

## Hyland Park Benefits for Moving Forward

- Density needs to be 2.5 dwelling units per acre. This was well within the LDR (6.7 dwelling units per acre) on the proposed land use plan that the city had worked on for 3 years. This was changed to 2.0 at meetings with our opposition and the future land use committee. We were not notified of these meetings and therefore did not attend.
- The economics of our development will not allow density of anything less than 2.5. Additionally, we have already reduced our plan by 40 lots.
- Hyland Park will be the new Terracita within 2-5 years. It gives the middle to upper middle class citizens of Rapid City an alternative to Rapid Valley.
- Hyland Park will be a subdivision of custom homes. We feel the average lot sizes are manageable for the homeowners and therefore will be more landscaped and well maintained. In fact, we plan to require sod for the front yards at closing.
- The land being purchased from Hart Ranch is flat and very suitable to the planned subdivision.
- The distance from Hwy 16 of ½ mile will not negatively impact the visual gateway to the Black Hills along Hwy 16.
- The orthopedic center (Lew Papendick is one of the owners) is the largest building along Hwy 16. Did they expect development not to follow the infrastructure movement along Hwy 16?
- Economic Impact:

Average House price	\$225,000
Economic Multiplier	5
Community Impact	1,125,000 per house
# of Houses	<u>300</u>
Total Economic Impact	\$337,500,000

Additionally, most of these homes will be move up buyers leaving an 300 additional homes for lower end buyers for more economic impact.
- Property Taxes

Per House Annually	\$3,500
Number of Houses	<u>300</u>
Total Property Taxes	\$1,050,000 per year
- The City will also benefit from the new infrastructure we will be building to open the subdivision.

## Horton Patsy

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**From:** Pete Anderson, MAC Construction Co., Inc. [PeterA@macconstructionco.com]  
**Sent:** Thursday, October 21, 2004 2:03 PM  
**To:** Patsy Horton  
**Subject:** Future Land Use Committee : Hwy 16

Per our conversation, I am writing to express concern over the future land use plan for the Hwy 16 corridor.

I am most concerned about the planned designation of the most southern portion of the area being discussed, specifically, the NE quadrant of the proposed Sammis Trail and Hwy 16 intersection. This is currently zoned General Ag and is slated to become General Commercial.

I agree that this corridor should be developed with commercial properties. My concern is that General Commercial opens the possibility of having 16 turn into another 'strip' of all night convenience stores and/or Big Box stores that will have traffic (and lights,etc) along this scenic highway at all hours.

Therefore, I recommend changing the existing plan to limit the commercial property designation at Sammis Trail to Office Commercial and possibly consider changing the entire Hwy 16 corridor to Office Commercial.

I am unable to attend tomorrow's meeting. Please submit this in my absence.

Thank you for your consideration.

10/21/2004

LAW OFFICES

**Lynn, Jackson, Shultz & Lebrun, P.C.**

FIRST NATIONAL BANK BUILDING  
909 ST. JOSEPH STREET  
EIGHTH FLOOR  
P.O. BOX 8250  
RAPID CITY, SD 57709-8250  
605-342-2592  
FAX 605-342-5185

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REPLY TO: Rapid City 605-342-2592

US BANK BUILDING  
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605-332-5999  
FAX 605-332-4249

*From the offices of Donald R. Shultz  
e-mail address: [dshultz@lynnjackson.com](mailto:dshultz@lynnjackson.com)*

October 27, 2004

**RECEIVED**

**OCT 27 2004**

**Rapid City Growth  
Management Department**

**VIA FACSIMILE (605) 394-6616 AND U.S. MAIL**

Mrs. Marcia Elkins Buskerud  
Director, Rapid City Growth  
City of Rapid City  
300 Sixth Street  
Rapid City, SD 57701

RE: Foye, Butler, Shultz – 160 Acres (4 x 40 acres)

Dear Marcia:


This letter is a follow-up to the meeting Pat Hall, Hani Shafai and I had with you and the Future Land Use committee members relating to the proposed zoning of our property. As was expressed at the meeting, the property cannot be developed with the proposed zoning of 1 unit per 3 acres. Because the 160 acres will develop on a progressive basis, it is necessary that the former designated re-zoning of 6 units per acre be maintained.

I have talked to Dr. Lew Papendick and to Casey Peterson, CPA, and both advised me that they had no objections and were willing to talk to you if you had any questions.

Would you be so kind as to forward this to the Land Use Committee members for their information?

Yours truly,

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.



