

DRAFT

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
February 5, 2004

MEMBERS PRESENT: Sam Brannan, Gary Brown, Kathryn Henning, Jeff Hoffmann, Mel Prairie Chicken, Ethan Schmidt and Jeff Stone

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Todd Tucker, Bill Knight, Dave Johnson, Kurt Huus, Sig Zveinieks, Jason Green, Joel Landeen and Nadine Bauer

Chairperson Hoffmann called the meeting to order at 7:00 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.

Schmidt requested that Item 3 be removed from the Non-Hearing Consent Agenda for separate consideration.

Brown moved, seconded by Stone and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 through 4 in accordance with the staff recommendations with the exception of Item 3. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone voting yes and none voting no)

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the January 22, 2004 Planning Commission Meeting Minutes.
2. No. 03PL117 - Red Rock Estates
A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lots 1 and 2, Block 12; Lots 1 thru 7, Block 15; Lots 1 thru 10, Block 17; Lots 1 thru 17, Block 18; Outlots G-1, G-2, G-3 and X and dedicated streets, Red Rock Estates, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted balance of the NW1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along the extension of Prestwick Road and Bethpage Drive.

Planning Commission recommended that the Preliminary and Final Plat be continued to the February 19, 2004 Planning Commission meeting to allow the applicant to submit additional information.
4. No. 04SR001 - Sections 13 and 24, T1N, R7E
A request by the City of Rapid City to consider an application for an **11-6-22 SDCL Review for the extension and acquisition of right-of-way and an 11-6-19 SDCL Review for the construction of utilities and street improvements** in the SE1/4 of Section 13, T1N, R7E and in the NE1/4 of Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along

Fifth Street.

Planning Commission recommended that the 11-6-22 SDCL Review for the extension and acquisition of right-of-way be approved and that the 11-6-19 SDCL Review for the construction of utilities and street improvements be approved.

END OF NON-HEARING CONSENT CALENDAR

3. No. 04PL001 - Kennsington Heights Subdivision

A request by Sperlich Consulting, Inc. for Jim Scull to consider an application for a **Layout and Preliminary Plat** on Lots 1 thru 14 of Block 1, Lots 1 thru 6 of Block 2, and Lot 1 of Block 3, Kennsington Heights Subdivision, located in the SW1/4 of the SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Lot B of Government Lot 4 located in the SW1/4 of the SW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the future intersection to Elm Avenue and Field View Drive.

Schmidt stated that he opposes granting a Special Exception to allow 159 dwelling units in lieu of 40 dwelling units with only one point of access.

Fisher reviewed the stipulations of approval. She explained that the consultant has indicated that Field View Drive will be extended along the east side of the proposed site as the various phases of development are brought forward and will serve as a second access. She clarified that the applicant is not asking for a Special Exception at this time.

Stone moved, seconded by Brannan and carried to recommend that the Preliminary Plat be withdrawn at the applicant's request and that the Layout Plat be approved with the following stipulations:

- 1. Upon submittal of a Preliminary Plat application, Elm Avenue right-of-way shall be dedicated either as a part of the Preliminary Plat for the subject property or on a separate Preliminary and Final Plat proposal or as an H Lot. The right-of-way shall extend from its current southern terminus along the subject property to the south lot line of the adjacent property located directly east of the subject property. In addition, road construction plans for Elm Avenue shall be submitted for review and approval. In particular, Elm Avenue shall be located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 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 construction plans shall show an eight foot wide bike path located along the east side of Elm Avenue as per the South Robbinsdale Neighborhood Area Future Land Use Plan;**
- 2. Upon submittal of a Preliminary Plat application, a Master Utility Plan shall be submitted for review and approval. In particular, the Master Utility Plan shall show a water connection to the southwest corner of the**

