

DRAFT

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
November 6, 2003

MEMBERS PRESENT: Sam Brannan, Jeff Hoffmann, Mel Prairie Chicken, Ethan Schmidt, Jeff Stone and Stuart Wevik. Also, present was City Council Representative, Sam Kooiker.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Lisa Seaman, Todd Tucker, Bill Knight, Dave Johnson, Dan Coon, Dave LaFrance, and Nadine Bauer

Chairperson Hoffmann called the meeting to order at 7:02 a.m.

Hoffmann 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.

Prairie Chicken moved, seconded by Schmidt and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 through 9 in accordance with the staff recommendations. (6 to 0 with Brannan, Hoffmann, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the October 23, 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 December 4, 2003 Planning Commission meeting to allow the applicant to submit additional information.
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 December 4, 2003 Planning Commission meeting to allow the applicant to submit additional information.

4. No. 03PL094 - Pioneer Subdivision

A request by Renner and Sperlich Engineering Company for 16 Plus LLP to consider an application for a **Preliminary and Final Plat** on Lot 2, Moon Ridge Subdivision, located in the NE1/4 of the SE1/4, Section 34, T1N,R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Tract 2 of Pioneer Subdivision located in the NE1/4 of the SE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the U.S. Highway 16 and Moon Meadows Road.

Planning Commission recommended that the Preliminary and Final Plat be continued to the November 20, 2003 Planning Commission meeting.

5. No. 03PL102 - Menard Subdivision

A request by Wasteline, Inc. for Century Resources, Inc. to consider an application for a **Layout Plat** on Lot 4 of Block 1, Menard Subdivision, located in the SE1/4 of NW1/4 and NE1/4 of SW1/4 Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the unplatted balance of the SE1/4 of NW1/4 and a portion of the unplatted balance of the NE1/4 of SW1/4, all in Section 32, located in the SE1/4 of NW1/4 and NE1/4 of SW1/4 Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1705 East Anamosa Street.

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

Engineering Division Recommendations:

1. Upon submittal of a Preliminary Plat, a field topographic survey shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall demonstrate that the proposed plat is in compliance with the Perrine Drainage Basin Design Plan. The drainage plan shall also show the location of the existing storm sewer on the subject property. In addition, the plat document shall be revised to show drainage easements as needed;
3. 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;
4. Upon submittal of a Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval. In particular, a 12 inch water main shall be provided in the Creek Drive right-of-way. Any oversize costs beyond the water improvements needed for the proposed subdivision shall be the City's responsibility;
5. Upon submittal of a 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 roadways;

6. Upon submittal of a Preliminary Plat, the plat document shall be revised to show the dedication of a 100 foot wide right-of-way for Creek Drive along the northwest lot line. In addition, road construction plans showing the construction of Creek Drive as three 12 foot wide paved sections with curb, gutter, sidewalk, street light conduit, water and sewer shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
7. Upon submittal of a Preliminary Plat, the plat document shall be revised to show a non-access easement along Creek Drive except for approved approach location(s). In addition, a non-access easement shall be shown along all of East Anamosa Street;
8. Prior to Preliminary Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval;

Fire Department Recommendations:

9. Upon submittal of a 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;

South Dakota Department of Transportation Recommendations:

10. Upon submittal of a Preliminary Plat, a permit to work in the right-of-way for work already completed shall be obtained;
11. Upon submittal of a Preliminary Plat, the V-ditch now in place shall be modified to a 15 foot flat bottom ditch;
12. Upon submittal of a Preliminary Plat, a structure shall be provided to drain the ditch created by the extension of the 30 inch cross pipe located along E. North Street;

Urban Planning Division Recommendations:

13. Upon submittal of a Preliminary Plat, the plat document shall be revised to show Anamosa Street as "E. Anamosa Street"; 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.

6. **No. 03PL104 - Big Sky Subdivision**

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lot 13 and Tract A, Block 4; Lots 6 thru 12, Block 16; Lots 1A thru 12A, Lots 1B thru 12B, and Tract B, Block 18; Tract C and Dedicated Streets; Big Sky Subdivision, located in the N1/2 NW1/4 SE1/4 and the SW1/4 NE1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the SW1/4 NE1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the unplatted portion of the NW1/4 SE1/4 less Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along Patricia Street, Aurora Drive and Carl Avenue.

Planning Commission recommended that the Preliminary and Final Plat be continued to the November 20, 2003 Planning Commission meeting to allow the

applicant to submit additional information.

7. No. 03SR028 - 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 use in a public place** on Tract 28, Rapid City Greenway Tract, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Omaha Street between Brennan Avenue and Elm Avenue.

