 7, and adjacent vacated 4th Street R.O.W. and 1/2 vacated adjacent alley in Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in the southeast corner of the intersection of 5th Street and North Street.

Planning Commission continued the Planned Commercial Development – Initial and Final Development Plan to the March 6, 2003 Planning Commission meeting to allow the applicant time to submit additional required information.

- *36. No. 03PD005 - Owen Mann Subdivision
A request by J. Scull Construction Service for Jim Scull, Jr. to consider an application for a **Planned Development Designation** on Lot 10A, Block 1, Owen Mann Subdivision; and Lots 12 thru 16 less Lot H-2 and H-3, Block 1, Owen Mann



Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Federal Avenue along Kinney Avenue.

Planning Commission approved the Planned Development Designation in conjunction with the associated rezoning request with the condition that no sign permits or billboards shall be allowed unless approved a 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.

37. No. 03RZ003 - Owen Mann Subdivision

A request by J. Scull Construction Service for Jim Scull, Jr. to consider an application for a **Rezoning from Medium Density Residential District to General Commercial District** on Lot 10A, Block 1, Owen Mann Subdivision; and Lots 12, 14, 15 and 16 less Lot H-2 and H-3, Block 1, Owen Mann Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Federal Avenue along Kinney Avenue.

Planning Commission recommended that the Rezoning from Medium Density Residential District to General Commercial District be approved in conjunction with a Planned Development Designation request.

38. No. 03RZ005 - Owen Mann Subdivision

A request by J. Scull Construction Service for Jim Scull, Jr. to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on Lot 13 less Lot H-2 and H-3, Block 1, Owen Mann Subdivision, Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Federal Avenue along Kinney Avenue.

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

*39. No. 03PD006 - Meadows Subdivision

A request by Henriksen, Inc. for Kirk Funeral Home to consider an application for a **Major Amendment to a Planned Commercial Development to allow for the expansion of a funeral home** on Tract A-1 of Meadows Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1051 East Minnesota Street.

Planning Commission continued the Major Amendment to the Planned Commercial Development to the March 6, 2003 Planning Commission meeting to allow staff sufficient time to review a recently submitted revised site plan.



40. No. 03PL013 - Enchanted Hills No. 4

A request by Kent Snow to consider an application for a **Layout Plat** on Lots 37R, 38R and 39R, Enchanted Hills No. 4 Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 37, 38 and 39, Enchanted Hills No.4 Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 639 Enchantment Road.

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

Engineering Division Recommendations:

1. Upon Preliminary Plat submittal, the applicant shall submit information demonstrating that the existing septic systems on Lots 37, 38 and 39 meet the required separations from existing residences and proposed lot lines;

Urban Planning Division Recommendations:

2. Prior to Final Plat approval by the City Council, improvements to the section line highway shall be completed or secured; or, a Variance to the Subdivision Regulations shall be obtained to waive the requirements; or the section line highway shall be vacated;
3. Prior to Final Plat approval by the City Council, improvements to Enchantment Road shall be completed or a Variance to the Subdivision Regulations shall be obtained to waive the requirements;
4. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
5. 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.

41. No. 03SV006 - Enchanted Hills No. 4

A request by Kent Snow to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for section line highway improvements and to waive the requirement to install sewer and sidewalk along Enchantment Road** on Lots 37R, 38R and 39R, Enchanted Hills No.4 Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 37, 38 and 39, Enchanted Hills No.4 Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 639 Enchantment Road.

Planning Commission recommended that the Variance to the Subdivision Regulations waiving improvements to the section line highway and Enchantment Road be approved with the following stipulation:

Urban Planning Division Recommendations:

1. Prior to Final Plat approval by the City Council, the applicant shall submit a signed Waiver of Right to Protest an assessment district for the required subdivision improvements.



42. No. 02SV049 - Section 3, T1N, R8E

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalks and water on Elk Vale Road** on a portion of the SW1/4 NW1/4 and the S1/2 of Government Lot 4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of Homestead Street and Elk Vale Road.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk and water on Elk Vale Road be continued to the March 6, 2003 Planning Commission meeting to be heard in conjunction with the associated Preliminary and Final Plat.

---END OF HEARING CONSENT CALENDAR---

Elkins requested that Items 32 and 33 be considered concurrently.

32. No. 03CA002 - Original Town Rapid City

A request by Deb-N-Hads Investments, LLC for Hadcock Construction, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 0.140 acre parcel of land from High Density Residential to Office Commercial** on Lot N less the south three feet of Block 116, Original Town Rapid City, Section 1, T1N, R7E, BHM, Rapid City, South Dakota, more generally described as being located at 429 Quincy Street.

33. No. 03RZ004 - Original Town Rapid City

A request by Deb-N-Hads Investments, LLC for Hadcock Construction, Inc. to consider an application for a **Rezoning from High Density Residential District to Office Commercial District** on Lot N less the south three feet of Block 116, Original Town Rapid City, Section 1, T1N, R7E, BHM, Rapid City, South Dakota, more generally described as being located at 429 Quincy Street.