- subject property;
3. Upon submittal of a Preliminary Plat application, additional drainage information shall be submitted for review and approval. In particular, the drainage information shall demonstrate that adequate capacity exists in the channel located north of the subject property to carry the storm run-off from the developed subdivision;
 4. Upon submittal of a Preliminary Plat application, necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawing shall be returned to the Engineering Division;
 5. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Elm Avenue;
 6. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along Elm Avenue, Field View Drive and along the corner lots as per the Street Design Criteria Manual. In addition, access shall be taken from the lesser order street or a Special Exception to the Street Design Criteria Manual shall be obtained;
 7. Prior to Preliminary Plat approval by the City Council, a Special Exception shall be obtained to allow 159 dwelling units in lieu of 40 dwelling units with one point of access or the plat document shall be revised to comply accordingly;
 8. Prior to Preliminary Plat approval by the City Council, a Special Exception to reduce the separation between intersections from 125 feet to 90 feet as per the Street Design Criteria Manual shall be obtained or the plat document shall be revised to comply accordingly;
 9. Upon submittal of a Preliminary Plat application, a subdivision estimate form shall be submitted for review and approval;
 10. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
 11. Prior to Preliminary Plat approval by the City Council, a different street name for Craig Court shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name. (6 to 1 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken and Stone voting yes and Schmidt voting no)

---HEARING ITEMS CONSENT CALENDAR---

Hoffmann announced that the Public Hearings on Items 5 through 20 were hereby opened.

Staff requested that Items 10, 13, 14, 15 and 20 be removed from the Hearing Consent Agenda for separate consideration. A member of the audience requested that Item 16 be removed from the Hearing Consent Agenda for separate consideration.

The Public Hearings on Items 5 through 20 were hereby closed with the exceptions of Items 10, 13, 14, 15, 16 and 20.

Prairie Chicken moved, seconded by Brannan and unanimously carried to recommend approval of the Hearing Consent Agenda Items 5 through 20 in accordance with the staff recommendations with the exception of Items 10, 13, 14, 15, 16 and 20 (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone voting yes and none voting no)

5. No. 03CA039

Comprehensive Plan Amendment - Summary of Adoption Action to adopt the South Truck Route Drainage Basin Master Plan.

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

6. No. 03CA040 - Springbrook Acres

A request by Centerline for Ken Kirkeby and Larry Lewis to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 14.92 acre parcel of land from Park Forest to Low Density Residential II** on Parcel A of Tract SB of Springbrook Acres, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Sandstone Ridge Apartments and east of Holiday Estates.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 14.92 acre parcel of land from Park Forest to Low Density Residential II be continued to the March 4, 2004 Planning Commission meeting to allow the applicant to submit an Initial Residential Development Plan.

7. No. 03RZ047 - Springbrook Acres

A request by Centerline for Ken Kirkeby and Larry Lewis to consider an application for a **Rezoning from Park Forest District to Low Density Residential II District** on Parcel A of Tract SB of Springbrook Acres, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Sandstone Ridge Apartments and east of Holiday Estates.

Planning Commission recommended that the Rezoning from Park Forest District to Low Density Residential II District be continued to the March 4, 2004 Planning Commission meeting to allow the applicant to submit an Initial Residential Development Plan.

8. No. 03CA043 - Minnesota Ridge Subdivision

Comprehensive Plan Amendment - Summary of Adoption Action by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 40.96 acre parcel from a Planned Residential Development with a maximum density of one dwelling unit per acre to a Planned Residential Development with a maximum density of 1.2 dwelling units per acre in the NW1/4 SW1/4 less Tract R in the NW1/4 SW1/4 and less NE1/4 NE1/4 NE1/4 NW1/4 SW1/4; N1/2 N1/2 N1/2 N1/2 SW1/4 SW1/4, all in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more

generally described as being located along Minnesota Street west of 5th Street.

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

9. No. 03CA044 - Bradsky Subdivision

A request by WellSpring, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 1.240 acre parcel of land from Light Industrial to Office Commercial with a Planned Commercial Development** on Lots 1 thru 5, Block 11, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1205 E. St. James Street.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 1.240 acre parcel of land from Light Industrial to Office Commercial with a Planned Commercial Development be approved.

11. No. 03RZ052 - Bradsky Subdivision

A request by WellSpring, Inc. to consider an application for a **Rezoning from Flood Hazard District to Office Commercial District** on Lots 1 thru 3, Block 11, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1205 E. St. James Street.