Planning Commission recommended that the 11-6-19 SDCL Review of a public use in a public place be denied without prejudice.

8. No. 03SR044 - Rapid City Greenway Tract

A request by the City of Rapid City to consider an application for an **11-6-19 SDCL Review to allow construction of an additional golf cart barn and parking** 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 Meadowbrook Golf Course, 3625 Jackson Boulevard.

Planning Commission recommended that the 11-6-19 SDCL Review to allow construction of an additional golf cart barn and parking be continued to the November 20, 2003 Planning Commission meeting to allow the applicant to submit further information and a revised site plan.

9. No. 03SR045 - Section 17, T1N, R9E

A request by Alliance of Architects and Engineers for Leon Brodie to consider an application for an **11-6-19 SDCL Review to allow construction of a building at the Rapid City Regional Airport** on the SW1/4 of Section 17, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4056 Hansen Hangar Lane.

Planning Commission recommended that the 11-6-19 SCL Review to allow a new aircraft hanger at the Rapid City Regional Airport be approved with the following stipulations:

Engineering Division Recommendations:

1. **Prior to issuance of a building permit, construction plans for any water and/or sewer connections must be submitted to the Engineering Division for review and approval;**

Fire Department Recommendations:

2. **Prior to issuance of a Certificate of Occupancy, the facility(s) addresses shall be posted. Said numbers shall be a minimum of twelve (12) inches in height, plainly visible and legible from the street or road fronting the property and displayed on a contrasting background;**
3. **Prior to issuance of a Certificate of Occupancy a Knox Box shall be installed in an accessible location as determined by the Fire Department;**
4. **Prior to issuance of a Building Permit, construction plans shall be submitted that show the proposed aircraft hanger complies with the construction**

and/or separation requirements for classification as a Type II-Non Protected structure;

5. Prior to issuance of a Building Permit, construction plans shall be submitted that show the proposed aircraft hanger complies with all requirements of NFPA Standard #409 for construction Type II-Non Protected structures;

Building Inspection Department Recommendations:

6. A building permit shall be obtained prior to initiation of construction, and a Certificate of Occupancy shall be obtained prior to occupancy of the building;
7. Upon issuance of a building permit, the Uniform Building Code shall be met;
8. Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted;
9. Prior to issuance of a Building Permit, the building plans shall be revised to include a sand/oil interceptor in compliance with the Plumbing Code;

Rapid City Regional Airport Recommendations:

10. All provisions of the Ground Lease Agreement between the Rapid City Regional Airport and the applicant shall be continually met; and,

Urban Planning Division Recommendations:

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

END OF NON-HEARING CONSENT CALENDAR

---HEARING ITEMS CONSENT CALENDAR---

Hoffmann 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.

Stone moved, seconded by Prairie Chicken and unanimously carried to recommend approval of the Hearing Consent Agenda Items 10 through 21 in accordance with the staff recommendations. (6 to 0 with Brannan, Hoffmann, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)

---HEARING ITEMS CONSENT CALENDAR---

10. No. 03CA036 - Section 4, T1N, R7E
A request by Cindy Guthrie and Ken Kirkeby for Lutheran Social Services to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 0.98 acre parcel of land from Residential to Office Commercial with a Planned Commercial Development** on Lot A of Lot 3 of the SE1/4 NE1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1010 Soo San Drive.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 0.98 acre parcel of land from Residential to Office Commercial with a Planned Commercial Development be approved.

*11. No. 03PD053 - Section 4, T1N, R7E

A request by Cindy Guthrie and Ken Kirkeby for Lutheran Social Services to consider an application for a **Planned Development Designation** on Lot A of Lot 3 of the SE1/4 NE1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1010 Soo San Drive.

Planning Commission approved the Planned Development Designation contingent upon the approval of the associated rezoning from No Use District to Office Commercial District and the related Comprehensive Plan Amendment to change the land use from Residential to Office Commercial with a Planned Development Designation 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.

12. No. 03RZ045 - Section 4, T1N, R7E

A request by Cindy Guthrie and Ken Kirkeby for Lutheran Social Services to consider an application for a **Rezoning from No Use District to Office Commercial District** on Lot A of Lot 3 of the SE1/4 NE1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1010 Soo San Drive.

Planning Commission recommended that the Rezoning from No Use District to Office Commercial District be approved in conjunction with a Planned Development Designation and the related Comprehensive Plan Amendment.