Elkins advised that the applicant has requested that the Comprehensive Plan Amendment and the Rezoning from High Density Residential District to Office Commercial District be continued to the March 6, 2003 Planning Commission meeting to allow the applicant time to review code issues that may impact their desire to proceed with the requests.

Stone moved, Hoffmann seconded and unanimously carried to recommend that the Comprehensive Plan Amendment to change the future land use designation on a 0.140 acre parcel of land from High Density Residential to Office Commercial and the Rezoning from High Density Residential District to Office Commercial District be continued to the March 6, 2003 Planning Commission meeting at the applicant's request. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)



34. No. 03CA003 - Sections 9 and 16, T1N, R7E

A request by Wyss Associates, Inc. for Dr. Andrew Severson to consider an application for an **Amendment to the Major Street Plan**, an element of the Comprehensive Plan, by reclassifying Park Drive from a minor arterial street to a collector street, located within Section 9 and 16, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, more generally described as being located in southwest Rapid City.

Elkins advised that the applicant has requested that the Amendment to the Major Street Plan be continued to the March 27, 2003 Planning Commission meeting as he is unavailable for the March 6, 2003 Planning Commission meeting.

Wall moved, Hoffmann seconded and unanimously carried to recommend that the Amendment to the Major Street Plan be continued to the March 27, 2003 Planning Commission meeting at the applicant's request. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

*43. No. 02UR031 - Wesleyan Christian Center

A request by Lyle Henriksen for Wesleyan Health Care Center to consider an application for a **Major Amendment to a Conditional Use Permit to allow a 12,000 square foot addition to a nursing home** on Tract B of Wesleyan Christian Center, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2000 Wesleyan Boulevard.

Mickelson expressed concerns with the amount of development in the area and the water contract that was established several years ago.

Discussion followed concerning the well, agreements between the landowners and the City, continuing the hearing on the Major Amendment to a Conditional Use Permit and the applicant's desire to continue filling the area and to begin construction of the addition to the nursing home.

Mickelson stated that she did not wish to hold the project up by continuing this matter and would do additional research on the water contract herself. Elkins stated that she would request that the Public Works Staff distribute information on the status of the well and water contract to all of the Planning Commissioners via email.

Mickelson moved, Stone seconded and unanimously carried to approved the Major Amendment to a Conditional Use Permit to allow a 12,000 square foot addition to a nursing home with the following stipulations:

Engineering Division Recommendations:

1. **Prior to issuance of a Certificate of Occupancy for the new facilities, drainage easements adequate to provide for required drainage facilities along Wesleyan Boulevard, from the Health Care Center to Plaza Drive, shall be submitted for review and approval and shall be recorded with the Register of Deeds.**
2. **Prior to the issuance of a Building Permit, flow data, calculations, and any necessary supporting information to demonstrate that required fire flows**



will be provided by the existing water distribution system shall be submitted to the City (Engineering Division and Fire Department) for review and approval. If adequate fire flows will not be provided, construction plans for the necessary water distribution system improvements shall be submitted for review and approval prior to the issuance of a Building Permit. Construction of the necessary improvements shall be completed prior to issuance of a Certificate of Occupancy.

3. Prior to issuance of a Building Permit, a site grading plan shall be submitted for the excavated material waste site, located on the adjacent property east of the Health Care Center.
4. Prior to issuance of a Building Permit, revised utility construction plans to address redline comments shall be submitted to the Engineering Division for review and approval.

Urban Planning Division Recommendations:

5. The applicant shall file a miscellaneous instrument with the Register of Deeds for access to the lot west of the subject property prior to issuance of a building permit;
6. The architectural style of the building will be constructed as shown on the elevations submitted;
7. The landscaping shall be constructed as identified on the site as submitted and shall be maintained in a live vegetative state;
8. The lighting will be constructed in a way as to minimize the impacts on surrounding land uses and direct lighting away from adjacent properties;
9. All signage shall be constructed as shown on the site plan as submitted; and
10. All parking shall be constructed as shown on the site plan as submitted. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, 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.

---BEGINNING OF REGULAR AGENDA ITEMS---

44. No. 02OA018 - Ordinance Amendment

A request by the City of Rapid City to consider an application for an **Ordinance Amendment** to consider amendments to Section 2.60.160 to provide procedures for the amendment of the Comprehensive Plan and associated fees.

Elkins presented the Ordinance Amendment and Staff's recommendation.

Mickelson suggested some grammar and verbiage changes to the Ordinance Amendment to make it consistent throughout the document and easier to read.

Elkins expressed appreciation for Mickelson's review of the Ordinance Amendment.



Elkins suggested that the Ordinance Amendment be continued to the March 6, 2003 Planning Commission meeting to allow staff time to review the language and make necessary corrections.

In response to a question by Hoffmann, Elkins stated that the amount of Staff work involved in a Rezoning request and a Comprehensive Plan Amendment are comparable and suggested that the fee be the same.