Planning Commission recommended that the Rezoning from Flood Hazard District to Office Commercial District be approved in conjunction with a Rezoning from Medium Density Residential District to Office Commercial District, a Planned Development Designation and the related Amendment to the Comprehensive Plan.

12. No. 03RZ053 - Bradsky Subdivision

A request by WellSpring, Inc. to consider an application for a **Rezoning from Medium Density Residential District to Office Commercial District** on Lots 4 and 5, Block 11, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1205 E. St. James Street.

Planning Commission recommended that the Rezoning from Medium Density Residential District to Office Commercial District be approved in conjunction with a Rezoning from Flood Hazard District to Office Commercial District, a Planned Development Designation and the related Amendment to the Comprehensive Plan.

17. No. 03SV051 - Windmere Subdivision

A request by Olsen Development Co., Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to reduce the easement width from 49 feet to 32 feet, to reduce the easement width from 52 feet to 32 feet, to reduce the pavement width from 27 feet to 24 feet, to waive the requirement to provide sidewalks on both sides of the street, and to allow**

a lot twice as long as it is wide as per Chapter 16.16 of the Rapid City Municipal Code on Lots 1 thru 28, Block 5, Windmere Subdivision, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Block 5, Windmere Subdivision, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in the southwest corner of Twilight Drive and Meadow Lane.

Planning Commission recommended that the Variance to the Subdivision Regulations to allow a lot twice as long as it is wide be tabled and that the Variance to the Subdivision Regulations to waive the requirement to reduce the easement width from 49 feet to 32 feet, to reduce the easement width from 52 feet to 32 feet, to reduce the pavement width from 27 feet to 24 feet and to waive the requirement to provide sidewalks on both sides of the street as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulations:

Growth Management Department Recommendations:

1. Upon submittal of a Preliminary Plat, construction plans showing a sidewalk along one side of the street(s) shall be submitted for review and approval;
2. Upon submittal of a Final Plat, the applicant shall submit a copy of a recorded covenants document identifying maintenance of the access easements and the public water and sewer utilities; and,
3. Upon submittal of a Preliminary Plat, road construction plans shall show Haycamp Lane flared with a minimum 36 foot wide pavement width at the Haycamp Lane/Twilight Drive intersection in order to provide a turning lane as per the Street Design Criteria Manual.

*18. **No. 03UR014 - Original Town of Rapid City**

A request by Lamar Advertising to consider an application for a **Conditional Use Permit to allow a billboard** on Tract NW 66 less Lot H1; balance of Lots 12 through 16 less Lot H1 and the north 10 feet of vacated alley adjacent to Lots 12 through 16 less Lot H1, Block 66, Original Town of Rapid City, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 308 5th Street.

Planning Commission approved the Conditional Use Permit to allow a billboard with the following stipulations:

Building Inspection Division Recommendations:

1. The applicant shall apply for sign credits prior to removal of the existing signs;
2. A sign license shall be obtained prior to construction;

Transportation Planning Division Recommendations:

3. The sign may not obstruct sight triangles or encroach into the road right-of-way;

Urban Planning Division Recommendations:

4. The provisions of Chapter 15.28 of the Rapid City Municipal Code must be continually met; and,

5. A sign license must be obtained yearly.

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.

19. No. 04OA002 - Ordinance Amendment

A request by the City of Rapid City to consider an application for an **Ordinance Amendment** to consider amendments to Section 17.50.250(C) of the Rapid City Municipal Code pertaining to provisions for wheelchair ramps.

Planning Commission recommended that the Ordinance Amendment to Section 17.50.250(C) of the Rapid City Municipal Code by adding provisions for wheelchair ramps be approved.

---END OF HEARING CONSENT CALENDAR---

*10. No. 03PD060 - Bradsky Subdivision

A request by WellSpring, Inc. to consider an application for a **Planned Development Designation** on Lots 1 thru 5, Block 11, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1205 E. St. James Street.

Bulman recommended approval of the request noting a minor revision to the staff report.