*13. No. 03PD055 - Eastridge Estates Subdivision

A request by Dream Design International, Inc. to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on a parcel of land located in the NW1/4 of Section 24, T1N, R7E, BHM, being more particularly described as follows: Beginning at the northwest corner of said Section 24, Thence S00°02'34"W along west line of said Section 24, 1658.76 feet to a point lying on said section line; Thence S89°42'39"E 214.91 feet to the true Point of Beginning; Thence N17°11'05"E 559.84 feet to a point lying on a curve concave to the north and whose chord bears N68°09'33"W, 52.93 feet; thence westerly along the arc of said curve to the right whose radius is 326.00 feet and whose central angle is 09°18'44", an arc length of 52.98 feet to a point on said curve; Thence N26°29'49"E 225.68 feet; Thence S72°48'55"E 449.34 feet; Thence S89°42'39"E 968.73 feet; Thence S79°43'59"E 240.06 feet; Thence S44°24'35"E 245.46 feet; Thence S35°36'13"E 198.45 feet; Thence S54°22'35"W 372.00 feet; Thence N36°51'50"W 198.63 feet; Thence S41°13'41"W 143.86 feet; Thence S35°25'38"W 99.79 feet; Thence N89°42'39"W 1564.30 feet; to the true Point of Beginning, containing 27.182 acres more or less, more generally described as being located

along Enchantment Road.

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

Engineering Division Recommendations:

1. Prior to issuance of a building permit, the associated Preliminary and Final Plat shall be approved. In addition, the plat document shall be revised to show the proposed street name as "Stumer Drive";

Fire Department Recommendations:

2. All Uniform Fire Codes shall be continually met;
3. Prior to the start of any building construction, all weather access roads shall be constructed;
4. Prior to the start of any building construction, fire hydrants shall be in place and operational;

Building Inspection Division Recommendation:

5. A building permit shall be obtained prior to any construction;

Urban Planning Division Recommendations:

6. The Planned Residential Development shall allow for a single family residential use and accessory structure(s) to the principle residential use on each lot. In addition, the residential development shall conform architecturally to the plans and elevations submitted as part of this Initial and Final Planned Residential Development;
7. A minimum 15 foot front yard setback for all principal structures and a minimum 18 foot setback for all garages(s) shall be provided; and,
8. All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this 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.

14. **No. 03PL103 - Section 26, T2N, R7E**

A request by James E. Martin to consider an application for a **Layout Plat** on Lots 1 and 2, Macdonald Subdivision, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the south 395.8 feet of the north 737.7 feet of the unplatted portion of the NW1/4 SE1/4 Section 26, T2N, R7E, BHM, Rapid City, Pennington County South Dakota; and, the east 720 feet of the south 197.9 feet of the north 935.6 feet of the unplatted portion of the NW1/4 SE1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1840 Tranquil Trail.

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

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat, detailed topographic information

- shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat, a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
 3. 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 or a Variance to the Subdivision Regulations shall be submitted for review and approval. In addition, the plat document shall be revised to show the location of the on-site well. If the well is to be used as a community water source for the two proposed lots, then a well agreement shall be submitted for review and approval and the applicant shall demonstrate that the well provides adequate domestic water flows;
 4. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show a drainfield easement for the existing and proposed drainfield and a reserve drainfield easement for the future location of a replacement drainfield on each lot;
 5. Upon submittal of the Preliminary Plat, road construction plans for Tranquil Trail shall be submitted for review and approval. In particular, Tranquil Trail, an existing 66 foot wide public access easement, shall be constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show Tranquil Trail as a minimum 52 foot wide right-of-way, or a Special Exception shall be obtained to allow an easement to serve more than four lots;
 6. Upon submittal of the Preliminary Plat, road construction plans for Blue Jay Drive shall be submitted for review and approval. In particular, Blue Jay Drive, an existing 66 foot wide private access easement, shall be constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show Blue Jay Drive as a 66 foot wide private access and public utility easement;
 7. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;

Fire Department Recommendations:

8. 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;
9. All Uniform Fire Codes shall be continually met;

Urban Planning Division Recommendations:

10. Prior to Final Plat approval by the City Council, the property shall be rezoned from General Agriculture to Park Forest District;
11. Upon submittal of the Preliminary Plat, the plat document shall be

revised increasing the size of proposed Lot 2 from 43,500 square feet to a minimum of three acres in order to meet the minimum lot size requirement of the Park Forest District;

12. Upon submittal of the Preliminary Plat, a structural site plan showing all existing development including the location of the well and wastewater system shall be submitted for review and approval; and,
 13. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.
15. No. 03SV042 - Section 26, T2N, R7E
A request by James E. Martin 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 and waive the requirement to dedicate right-of-way as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 and 2, Macdonald Subdivision, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the south 395.8 feet of the north 737.7 feet of the unplatted portion of the NW1/4 SE1/4 Section 26, T2N, R7E, BHM, Rapid City, Pennington County South Dakota; and, the east 720 feet of the south 197.9 feet of the north 935.6 feet of the unplatted portion of the NW1/4S E1/4 of Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1840 Tranquil Trail.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to waive the requirement to dedicate right-of-way be approved with the following stipulations:

Engineering Division Recommendations:

1. Upon Preliminary Plat submittal, the plat document shall be revised to show Tranquil Trail as a minimum 52 foot wide right-of-way;
 2. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements along Tranquil Trail as it abuts the subject property; and,
 3. Upon Preliminary Plat submittal, the plat document shall be revised to show Blue Jay Drive as a 66 foot wide private access and public utility easement.
16. No. 03SV041 - Robbinsdale Addition No. 10
A request by Renner & Sperlich Engineering Company for Walgar Development Company to consider an application for a **Variance to the Subdivision Regulations to waive the requirements to dedicate an additional 10 feet of right of way along Minnesota Street as per Chapter 16.16 of the Rapid City Municipal Code** on a portion of the NW1/4 of the SE1/4 located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at northeasterly corner of Lot 19 of Block 6 of Robbinsdale Addition No. 10, common to a point on the southerly boundary of Lot 18 of Block 6 of Robbinsdale Addition No. 10, and the point of beginning; Thence first course: N69°41'00"E, along the southerly boundary of said Lot 18, a distance of 200.00 feet,

to the southeasterly corner of said Lot 18; Thence second course: S19°41'41"E, a distance of 35.68 feet to a point of curve; Thence third course: curving to the left on a curve with a radius of 296.12 feet, a delta angle of 18°18'43", a length of 94.64 feet, a chord bearing of S28°50'29"E, and a chord distance of 94.24 feet, to a point on the northerly edge of right-of-way of Minnesota Street; Thence fourth course: curving to the left, along the northerly edge of right-of-way of said Minnesota Street, on a curve with a radius of 1343.10 feet, a delta angle of 00°14'20", a length of 5.60 feet, a chord bearing of S50°40'10"W, and a chord distance of 5.60 feet, to a point of curve; Thence fifth course: S50°33'00"W, along the northerly edge of right-of-way of said Minnesota Street, a distance of 97.98 feet, to a point of curve; Thence sixth course: curving to the right, along the northerly edge of right-of-way of said Minnesota Street, on a curve with a radius of 524.52 feet, a delta angle of 12°58'56", a distance of 118.85 feet, a chord bearing of S57°02'28"W, and a chord distance of 118.59 feet, to the southeast corner of said Lot 19; Thence seventh course: N20°19'00"W, along the easterly boundary of said Lot 19, a distance of 188.77 feet, to the northwesterly corner of said Lot 19, and the point of beginning; said parcel contains 0.769 acres more or less, more generally described as being located northwest of the intersection of Wisconsin Avenue and Minnesota Street.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to dedicate an additional 10 feet of right-of-way along Minnesota Street be approved with the following stipulation:

Engineering Division Recommendation:

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

17. **No. 03TI009 - Section 3, T1N, R8E and Section 34, T2N, R8E**

A request by Dream Design International to consider an application for a **Resolution Creating Tax Increment District No. 42** on the NE1/4 NE1/4 less ROW, GL2, SW1/4NE1/4, N1/2GL3, GL 4 less ROW, E1/2SW1/4NW1/4, S1/2GL3 less Big Sky Subdivision, SE1/4NW1/4 less Big Sky Subdivision, W1/2SW1/4NW1/4 including private Drive and less ROW, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 2 and Lot 8 including ROW, Block 13, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 2, 3, 4, and 5 including ROW, Block 14, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4NW1/4, SW1/4NW1/4 less ROW, N1/2SW1/4 less ROW, S1/2SW1/4 less Lot 1 of Neff Subdivision #3 less ROW, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1, Neff Subdivision #3, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in SW1/4NW1/4, Lot H2 in SW1/4NW1/4, Lot H1 in W1/2SW1/4, Lot H2 in N1/2W1/2SW1/4, and Lot H3 in S1/2SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in N1/2 of Government Lot 4, Lot H3 in S1/2 of Government Lot 4, Lot H2 in W1/2SW1/4NW1/4, Lot H1 in NW1/4NW1/4, and Lot H1 in SW1/4NW1/4, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in E1/2NE1/4, Lot H2 in E1/2NE1/4, Lot H2 in E1/2SE1/4, and Lot H1 in

SE1/4, all located in Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in NE1/4, and Lot H2 in Government Lot 1 and the SE1/4NE1/4, all located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4NE1/4, Section 33, and SW1/4NW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4, Section 33 and SW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road between NE1/4 of Section 4 and NW1/4 of Section 3, all in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Homestead Drive and Degeest Street rights-of-way, located in the NW1/4 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 Twilight Drive.