Hoffmann moved, Stone seconded and unanimously carried to recommend that the Ordinance Amendment be continued to the March 6, 2003 Planning Commission meeting. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

45. No. 03OA001 –Ordinance Amendment

A request by the City of Rapid City to consider an application for an **Ordinance Amendment** to modify Section 17.50.270 (G)(6) and to add Section 17.50.270 (H)(9) of Chapter 17 of the Rapid City Municipal Code to require the provision of handicap accessible parking stalls in existing lots when the lots are re-striped.

Elkins reviewed the Ordinance Amendment and added that the Handicap Accessibility Committee has recommended that the Planning Commission approve the Ordinance Amendment.

Shelly Shock, Western Resources for Dis-Abled Independence, reviewed the draft ordinance. She stated that in her opinion it is important to make the City accessible for people with disabilities and asked the Planning Commission to approve the Ordinance Amendment. Shock added that the Handicap Accessibility Committee does not want this Ordinance Amendment to be a cost burden on businesses by requiring them to obtain a permit.

In response to a question by Prairie Chicken, Elkins advised that approximately 12 people attended the Open House and approximately half of those were downtown business owners. Shock added that there was no opposition to the proposed amendment.

In response to a question by Prairie Chicken, Elkins advised that the existing businesses would not be required to provide curb revisions. Shock added that when a business re-stripes their parking lot they would be required to re-stripe the parking lot according to the Rapid City Municipal Code and provide signage.

Mickelson expressed her concerns with enforcement issues and asked why the ordinance was not written to facilitate compliance.

Elkins explained that the Committee felt it would be a burden on businesses if the City were to initiate a permit system for the re-striping of parking lots. She added that the Handicap Accessibility Committee recognized that enforcement would be an issue and recommended proceeding with the Ordinance Amendment on a complaint basis.

Shock explained that the Committee did not want to require the City to enforce Federal



Americans with Disabilities Act requirements and asked that the City enforce the ordinance on a complaint basis.

Discussion followed concerning the addition of accessible parking in existing parking lots, variances, exceptions, code enforcement and compliance with Federal Americans with Disabilities Act requirements.

Shock explained that the Committee is not looking for the City to enforce the Americans with Disabilities Act and asked that the City enforce the handicap parking on a complaint basis.

Discussion followed concerning notification of contractors that re-stripe the parking lots of the proposed requirements.

Wall moved, Hoffmann seconded and carried to recommend that the Ordinance Amendment to modify Section 17.50.270 (G)(6) and to add Section 17.50.270 (H)(9) of Chapter 17 of the Rapid City Municipal Code to require the provision of handicap accessible parking stalls in existing lots when the lots are re-striped be approved. (7 to 1 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone and Wall voting yes and Wevik voting no)

*46. No. 02PD059 - Cleary Subdivision

A request by Dave Fisk for Black Hills Equestrian Center to consider an application for a **Planned Unit Development - Final Development Plan** on Lots A thru C of Cleary Subdivision, Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located approximately one half mile east of the intersection of U.S. Highway 16 and U.S. Highway 16 B.

Elkins advised that the applicant has requested that the Planned Unit Development - Final Development Plan be continued to the March 27, 2003 Planning Commission due to personal difficulties. She added that Staff supports the request for a continuance.

Wall moved, Prairie Chicken seconded and unanimously carried to continue the Planned Unit Development - Final Development Plan to the March 27, 2003 Planning Commission meeting at the applicant's request. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

Kurtenbach requested that Items 47 and 48 be considered concurrently.

47. No. 03PL003 - Two Cow Subdivision

A request by Gary and Donna Kluthe to consider an application for a **Layout Plat** on Lots A and Lot B of Two Cow Subdivision, Section 36, T1N, R6E, BHM, Rapid City, Pennington County, South Dakota, legally described as SE1/4 NE1/4 and the NE1/4 NE1/4 lying south of County Road #C228 (Sheridan Lake Road) and Lot W all located in Section 36, T1N, R6E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 9425 Sheridan Lake Road.



48. No. 03SV004 - Two Cow Subdivision

A request by Gary and Donna Kluthe to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Subdivision Regulations** on Lots A and Lot B of Two Cow Subdivision, Section 36, T1N, R6E, BHM, Rapid City, Pennington County, South Dakota, legally described as SE1/4 NE1/4 and the NE1/4 NE1/4 lying south of County Road #C228 (Sheridan Lake Road) and Lot W all located in Section 36, T1N, R6E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 9425 Sheridan Lake Road.

Kurtenbach presented the applications, reviewed the slides and Staff's recommendations.

Discussion followed concerning the stipulations outlined for the Layout Plat and the Variance to the Subdivision Regulations and the Waiver of Right to Protest for Two Cow Subdivision.

Wall expressed concerns with the Waiver of Right to Protest being able to provide the City with adequate protection since the property is in Pennington County. Elkins explained that at the time of the Feay Reder Subdivision variances, Council believed that the road improvements would not be required until such time as the area would be annexed into the City of Rapid City. Elkins further explained that an assessment project cannot be done outside the City limits and until the property is annexed into the City limits the Wavier of Right to Protest is of no use. She explained that in an effort to be consistent, Staff utilized the same language in the present requests for Two Cow Subdivision that was used in Feay Reder Subdivision.