Stone moved, seconded by Henning and unanimously carried to approve the Planned Development Designation contingent upon the approval of the associated rezoning from Flood Hazard District to Office Commercial District and rezoning from Medium Density Residential District to Office Commercial District, and the related Amendment to the Comprehensive Plan to change the land use from Light Industrial to Office Commercial with a Planned Commercial Development 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. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone 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.

Elkins requested that Items 13 thru 15 be considered concurrently.

*13. No. 03PD047 - Waterslide Addition

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

Planned Development Designation on a previously unplatted parcel of land in the SW1/4 of the N1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Commencing at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26; thence S72°37'41"W along a non-visual line, 1200.17 feet to the TRUE POINT OF BEGINNING; thence N09°37'30"E 863.62 feet; thence along a curve to the left having a radius of 893.51 feet through a central angle of 13°26'11" with an arc length of 209.54 feet, a chord bearing of N76°41'20"E and a chord length of 209.06 feet along said curve; thence S20°01'46"E 210.75 feet; thence along a curve to the right having a radius of 526.00 feet through a central angle of 21°19'55" with an arc length of 195.84 feet, a chord bearing of S09°21'48"E and a chord length of 194.71 feet along said curve; thence S01°18'09"W 519.62 feet; thence N88°41'51"W 440.00 feet to the TRUE POINT OF BEGINNING; said parcel containing 7.26 acres more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

*14. No. 03PD049 - Waterslide Addition

A request by Dream Design International, Inc. to consider an application for a **Planned Development Designation** on a previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Beginning at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26; this being the TRUE POINT OF BEGINNING; thence S02°00'56"W 1325.99 feet; thence N87°48'27"W 680.57 feet; thence N01°18'09"E 1307.89 feet; thence S89°18'29"E 697.03 feet to the Point of Beginning; said parcel containing 20.82 acres more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

*15. No. 03PD050 - Waterslide Addition

A request by Dream Design International, Inc. to consider an application for a **Planned Development Designation** on a previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Beginning at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26; thence S72°37'41"W along a non-visual line, 1200.17 feet to the TRUE POINT OF BEGINNING; thence S88°41'51"E 440.00 feet; thence S01°18'09"W 931.03 feet; thence N87°48'27"W 440.05 feet; thence N01°18'09"E 924.20 feet to the TRUE POINT OF BEGINNING; said parcel containing 9.37 acres more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

Elkins stated that Items 13 thru 15 were approved by the Planning Commission on October 23, 2003. She explained that when staff was closing files it was determined that the legal notice had not been published in the paper. She stated that Items 13 thru 15 have been properly advertised for this meeting and staff sent out notice of hearing letters by certified mail to all adjoining property owners within 250 feet of the subject property.

Elkins further explained that the adjacent property owners wanted the Planning Commission advised that they have been working diligently with the consultant,

Dream Design International, Inc. and are in agreement with the proposed relocation of the road south of Catron Boulevard and east of U.S. Highway 16. She added that Dream Design International, Inc. has indicated that within the next few weeks, they will be submitting a Comprehensive Plan Amendment to revise the Major Street Plan to realign the road. She explained that this Comprehensive Plan Amendment to revise the Major Street Plan would be consistent with how the proposed road alignment was shown on the accompanying rezoning requests, Comprehensive Plan Amendments and Planned Development Designations. She further added that staff is recommending that Items 13 thru 15 be approved with one stipulation.

Stone moved, seconded by Prairie Chicken and unanimously carried to approve the 03PD047 - 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;***

that the 03PD049 - Planned Development Designation be approved 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; and**

that the 03PD050 - Planned Development Designation be approved in conjunction with the Rezoning from No Use District to Office Commercial District with the following stipulation:

1. **No building permits or sign permits shall be issued for the property until such time as an Initial and Final Development Plan has been approved for the property. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone voting yes and none voting no)**

The Rapid City Planning Commission's action on these items is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.

*16. No. 03PD052 - Robbinsdale No. 10

A request by Walgar Development to consider an application for a **Planned Development Designation** on Lot 16, Block 28, Robbinsdale No. 10, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in the northeast corner of Alta Vista Drive and Anamaria Drive.