Planning Commission recommended that the Resolution Creating Tax Increment District No. 42 be continued to the November 20, 2003 Planning Commission meeting.

18. No. 03TI010 - Section 3, T1N, R8E and Section 34, T2N, R8E
A request by Dream Design International to consider an application for a **Tax Increment District No. 42 - Project Plan** on the NE1/4 NE1/4 less ROW, GL2, SW1/4NE1/4, N1/2GL3, GL 4 less ROW, E1/2SW1/4NW1/4, S1/2GL3 less Big Sky Subdivision, SE1/4NW1/4 less Big Sky Subdivision, W1/2SW1/4NW1/4 including private Drive and less ROW, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 2 and Lot 8 including ROW, Block 13, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 2, 3, 4, and 5 including ROW, Block 14, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4NW1/4, SW1/4NW1/4 less ROW, N1/2SW1/4 less ROW, S1/2SW1/4 less Lot 1 of Neff Subdivision #3 less ROW, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1, Neff Subdivision #3, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in SW1/4NW1/4, Lot H2 in SW1/4NW1/4, Lot H1 in W1/2SW1/4, Lot H2 in N1/2W1/2SW1/4, and Lot H3 in S1/2SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in N1/2 of Government Lot 4, Lot H3 in S1/2 of Government Lot 4, Lot H2 in W1/2SW1/4NW1/4, Lot H1 in NW1/4NW1/4, and Lot H1 in SW1/4NW1/4, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in E1/2NE1/4, Lot H2 in E1/2NE1/4, Lot H2 in E1/2SE1/4, and Lot H1 in SE1/4, all located in Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in NE1/4, and Lot H2 in Government Lot 1 and the SE1/4NE1/4, all located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4NE1/4, Section 33, and SW1/4NW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4, Section 33 and SW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road between NE1/4 of Section 4 and NW1/4 of Section 3, all in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota;

and, Homestead Drive and Degeest Street rights-of-way, located in the NW1/4 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 Twilight Drive.

Planning Commission recommended that the Project Plan for Tax Increment District No. 42 be continued to the November 20,2003 Planning Commission meeting.

*19. No. 03UR013 - Century 21 Subdivision

A request by Lamar Advertising to consider an application for a **Conditional Use Permit to allow billboards** on Tract 1 of Century 21 Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1400, 1450 and 1600 East North Street.

Planning Commission continued the Conditional Use Permit to allow billboards to the November 20, 2003 Planning Commission meeting to allow the applicant to provide further information and a revised site plan.

*20. No. 03UR015 - Signal Heights Subdivision

A request by Chino Caekaert to consider an application for a **Conditional Use Permit to allow mini self-storage units** on Lot 11 and Tract A-1, Block 8 of Signal Heights Addition, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 123 Signal Drive.

Planning Commission continued the Conditional Use Permit to allow mini self-storage units to the November 20, 2003 Planning Commission meeting to allow the applicant to submit further information and a revised site plan.

21. No. 03VR011 - Five Star Subdivision

A request by John K. Nooney to consider an application for a **Vacation of Right-of-Way** on Lots 1 and 2 of Five Star Subdivision located in 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 Vacation of Right-of-Way be approved.

---END OF HEARING CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

*22. No. 03PD054 - Schamber Section 9 NE1/4 NW1/4

A request by Chris Connelly to consider an application for a **Major Amendment to a Planned Residential Development to allow a seven foot side yard setback** on Lots 35 thru 38 of Lot 3 in the NE1/4 NW1/4, Block 2, Schamber Section 9 NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1920 and 1930 Monte Vista Drive.

Bulman presented the request and reviewed the slides of the subject property and

staff's recommendation. She also pointed out that copies of letters from area residents and site photos have been placed on the dais for the Planning Commission's review.

In response to a question by Brannan, Bulman advised that Initial and Final Development Plan - Planned Residential Development was approved for this location on April 24, 2003. She explained that the original site plan did not show balconies.

In response to a question by Schmidt, Chris Connelly, applicant, explained that he is proposing to add a balcony coming off of the master bedrooms on the second floor of each building for a total of eight balconies.

Schmidt advised that he is opposed to allowing the proposed balconies to encroach into the setback.

In response to a question by Prairie Chicken, Elkins advised that there are numerous buildings in Rapid City that have balconies encroaching into the setback. Elkins explained that the basic zoning regulations allow for balconies to encroach into the required setback. She added that in this case when the Initial and Final Development Plan was submitted it did not show balconies on the site plan. She added that one of the stipulations of approval was that the setbacks be a minimum distance. She stated that the applicant now wants to add the balconies and as such has to go through an Amendment to the Planned Residential Development process. She further explained that if this property was not in a Planned Residential Development with only one structure on the property, the applicant could have proceeded with constructing the balconies without going through any further application or notification process.