Elkins reviewed an option that reduce the amount of improvements that would be required and allow the applicant to transfer six acres from the balance of the property.

Stone asked if the applicant was in agreement with the revised stipulations.

Gary Kluthe, applicant, stated that he agreed with the revised stipulations but expressed concerns with the construction costs of Peregrine Point Lane.

Hoffmann stated that in his opinion he is confident that the applicant's 58 acres will be developed in the near future and he supports Staff's efforts to be consistent with the property to the north of the proposed property.

Hoffmann moved and seconded by Wall to approve the Layout Plat with the following stipulations:

Engineering Division Recommendations:

1. **Upon Preliminary Plat submittal, the applicant shall identify access to proposed Lot A from Peregrine Point Place;**
2. **Upon Preliminary Plat submittal, the applicant shall submit drainage and grading plans for review and approval;**



3. Upon Preliminary Plat submittal, the applicant shall submit for review and approval subdivision improvement plans for Peregrine Point Place and the right of way easement in the southeast corner of the subject property;
4. Prior to Preliminary Plat approval by the City Council, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. Complete street design plans identifying the location of utilities, storm drainage, curb and gutter, dry sewer, water, street light conduit and sidewalk improvements for all adjacent and interior roadways or a Variance to the Subdivision Regulations shall be obtained;
5. Prior to Final Plat approval by the City Council, the applicant shall submit a well maintenance agreement for review and approval, to be filed with the Final Plat;
6. Prior to Preliminary Plat approval by the City Council, the applicant shall submit for review and approval soil profile and percolation data collected within five feet of the proposed drainfield area for Lot A;
7. Prior to Preliminary Plat approval by the City Council, the applicant shall submit plans prepared by a registered professional engineer for a septic tank wastewater disposal system;
8. Upon Preliminary Plat submittal, the applicant shall submit information demonstrating how the existing septic tank disposal system may be brought into compliance with State separation requirements;
9. Upon Preliminary Plat submittal, the applicant shall identify the primary and reserve drainfield easements for proposed Lots A and B;
10. Upon Preliminary Plat submittal, the applicant shall submit documentation verifying the depth of the well;
11. Prior to Preliminary Plat approval by the City Council, the applicant shall submit information which demonstrates that the flow from the existing well is adequate for domestic use and shall provide flows required for fire protection;
12. Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate that access to the proposed lots meet the requirements of the Street Design Criteria Manual;
13. Upon Preliminary Plat submittal, the applicant shall demonstrate whether Sheridan Lake Road is currently dedicated right of way, and how any required additional right of way shall be dedicated. Any required additional right of way shall be dedicated prior to Preliminary Plat approval by the City Council;
14. Upon Preliminary Plat submittal, the applicant shall demonstrate how Peregrine Point Place right of way shall be dedicated. The right of way shall be dedicated prior to Preliminary Plat approval by the City Council;
15. Upon Preliminary Plat submittal, the applicant shall identify the lot lines of the well lot, section line highway and all easements on the property;

County Highway Recommendations:

16. Upon Preliminary Plat submittal, the applicant shall identify a non-access easement along Sheridan Lake Road and along a minimum of 85 feet adjacent to Peregrine Point Place south from the intersection with



Sheridan Lake Road;

Fire Department Recommendations:

17. Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate that access to the proposed lots will meet all Uniform Fire Code requirements;
18. Prior to Preliminary Plat approval by the City Council, the applicant shall submit for review and approval by the City Fire Department a wildland fire mitigation plan;

Transportation Planning Division Recommendations:

19. Upon Preliminary Plat submittal, the applicant shall demonstrate alignment of Peregrine Point Place and Norsemen Lane where they intersect with Sheridan Lake Road;

Urban Planning Division Recommendations:

20. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;
21. Prior to Final Plat approval by the City Council, improvements to the section line highway (Peregrine Point Place) and access easement shall be completed, or a Variance to the Subdivision Regulations shall be obtained to waive the requirements; and,
22. 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;

and recommended that the Variance to the Subdivision Regulations to waive pavement and sidewalk on the west side along Peregrine Point Place be denied; that the Special Exception to the Street Design Criteria Manual to allow access from a higher order street be denied; and, that the Variance to the Subdivision Regulations to waive curb, gutter, sidewalk, water, dry sewer and street light conduit along Sheridan Lake Road and curb, gutter, sidewalk on the east side, street light conduit, dry sewer and water along Peregrine Point Place be approved with the following stipulation:

Urban Planning Division Recommendations:

1. Prior to Final Plat approval by the City Council, the applicant shall submit a signed Waiver of Right to Protest an assessment district for the required subdivision improvements. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

Marino requested that Items 49 and 50 be considered concurrently.

***49. No. 03PD004 - Section 14, T1N, R7E**

A request by Pine Lawn Memorial Park, Inc. to consider an application for a **Planned Development Designation** on Lot B of "Lots A & B, Section 14, T1N, R7E", less Lot H1-E²SW⁴14-1-7 and less Lot H1-Lot B SW⁴14-1-7, all located in the SW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4301 Tower Road.