Elkins explained that this Planned Development Designation was one of the applications that was approved by the Planning Commission on October 23, 2003. However, the legal notice had not been published in the paper. She stated that the Planned Development Designation has been properly advertised for this meeting and staff sent out the legal notices. She noted that staff is recommending approval with one stipulation.

Tom Baumgartner, 229 Alta Vista Drive, expressed concerns with the new

construction site across the street from his residence and the amount of mud and dirt that is being tracked onto Alta Vista Drive.

Elkins advised that Air Quality Division staff would check the construction site.

Discussion followed concerning the Planned Development Designation process and the applicant's plans for the area.

Brannan moved, seconded by Prairie Chicken and unanimously carried to approve the 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. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone 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.

*20. No. 04PD001 - Fairway Hills PRD

A request by Lorraine Hellevang to consider an application for a **Major Amendment to a Planned Residential Development to reduce the rear yard setback from 25 feet to 13 feet** on Lot 1 of Block 3, Fairway Hills PRD, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4023 Pinehurst Court.

Tucker presented the request and staff's recommendation.

Helen Folsland, 4021 Pinehurst Drive, expressed her opposition to the Major Amendment to a Planned Residential Development citing concerns with the impact on her adjacent residence.

Discussion followed concerning the rear yard setback, rules established by the Fairway Hills Home Owners Association and the appeal process.

Brannan moved, seconded by Brown and carried to approve the Major Amendment to a Planned Residential Development to reduce the rear yard setback from 25 feet to 13 feet with the following stipulations:

1. **Prior to initiation of construction, a Building Permit must be obtained;**
2. **Prior to issuance of a Building Permit, engineered stamped plans must be submitted for post and pier construction or plans submitted must show conventional foundation construction;**
3. **Prior to issuance of a Building Permit, proposed construction must be shown on a legal survey; and,**
4. **All other stipulations of the approved Planned Residential Development must be continually met. (4 to 3 with Brannan, Brown, Prairie Chicken and Schmidt voting yes and Henning, Hoffmann and Stone 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---

21. 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 in 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.

Fisher presented the request and stated that the applicant concurs with the staff's recommendation to deny without prejudice the Preliminary and Final Plat.

Stone moved, seconded by Brannan and unanimously carried to recommend that the Preliminary and Final Plat be denied without prejudice. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone voting yes and none voting no)

22. 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.

Fisher presented the request and reviewed the staff recommendation.

Lengthy discussion followed concerning the submittal of the requested information for staff review, completion of the drainage report, submittal of final water and sewer plans, submission of signed easements, Rapid Valley Sanitation District staff's concerns and continuing the Layout, Preliminary and Final Plat to the March 4, 2004 Planning Commission meeting.

Brannan moved, seconded by Schmidt and failed to recommend that the Layout Preliminary and Final Plat be denied without prejudice. (3 to 4 with Brown, Prairie Chicken and Schmidt voting yes and Brannan, Henning, Hoffmann and Stone voting no)

Discussion followed.

Stone moved, seconded by Brown and carried to recommend that the Layout,

Preliminary and Final Plat be continued to the March 4, 2004 Planning Commission meeting. (6 to 1 with Brannan, Brown, Henning, Hoffmann, Schmidt and Stone voting yes and Prairie Chicken voting no)

*23. No. 02UR008 - Section 20, T2N, R8E

A request by Davis Engineering for Gary & Shirley Wolff to consider an application for a **Review of a Conditional Use Permit to allow a Mobile Home Park in the Medium Density Residential District** in the SW1/4 SW1/4 and the N8/10ths of W1/2 W1/2 of SE1/4 SW1/4, Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1550 Seger Drive.

Tucker stated that the applicant has met all of the stipulations of approval with the exception of stipulation #3 concerning the Waiver of Right to Protest the Future Assessment for the extension of City sewer and water to the subject property. He added that staff is recommending that the public hearing on the Review of a Conditional Use Permit to allow a Mobile Home Park in the Medium Density Residential District be continued to the February 19, 2004 Planning Commission meeting to allow the applicant time to review and sign the Waiver of Right to Protest.