In response to a question by Schmidt, Connelly stated that eliminating a balcony on the east side would be an option but explained that it would be extremely costly to now go back and re-side the building.

Jean Cowherd, 3915 Canyon Lake Drive, expressed concerns with the density of development, maintenance of the complexes, the location of the balconies and privacy. She asked that the Planning Commission deny the applicant's request.

Elizabeth Schuh, 1935 Elmhurst Drive, stated that her backyard abuts the apartment complex and expressed her concerns with privacy and trash.

In response to a question by Schmidt, Connelly advised that the decks would be five (5) feet in depth and ten (10 feet) in width and added that there would be seven feet between the edge of the decks and the property line.

Connelly stated that he is the owner and general contractor for these units and that he understands the neighbors concerns regarding privacy. He stated that in his opinion he has been mindful of the residents concerns and desires for the neighborhood. He explained that he has attempted to uphold the architectural integrity of the neighborhood by constructing high end multi-family dwelling units that look like large houses rather than apartment buildings.

Discussion followed concerning the Major Amendment to a Planned Residential Development process, replacing the aluminum railing with a solid railing, elevations, densities, architectural style, aesthetic quality, size of the buildings and setbacks.

Chad Meyers, co-applicant, stated that in his opinion these are beautiful apartments with many amenities. He asked that the Planning Commission approve the Major Amendment to a Planned Residential Development and allow the applicant to use the property in the best possible manner.

Wevik stated that the Rapid City Municipal Code does allow a balcony to encroach into a setback by no more than six (6) feet. He stated that in his opinion the four balconies on the east side would have an impact on the neighborhood. He expressed concerns on the increase in noise on the east side of the property.

Wevik moved and Schmidt seconded to deny the Major Amendment to a Planned Residential Development to allow four balconies to encroach a maximum of five feet into the twelve foot minimum required setback.

In response to a question by Brannan, Connelly stated that he would be willing to compromise regarding the construction of the railing on the balconies and the height.

In response to a question by Elkins, Wevik clarified that his motion to deny was for the four balconies on the east side of the apartment complex. The second concurred.

The vote on the motion failed to deny the Major Amendment to a Planned Residential Development to allow four balconies on the east side of the apartment complex to encroach a maximum of five feet into the twelve foot minimum required setback and to approve four balconies on the west side of the apartment complex. (2 to 4 with Schmidt and Wevik voting yes and Brannan, Hoffmann, Prairie Chicken and Stone voting no)

Stone moved, Brannan seconded and carried to approve the Major Amendment to a Planned Residential Development to allow four balconies to encroach a maximum of five feet into the twelve foot minimum required setback with the following stipulations:

Engineering Division Recommendations:

1. The applicant shall submit drainage plans drafted by a licensed engineer prior to issuance of a building permit;
2. The applicant shall submit utility plans drafted by a licensed engineer prior to issuance of a building permit;

Building Inspection Division Recommendations:

3. That the building permit be revised to show the construction of the eight balconies;

Urban Planning Division Recommendations:

4. The landscaping shall be constructed as identified on the site plan as submitted and shall be maintained in a live vegetative state;

5. **The architectural style of the building will be constructed as shown on the elevations submitted;**
6. **The lighting will be constructed in a way as to minimize the impacts on surrounding land uses and direct lighting away from adjacent properties;**
7. **All parking shall be constructed as shown on the site plan as submitted; and,**
8. **That the stipulations of the Initial and Final Development Plan – Planned Residential Development (03PD014) be continually met.**

Planning Commission recommendation:

9. **That the railing for the balconies on the east side be constructed with similar materials to the building siding, that the railings be solid rather than aluminum, and, that the railings comply with the building code and be no less than three feet in height. (4 to 2 with Brannan, Hoffmann, Prairie Chicken and Stone voting yes and Schmidt and Wevik 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.

23. **No. 03PL100 - Hart Ranch Development**

A request by Wyss Associates, Inc. for Hart Ranch Development Co. to consider an application for a **Layout Plat** on a portion of Hart Ranch Golf Course Parcel less Village on the Green Subdivision and less Village on the Green #2 Subdivision (also in Section 12 and 13), Hart Ranch Development, Section 11, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located in Hart Ranch Development between Mulligan Mile and Arena Drive.

Fisher presented the request and reviewed the slides of the subject property and staff's recommendation. Fisher further reviewed the revised road design. She also requested that stipulation #9 be revised to indicate a 22 foot wide paved surface rather than a 24 foot wide paved surface.