50. No. 03RZ002 - Section 14, T1N, R7E

A request by Pine Lawn Memorial Park, Inc. to consider an application for a **Rezoning from General Agriculture District to General Commercial District** on Lot B of "Lots A & B, Section 14, T1N, R7E", less Lot H1-E²SW⁴14-1-7 and less Lot H1-Lot B SW⁴14-1-7, all located in the SW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4301 Tower Road.

Marino reviewed the applications, slides and Staff's recommendation.

Marnie Gould, 1850 Skyline Ranch Road, expressed her concerns regarding potential ground water contamination, infrastructure, safety issues, increased noise and traffic and commercial uses of the property. She added that she strongly opposes the rezoning request and asked the Planning Commission to deny the Rezoning from General Agriculture to General Commercial District.

Dr. J. David Sabo, 2000 Skyline Ranch Road, concurred with Gould and stated that he also opposes the rezoning request.

Marv Truhe, 1780 Skyline Ranch Road, expressed concerns with the proper notification of adjacent property owners, contract issues and compatible land uses. He also expressed his opposition to the proposed rezoning and Planned Development Designation.

In response to a question by Wevik, Green advised that the City is required to notify the landowners according to Pennington County records. He advised that in this instance the County records indicate that Pine Lawn Memorial Park owns the land and that is who the notice was sent to.

Discussion followed concerning assessment of taxes and non-profit organizations.

Karl Castor, Manager for Pine Lawn Memorial Park, stated that in his opinion Pine Lawn Memorial Park is not a residential area. He added that the lot in question that Pine Lawn Memorial would like to sell sits between the two roads and it not usable as cemetery property and added that the Board of Directors for Pine Lawn Memorial Park wish to sell this piece of property. Castor stated that the land was recently appraised and it was determined that a funeral home would be the best use of this property. He added that he foresees that Pine Lawn Memorial Park would be utilized for another 50 to 100 years.

Dave Johnson, City Engineering, stated that there is City sewer in the U.S. Highway 16 right-of-way and the applicant would be required to connect to City sewer with any building construction. He added that typically a traffic analysis and substantial road improvements would be required in conjunction with the Planned Development Designation.

Hoffmann stated that he has struggled with this request but stated that in his opinion he is comfortable approving the rezoning request in conjunction with the Planned Development Designation. He added that the Planned Development Designation does provide protection concerning appropriate uses and plans to recommend



approval. He encouraged those property owners opposed to the requests to attend the March 3, 2003 City Council meeting to voice their opposition.

Wall stated that in his opinion this is a rezoning request and that it is not relevant to discuss specific uses at this time.

Discussion followed concerning legal descriptions filed and recorded at the Register of Deeds, the Director of Equalization's administrative acts for combining existing legal descriptions or parcels for tax purposes, attempts to reduce the tax impact on an individual property owners, ownership of the proposed facility and operation in accordance with 501(C)(3) standards for non-profit corporations.

Castor advised that the cemetery would keep their 501(C)(3) status for tax purposes. He added that the funeral home would be a separate entity and taxed accordingly.

Wall expressed his concerns with the size of the proposed parcel and the impact on the U.S. Highway 16 corridor.

In response to a question by Wall, Elkins advised that the Future Land Use Committee approved an amendment to the Future Land Use Plan a few months ago and the plan now identifies this area as appropriate for General Commercial land uses.

Discussion followed concerning the U.S. Highway 16 corridor and the service road to Pine Lawn Memorial Park.

Hoffmann moved, Mickelson seconded and unanimously carried to approve the Planned Development Designation with the condition that no sign permits or billboards shall be allowed unless approved as part of a Final Development Plan and to recommend that the Rezoning from General Agriculture District to General Commercial District be approved in conjunction with the corresponding Planned Development Designation. (8 to 0 with Fast Wolf, Hoffmann, Mashek, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

The Rapid City Planning Commission's action on the Planned Development Designation 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. 03UR001 - Marshall Heights Tract**

A request by Northcott Company for Perkins Restaurant and Bakery to consider an application for a **Conditional Use Permit to allow an On-Sale Liquor Establishment** on Lot 11R of Lot K-3 of Marshall Heights Tract, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1715 North LaCrosse Street.



Marino reviewed the request, slides of the property and Staff's recommendation.

Rich Huffman, attorney for Northcott Company, estimated that between the two Perkins restaurants in Rapid City, the Northcott Company has lost approximately a half million dollars in sales because of legislation that became effective July 1, 2002 that restricted restaurants without a beer license from having a smoking section. Huffman explained that Northcott Company is requesting a Conditional Use Permit to allow an On-Sale Liquor Establishment so that they can sell food to people who would like to smoke. He explained that Perkins Restaurant planned to sell beer from 4:00 p.m. to 10:00 p.m. Huffman also expressed his concerns with the stipulation requiring a fence along the backside of the restaurant. He further explained that the Northcott Company does not own the property and are tenants.

Elkins explained that the placement of screening fences is a requirement of the Zoning Ordinance and a variance would need to be submitted to the Zoning Board of Adjustment. She added that the stipulation could be revised to read that the screening fence shall be installed or the applicant shall obtain a variance.