Schmidt moved, seconded by Stone and unanimously carried to continue the public hearing on the Review of a Conditional Use Permit to allow a Mobile Home Park in the Medium Density Residential District to the February 19, 2004 Planning Commission meeting. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone voting yes and none voting no)

*24. No. 03UR016 - Section 11, T1N, R7E

A request by Lindsay Bold for KEVN, Inc. to consider an application for a **Conditional Use Permit to allow a television station and transmission towers** on Tract B (part of the NW1/4 NW1/4 west of Skyline Drive), Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2000 Skyline Drive.

Tucker presented the request and advised that the applicant has been granted a variance to the minimum off street parking requirements by the Zoning Board of Adjustments and as such staff is recommending that the Conditional Use Permit to allow a television station and transmission towers be approved with stipulations.

Stone moved, seconded by Henning and unanimously carried to approve the Conditional Use Permit to allow a television station and transmission towers if a variance to the minimum off street parking requirements is granted by the Zoning Board of Adjustments with the following stipulations:

Building Inspection Division Recommendations:

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

Fire Department Recommendations:

2. Prior to any welding or torch work to install the dishes the Fire Department shall be notified;

Urban Planning Department Recommendations:

3. **Prior to Planning Commission approval the parking plan shall be revised showing compliance with Section 17.50.270 of the Rapid City Municipal Code, or obtain a variance to the minimum off street parking requirements; and,**
 4. **The use of the property shall allow a television station, transmission towers, and satellite dishes. Any expansion of the uses in excess of 20 percent shall require a major amendment to the Conditional Use Permit. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone voting yes and none voting no)**
25. Discussion Items
- A. Multi-family Dwelling Units in Medium Density Residential Zoning Districts

Hoffmann suggested that the discussion on Multi-family Dwelling Units in Medium Density Residential Zoning Districts be continued to the February 19, 2004 Planning Commission meeting so that Councilperson Sam Kooiker could be present.

The Planning Commission concurred to continue the discussion on Multi-family Dwelling Units in Medium Density Residential Zoning Districts be continued to the February 19, 2004 Planning Commission meeting.
 - B. Street Design Criteria Manual - Fire Department Turnarounds

Elkins stated that the Fire Department requested that the discussion on Street Design Criteria Manual - Fire Department Turnarounds be continued to the March 4, 2004 Planning Commission meeting to allow Fire Department staff to prepare documents.

The Planning Commission concurred to continue the discussion on Street Design Criteria Manual - Fire Department Turnarounds be continued to the March 4, 2004 Planning Commission meeting.
 - C. Provision for Wheelchair Ramps

Dennis Brant thanked the Planning Commission for their efforts in considering amendments to to Section 17.50.250(C) of the Rapid City Municipal Code pertaining to provisions for wheelchair ramps.
26. Staff Items
- A. Task Force - 40 Unit Rule

Elkins explained that Councilperson Jeff Partridge has expressed an interest in forming a Task Force to review the 40 Unit Rule.

Discussion followed and Henning, Brown and Brannan volunteered to participate in the Task Force to review the 40 Unit Rule.
 - B. Growth Management Department - Subdivision Engineers

DRAFT

Elkins briefly discussed the re-organization and introduced the Growth Management Department's Subdivision Engineers: Dave Johnson, Sig Zveinieks and Curt Huus.

C. Assistant City Attorney

Jason Green introduced Joel Landeen the new Assistant City Attorney who will be attending the Planning Commission meetings in the future.

27. Planning Commission Items

A. Landscaping Ordinance

Stone expressed concerns with the Landscape Ordinance. He stated that in his opinion the Landscape Ordinance should be more water conversation focused.

Discussion followed concerning creative landscaping and the Xeriscape process.

Elkins explained that the Beautification Committee has been working on revisions to the Landscape Ordinance.

B. City Council Report (January 19, 2004)

Prairie Chicken advised that the City Council concurred with the recommendations of the Planning Commission.

There being no further business Prairie Chicken moved, seconded by Stone and unanimously carried to adjourn the meeting at 8:05 a.m. (7 to 0 with Brannan, Brown, Henning, Hoffmann, Prairie Chicken, Schmidt and Stone voting yes and none voting no)