Discussion followed concerning accessibility, a planter island, the two proposed cul-de-sacs, sidewalks, traffic routing concerns, turnarounds, densities, submittal of a Variance to the Subdivision regulations, pedestrian walking path and the Street Design Criteria Manual.

In response to a question by Erik Heikes, Wyss Associates, Fisher clarified that the connector between the two cul-de-sacs would have to be constructed to City Street Design Standards. She explained that the applicant would need to seek a Variance to the Subdivision Regulations to waive the requirement to install curb and gutter when the applicant submits an application for a Preliminary Plat.

In response to a question by Schmidt, Knight advised that Fire Department Staff has reviewed and approved the revised street design. He added that cul-de-sacs are large enough for emergency vehicles to pass through but indicated that a ladder truck would not be able to negotiate around the cul-de-sacs. He explained that the Rapid City Fire Department's involvement in this area would be in a support role assisting Pennington County and in his opinion the chances of a ladder truck

responding to this area are minimal.

Schmidt moved and seconded by Brannan to recommend that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Upon submittal of a Preliminary Plat, a complete grading plan shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat, a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;
3. Upon submittal of the Preliminary Plat, a stormwater management plan shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, the plat document shall be revised to clearly delineate the floodplain;
5. 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. In addition, information shall be submitted demonstrating that the existing lagoon can accommodate increased loading. A copy of the most recent Operation and Management inspection by the South Dakota Department of Environment and Natural Resources for the facility shall be submitted to determine the condition of the facility. In addition, utility easements shall also be provided as needed;
6. Upon submittal of a Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval. In addition, utility easements shall be provided as needed;
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 addition, soil testing and design calculations for pavement design shall be submitted for review and approval;
8. Upon submittal of the Preliminary Plat, the plat document shall be revised to show the connection of Mulligan Mile to Arena Drive. In addition, construction plans for Mulligan Mile as a sub-collector street with a minimum right-of-way width of 49 feet and a minimum 22 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
9. Upon submittal of the Preliminary Plat, the plat document shall be revised to show the proposed private drives as public rights-of-way or a Special Exception to the Street Design Criteria Manual shall be obtained to allow a private easement to serve more than four residential units. In addition, construction plans for proposed private drives as a lane place street with a minimum 49 foot right-of-way and a minimum 22 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and

sewer shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. The construction plans shall also show a turnaround at the end of all of the proposed lane place streets;

10. Upon submittal of the Preliminary Plat, the plat document shall be revised to provide on-street visitor parking or off-street visitor parking at a ratio of one space per residential unit located within 300 feet of the residence shall be provided;
11. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;

Fire Department Recommendation:

12. 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;
13. All Uniform Fire Codes shall be continually met;

Pennington County Highway Department Recommendation:

14. Prior to Preliminary Plat approval by the City Council, an approach permit to allow the connection of Mulligan Mile to Arena Drive shall be obtained;

Emergency Service Communication Center Recommendation:

15. Prior to Final Plat approval by the City Council, road names for the lane place streets shall be submitted for review and approval. In addition, the plat document shall be revised to show the approved road names;

Urban Planning Division Recommendations:

16. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
17. 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.

Natalie Frost, area resident, expressed her concerns with the increase in densities and traffic along Mulligan Mile, public safety and welfare, waiving the requirement to construct curb, gutter and sidewalks, the development of townhomes, rentals and timeshares, property valuation and access onto Highway 79 and Highway 16.

Hoffmann encouraged Frost to contact Hart Ranch Development Company in reference to their plans for rentals and timeshares.

Elkins explained that the zoning aspect for this particular area is controlled by Pennington County. She added that there is a Planned Residential Development that was also approved a number of years ago for this property, which has been revised and updated over time. She further explained that Frost would need to discuss issues regarding zoning and land uses with Pennington County as the City is only involved in the approval of the subdivision and infrastructure.

Brannan stated that she initially had similar concerns as Frost but after visiting the site and reviewing the history of the Planned Residential Development, she plans to support the motion to recommend approval of the Layout Plat.

Pat Wyss, Wyss Associates, stated that the developer has entered into this project

with a spirit of compromise. He added that the developer plans to continue to work with the neighbors and staff to make this a good project for the city.

Hoffmann concurred with Wyss.