In response to a question by Prairie Chicken, Elkins advised that the applicant is in compliance with the parking requirements.

Brian Iverson, attorney for the owners of Ramada Inn, explained that his clients own the property that Perkins is located on and that Northcott Company is the lessee. He requested that the Conditional Use Permit to allow an On-Sale Liquor Establishment be continued to the March 6, 2003 Planning Commission meeting to allow his client time to meet with Northcott Company and to determine the impact this request will have on their facility, which is attached to Perkins by a common doorway.

In response to a question by Wevik, Elkins stated that the Conditional Use Permit runs with the property. She added that typically, Staff tries to ensure that the landowner is also aware of the request. She explained that if Northcott Company no longer had a Perkins on the property, the On-Sale Liquor Establishment would be allowed to continue on the property unless the use ceased for a period of two years or the applicant requested that the Conditional Use Permit be withdrawn. Elkins recommended that the Planning Commission only grant the use to the specific property and not to a specific individual due to concerns with being arbitrary and capricious. Elkins stated that stipulation #6 addresses this concern.

Hoffmann moved and Wall seconded to continue the Conditional Use Permit to allow an On-Sale Liquor Establishment to the March 6, 2003 Planning Commission meeting.

Huffman opposed a continuance and requested that the Planning Commission approve the Conditional Use Permit. He added that in his opinion he did not feel a continuance would resolve any legal issues between Northcott Company and their landlord.

In response to a question by Wall, Huffman advised that the Northcott Company was applying for a new on-sale beer license with no video lottery.



Wall expressed concerns with Northcott Company trying to get around legislation prohibiting smoking and questioned how many more restaurants will try to obtain a beer license in order to have a smoking section.

Clark Cummings, Vice-President of Northcott Company, stated that in his opinion the State Legislature passed a law that was not fair and equitable to all restaurants. He added that 75% of the Rapid City restaurants currently have an alcohol or gaming license and that this legislation has adversely affected Northcott's sales, reduced hours and income for their employees. He stated that in his opinion in order for this legislation to be fair and equitable then every restaurant in the state should be non-smoking.

Prairie Chicken stated that he supports the applicant's request for a Conditional Use Permit to allow an On-Sale Liquor Establishment and opposes the motion to continue.

Hoffmann stated that he supports a continuance to allow the property owner and the lessee time to meet and discuss the impacts of the request.

In response to a question by Wall, Elkins clarified that Northcott Company is the tenant and Lester Corporation is the owner of the property and that there was proper legal notification.

The vote on the motion carried to continue the Conditional Use Permit to allow an On-Sale Liquor Establishment to the March 6, 2003 Planning Commission meeting. (7 to 1 with Fast Wolf, Hoffmann, Mashek, Mickelson, Stone, Wall and Wevik voting yes and Prairie Chicken voting no)

Mashek left at 9:00 a.m.

*52. No. 03UR002 - Section 11, T1N, R7E

A request by Northcott Company for Perkins Restaurant and Bakery to consider an application for a **Conditional Use Permit to allow an On-Sale Liquor Establishment** on Lots 10 thru 18 of Tract C in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2305 Mt Rushmore Road.

Marino presented the request, slides of the project site and Staff's recommendation.

Rich Huffman, attorney for Northcott Company, advised that Northcott Company does own this property and asked that the Planning Commission approve the Conditional Use Permit to allow an On-Sale Liquor Establishment per staff's recommendation.

Kamalynn Hurd, 2220 South Ridge Road, stated that her property is located adjacent to 25% of the applicant's property. She expressed concerns with the applicant's attempts to circumvent State law. She stated that she is opposed to the request for Conditional Use Permit to allow an On-Sale Liquor Establishment and



asked the Planning Commission to deny the request.

Clark Cummings, Vice-President of Operations for Northcott Company, stated that in his opinion he did not feel that having an on-sale liquor establishment will significantly change the nature of the restaurant. He added that the Northcott Company has other Perkins restaurants throughout the country that sell beer and wine and they have not experienced any problems. He explained that Northcott Company has been proactive in trying to address this issue with the State Legislature. He added that several bills that have come before the legislature and Northcott Company has made their views known.

Hoffmann stated that he concurs with Hurd's concerns regarding circumventing State law and questioned how many more restaurants will attempt to obtain a Conditional Use Permit to allow an On-Sale Liquor Establishment in order to offer a smoking section to their customers.

Charles Baldwin, 2219 South Ridge Road, expressed his concerns with the on-going problem with excessive noise coming from the Perkins parking lot.

Charlene Davis, Regional Manager for Perkins, explained that the Police Department recently determined that most of the noise was coming from traffic and car stereos on Mt. Rushmore Road.

Emmy Lou Madill, new owner of the Lazy U Motel, disagreed with Davis and stated that they call the police often to deal with people loitering and littering in the Perkins parking lot. She added that she opposes the request and does not want another liquor establishment located along Mt. Rushmore Road.

Hoffmann stated that he was concerned with setting a precedent for restaurants to circumvent a State law.