Donald R. Shultz

DRS:cam

cc: Thomas H. Foye  
Barbara Butler  
Hani Shafai  
Pat Hall

LAW OFFICES**Lynn, Jackson, Shultz & Lebrun, P.C.**

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*From the offices of Donald R. Shultz  
e-mail address: [dshultz@lynnjackson.com](mailto:dshultz@lynnjackson.com)*

October 28, 2004

**VIA FACSIMILE (605) 394-6636 AND U.S. MAIL**

Patsy Horton  
City of Rapid City  
Planning Department  
300 Sixth Street  
Rapid City, SD 57701

RE: Foye, Butler, Shultz ~ 160 Acres

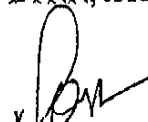
Dear Patsy:

This confirms our conversation this morning wherein you advised that the Future Land Use Committee meeting scheduled for Friday, October 29<sup>th</sup> is a private session and there is no invitation to the landowners.

Confirming our conversation, as I stated in my letter to Marcia yesterday, we would appreciate a designation of Planned Residential Development (PRD) of 6.7 units per acre. Thank you for your kind attention. Could you please forward this, as well as the letter I wrote to Marcia to the Land Use Committee members for their information, for their meeting tomorrow?

Yours truly,

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.

  
Donald R. Shultz

DRS:cam

cc: Thomas H. Foye  
Barbara Butler  
Hani Shafai (by fax)  
Pat Hall (by fax)

LAW OFFICES

**Lynn, Jackson, Shultz & Lebrun, P.C.**

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*From the offices of Donald R. Shultz  
e-mail address: [dshultz@lynnjackson.com](mailto:dshultz@lynnjackson.com)*

October 28, 2004

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Management Department**

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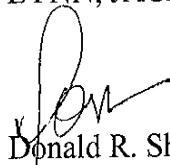
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LYNN, JACKSON, SHULTZ & LEBRUN, P.C.



Donald R. Shultz

DRS:cam

cc: Thomas H. Foye  
Barbara Butler  
Hani Shafai (by fax)  
Pat Hall (by fax)

# ORTHOPEDIC LAND COMPANY, LLC

October 27, 2004

**RECEIVED**

**OCT 29 2004**

**Rapid City Growth  
Management Department**

Debra Hadcock  
Martha Rodriguez  
Mel Prairie Chicken  
Ethan Schmidt  
Ida Marie Fast Wolf  
Mike LeMay  
Gary Brown  
Peter Anderson  
Scott Nash  
City Planning Commission Members  
300 6<sup>th</sup> Street  
Rapid City, SD 57701

Dear City Planning Commission Members:

The purpose of this letter is to provide my comments on behalf of Orthopaedic Building Partnership, LLP (OBP) and Orthopedic Land Company, LLC (OLC) in connection with the revised Future Land Use Map for the Highway 16 Corridor area which was presented to the Commission at the public hearing on October 14, 2004 (FLU Map). My comments are confined to the zoning designation for the land that is designated in the color green on the attachment, which is owned by OLC (OLC Land), and the land which is designated as General Commercial along Hwy 16.

Both OLC and OBP support the designation of the land bordering Hwy 16 as General Commercial as depicted on the FLU Map. We support responsible and environmentally compatible development. Our past actions and future plans demonstrate our commitment to these principles. The PCD requirements and the sensitivity of the Planning Commission and staff to protecting the integrity of the pathway to the Black Hills will adequately address concerns about how commercial development will occur in this area. Restricting the development along this corridor to Office Commercial would not benefit the City or landowners. With responsible development, General Commercial development will not conflict with the best interests of the City, tourism, and preserving the intimate, real west feel of the Black Hills.

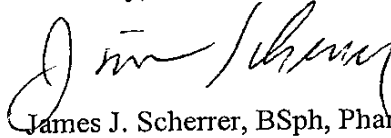
The FLU Map shows a designation for the OLC Land that allows only one dwelling unit (DU) per three acres. In the initial map presented to the Commission, the same property was zoned for 6.7 DUs per acre. We support a zoning designation that allows development of 2.5 DUs per acre on the OLC Land.

Immediately to the north and south of the OLC Land, the FLU Map shows a designation that allows for 2.5 DUs per acre. After OLC's purchase of the land, Doug Sperlich and I met with City Planning staff to discuss annexation and zoning issues. We were advised at that time a zoning designation of 2.5 DUs per acre would be appropriate for the OLC Land as it was consistent with the land zoning designation both to the north and south. I would be happy to

accompany members of the Commission and staff on a tour of this acreage to demonstrate that it is more than capable of sustaining responsible development at 2.5 DUs per acre.

I look forward to working with you and staff to address any questions or concerns you have regarding the designations discussed in this letter. Please don't hesitate to contact me if you have any questions or need additional information. Thanks for your thoughtful attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Scherrer". The signature is fluid and cursive, with the first name "Jim" and last name "Scherrer" clearly distinguishable.

James J. Scherrer, BSph, PharmD, FASCP  
Business Manager for Orthopedic Land Company,  
LLC and Orthopaedic Building Partnership, LLP

C: Marcia Elkins and Patsy Horton, City Planning Dept.  
Patrick G. Goetzinger  
Doug Sperlich

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