The vote on the motion unanimously carried to recommend that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. Upon submittal of a Preliminary Plat, a complete grading plan shall be submitted for review and approval;
2. Upon submittal of a Preliminary Plat, a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;
3. Upon submittal of the Preliminary Plat, a stormwater management plan shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, the plat document shall be revised to clearly delineate the floodplain;
5. 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. In addition, information shall be submitted demonstrating that the existing lagoon can accommodate increased loading. A copy of the most recent Operation and Management inspection by the South Dakota Department of Environment and Natural Resources for the facility shall be submitted to determine the condition of the facility. In addition, utility easements shall also be provided as needed;
6. Upon submittal of a Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval. In addition, utility easements shall be provided as needed;
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 addition, soil testing and design calculations for pavement design shall be submitted for review and approval;
8. Upon submittal of the Preliminary Plat, the plat document shall be revised to show the connection of Mulligan Mile to Arena Drive. In addition, construction plans for Mulligan Mile as a sub-collector street with a minimum right-of-way width of 49 feet and a minimum 22 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
9. Upon submittal of the Preliminary Plat, the plat document shall be revised to show the proposed private drives as public rights-of-way or a Special Exception to the Street Design Criteria Manual shall be obtained to allow a private easement to serve more than four residential units. In

addition, construction plans for proposed private drives as a lane place street with a minimum 49 foot right-of-way and a minimum 22 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. The construction plans shall also show a turnaround at the end of all of the proposed lane place streets;

10. Upon submittal of the Preliminary Plat, the plat document shall be revised to provide on-street visitor parking or off-street visitor parking at a ratio of one space per residential unit located within 300 feet of the residence shall be provided;
11. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;

Fire Department Recommendation:

12. 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;
13. All Uniform Fire Codes shall be continually met;

Pennington County Highway Department Recommendation:

14. Prior to Preliminary Plat approval by the City Council, an approach permit to allow the connection of Mulligan Mile to Arena Drive shall be obtained;

Emergency Service Communication Center Recommendation:

15. Prior to Final Plat approval by the City Council, road names for the lane place streets shall be submitted for review and approval. In addition, the plat document shall be revised to show the approved road names;

Urban Planning Division Recommendations:

16. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
17. 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. (6 to 0 with Brannan, Hoffmann, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)

24. **No. 03SR033 - Section 12, T1N, R7E**

A request by Faulk and Foster for Western Wireless to consider an application for an **11-6-19 SDCL Review of a public utility** on Tract A of Lot 2 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 636 Cathedral Drive.

Bulman explained that staff identified an error in the legal description and as such brought this item back to the Planning Commission for consideration. She stated that the original notice that was sent to property owners had the correct address and map but had the wrong lot number in the legal description. She added that staff resent the letters to all of the property owners with an explanation on why they were receiving the Notice of Hearing again. Bulman stated that she did receive a few calls inquiring as to why they received a second letter but none were in opposition to the request. Bulman reviewed staff's recommendation.

Hoffmann expressed his concerns with the construction of cell towers and microwave antennas in residential areas.

A brief discussion followed concerning electronic devices that have the approval of the Federal Communications Commission and the denial of placement of electronic devices based on any perceived adverse health affects.

Stone moved, seconded by Wevik and carried to recommend that the 11-6-19 SDCL Review of a public utility be approved with the following stipulations:

Fire Department Recommendations:

1. The equipment room shall have a 2ABC rated fire extinguisher provided;
2. The equipment room shall be clearly identified;
3. A key for the equipment room shall be required and placed in the knox box for Fire Department access;

Urban Planning Division Recommendations:

4. The color of the antenna panels shall match the existing color of the building at all times so as to be inconspicuous as possible;
5. No more than four antennas shall be placed on the subject property;
6. The antennas shall be no more than eight feet in length and one foot in width; and,
7. All codes and requirements of the Rapid City Municipal Code shall be met at all times. (5 to 1 with Brannan, Prairie Chicken, Stone, Schmidt and Wevik voting yes and Hoffmann voting no)

25. Discussion Items

- A. Authorize Staff to Submit Drainage Basin Plans as a Comprehensive Plan Amendment when completed

Elkins explained that the City Attorney has determined that the Drainage Basin Plans need to be formally adopted as part of the Comprehensive Plan. She further reviewed the notice requirements for Drainage Basin Plans and Amendments to the Comprehensive Plan.

Wevik moved, seconded by Brannan and unanimously carried to authorize staff to submit Drainage Basin Plans as a Comprehensive Plan Amendment when completed. (6 to 0 with Brannan, Hoffmann, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)

26. Staff Items

- A. Planning Commission Training Sessions

Elkins advised that Mayor Shaw has been working on appointing new Planning Commission members. She further stated that she anticipates appointments to be made at the next City Council meeting. She further explained that staff would try to schedule some Planning Commission training sessions in early December.

27. Planning Commission Items

None

28. Committee Reports
None

There being no further business Stone moved, seconded by Schmidt and unanimously carried to adjourn the meeting at 8:20. (6 to 0 with Brannan, Hoffmann, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)