Hoffmann moved and Wall seconded to continue the Conditional Use Permit to allow an On-Sale Liquor Establishment to the March 6, 2003 Planning Commission meeting.

Stone stated that in his opinion he does not feel that a precedent is being set. He added that he does not have a problem with the applicant applying for a Conditional Use Permit to allow an On-Sale Liquor Establishment. He added that he will not support the motion to continue.

Hurd stated that she supports a continuance as this would allow her time to contact her neighbors to sign a petition against the request.

Wall stated that he seconded the motion to continue for discussion purposes and feels that the Planning Commission should make a decision today.

The vote on the motion to continue the Conditional Use Permit to allow an On-Sale Liquor Establishment to the March 6, 2003 Planning Commission meeting failed. (1 to 6 with Hoffmann voting yes and Fast Wolf, Mickelson, Prairie



Chicken, Stone, Wall and Wevik voting no)

Wall stated that he sympathizes with Northcott Company for the loss of sales but added that he does not support the applicant's attempts to get around State law.

Wall moved and Hoffmann seconded to deny the Conditional Use Permit to allow an On-Sale Liquor Establishment.

Wevik stated that in his opinion he does not see this application as a way to circumvent State law. He feels that the Planning Commission's duty is to examine the criteria for granting a liquor license and not the reasons behind the request. He stated that he understands the residential concerns and believes that there are existing problems with noise and screening and does not think that the liquor license will make things any worse than they are now. Wevik stated that he does not support smoking but after reviewing the criteria for approval of an on-sale liquor establishment, he plans to vote in favor of the application.

The vote on the motion to deny the Conditional Use Permit to allow an On-Sale Liquor Establishment failed. (1 to 6 with Wall voting yes and Fast Wolf, Hoffmann, Mickelson, Prairie Chicken, Stone, and Wevik voting no)

Mickelson moved and Prairie Chicken seconded to approve the Conditional Use Permit to allow an On-Sale Liquor Establishment with the following stipulations:

Engineering Division Recommendations:

1. A screening fence shall be installed in a manner that does not obstruct or divert drainage from the west;

Fire Department Recommendations:

2. The structure shall be maintained in compliance with all applicable Fire Codes at all times;
3. The fire sprinkler shall be in compliance with all applicable code requirements at all times;
4. All systems shall be maintained in compliance at all times;

Urban Planning Division Recommendations:

5. The applicant shall submit a revised site plan showing a screening fence abutting all residential zoning districts for review and approval prior to Planning Commission; and
6. The On-Sale Liquor Establishment shall be operated in conjunction with a full service restaurant.

In response to a question by Hurd, Elkins explained that the Planning Commission's action on this item is final unless an appeal is submitted in writing to the Planning Department within seven days of today's date.

Wevik clarified that this item does not go before City Council unless there is an appeal filed. He added that Staff would be able to assist Hurd with the appeal process.



The vote on the motion carried to approve the Conditional Use Permit to allow an On-Sale Liquor Establishment with the following stipulations:

Engineering Division Recommendations:

1. A screening fence shall be installed in a manner that does not obstruct or divert drainage from the west;

Fire Department Recommendations:

2. The structure shall be maintained in compliance with all applicable Fire Codes at all times;
3. The fire sprinkler shall be in compliance with all applicable code requirements at all times;
4. All systems shall be maintained in compliance at all times;

Urban Planning Division Recommendations:

5. The applicant shall submit a revised site plan showing a screening fence abutting all residential zoning districts for review and approval prior to Planning Commission; and
6. The On-Sale Liquor Establishment shall be operated in conjunction with a full service restaurant. (6 to 1 with Fast Wolf, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and Hoffmann 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.

Kurtenbach requested that Items 53 and 54 be considered concurrently.

53. **No. 03VE001 - Skyline Pines Subdivision**

A request by Wyss Associates, Inc. for Skyline Pines Development Co. to consider an application for a **Vacation of Access Restriction** on Lots 7 and 8, Block 2, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1501 and 1515 Pevans Parkway.

54. **No. 03VE002 - Skyline Pines Subdivision**

A request by Wyss Associates, Inc. for Skyline Pines Development Co. to consider an application for a **Vacation of Note on Plat** on Lots 7 and 8, Block 2, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1501 and 1515 Pevans Parkway.

Kurtenbach reviewed the requests, slides of the site and Staff's recommendation. Kurtenbach discussed efforts to preserve the natural beauty of this area and explained that the reduction in the structural setback will erode the protections that were agreed to as part of the original plat approval.

A brief discussion followed concerning the original plat approval.

Mickelson moved, Prairie Chicken seconded and unanimously carried to



recommend that the Vacation of Access Restriction and the Vacation of Note on Plat be denied. (7 to 0 with Fast Wolf, Hoffmann, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

Elkins requested that Items 55 and 56 be considered concurrently.

55. No. 02PL102 - Sunset Heights Subdivision

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

56. No. 02VR005 - Sunset Heights Subdivision

A request by Doug Sperlich for Jeff Stone to consider an application for a **Vacation of Right-of-Way** on Lots 1, 2 and 3 of Block 1 of Sunset Heights Subdivision, located in the SW1/4 of the SE1/4 of Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the SW1/4 of the SE1/4 of Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current terminus of Broadmoor Drive.

Elkins requested that Items 55 and 56 be continued to the March 6, 2003 Planning Commission to allow the applicant time to submit additional required information.

Stone stated that he does have all the necessary signatures.

Wall moved, Prairie Chicken seconded and carried unanimously to continue the Final Plat and the Vacation of Right-of-Way to the March 6, 2003 Planning Commission meeting to allow the applicant time to submit a signed, original vacation petition document for approval. (6 to 0 with Fast Wolf, Hoffmann, Mickelson, Prairie Chicken, Wall and Wevik voting yes, none voting no and Stone abstaining)

Elkins advised that a member of the audience is requesting that Item #29 of the Non-Hearing Consent Agenda be reconsidered.

Wall moved, Hoffmann seconded and unanimously carried to reconsider the Non-Hearing Consent Agenda. (7 to 0 with Fast Wolf, Hoffmann, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

Prairie Chicken moved, Hoffmann seconded and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 through 30 in accordance with the staff recommendations with the exception of Items 10 and 29. (7 to 0 with Fast Wolf, Hoffmann, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)



29. No. 03SR017 - Rapid City Greenway Tract

A request by Rick Himmelspach for Montana Dakota Utilities Company to consider an application for an **11-6-19 SDCL Review** on Tract 17 and a portion of vacated W. Chicago Street (also in Section 34, T2N, R7E), Rapid City Greenway Tract; and Tract 15 Revised and vacated 20 foot alley, Rapid City Greenway Tract, all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in Founders Park between Mt. View Road and 12th Street.

Marino presented the request, slides of the site and Staff's recommendation.

Tim Kretschmar, Montana Dakota Utilities, asked the Planning Commission to approve the request rather than continue it to the March 6, 2003 Planning Commission meeting. He advised that if the 11-6-19 SDCL Review is not approved today it could considerably delay the Omaha Street reconstruction project. Kretschmar explained that Montana Dakota Utilities plans to relocate an existing facility, as it is a traffic hazard. He stated that Montana Dakota Utilities also plans to move a ten inch intermediate pressure feed line out of Omaha Street and into Founder's Park away from City water and sanitary sewer corridors.

In response to a question by Wall, Kretschmar stated that even though this will be close to the proposed Jackson Boulevard extension area, Montana Dakota Utilities feels that it is a much better location than the existing Omaha Street location.

Discussion followed concerning possible stipulations of approval. Elkins advised that the Staff has not had adequate time to review the revised site plan and Staff's recommendation is to continue the 11-6-19 SDCL Review to the March 6, 2003 Planning Commission meeting. Elkins added that Staff supports the Omaha Street reconstruction project and does not want to see the project delayed. She suggested that the Planning Commission could approve the 11-6-19 SDCL Review contingent upon the applicant obtaining final approval of the construction details from the Engineering Division before construction is initiated.

Kretschmar stated that Montana Dakota Utilities is willing to work with the Engineering Division but added that there are certain Federal regulations that Montana Dakota Utilities must meet regarding the configuration.

In response to a question by Wall, Kretschmar stated that the main that is being re-located is the main feed for Rapid City and also feeds the Omaha Street project. He explained that Montana Dakota Utilities has to complete this phase of the project in order to decommission the pipe and activate the rerouted pipe.

Wevik commented that this is not normally the way the Planning Commission does business but in this instance he is comfortable approving the request contingent upon Staff's review.

Wall moved, Michelson seconded and unanimously carried to recommend that the 11-6-19 SDCL Review of a public utility be approved contingent upon the final construction details being resolved with City staff before construction is



initiated. (7 to 0 with Fast Wolf, Hoffmann, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

57. Discussion Items

A. Draft Master Plan and Telecommunication Ordinance

Elkins reviewed the comments received at the Open House held on February 10, 2003.

Mickelson moved, Stone seconded and unanimously carried to direct Staff to revise and rework the Draft Master Plan and Telecommunication Ordinance based on the comments received at the last Open House and bring those back to the Planning Commission for review. (7 to 0 with Fast Wolf, Hoffmann, Mickelson, Prairie Chicken, Stone, Wall and Wevik voting yes and none voting no)

58. Staff Items

NONE

59. Planning Commission Items

A. Planning Commission Liaisons

Mickelson requested a list of the Planning Commission member liaisons to the various Committees.

B. February 3, 2003 City Council meeting

Prairie Chicken advised that he and Hoffmann switched City Council duty on February 3, 2003. He reported that City Council concurred with all of the Planning Commission recommendations and only questioned one item. He advised that the City Council asked why the Layout Plat was continued and why Prairie Chicken voted no on 03PL003 - a request by Gary and Donna Kluthe for a Layout Plat .

Wall moved, Mickelson seconded and unanimously carried to adjourn the meeting at 9:50 a.m. (7 to 0 with Fast Wolf, Hoffmann, Prairie Chicken, Schmidt, Stone, Swedlund and Wall voting yes and none voting no)