

Draft

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
November 4, 2004

MEMBERS PRESENT: Gary Brown, Mike LeMay, Peter Anderson, Ida Fast Wolf, Debra Hadcock, Mel Prairie Chicken and Ethan Schmidt; Karen Olson, Council Liaison, was also present.

STAFF PRESENT: Karen Bulman, Renee Catron Blair, Marcia Elkins, Curt Huus, Dave Johnson, Bill Knight, Joel Landeen, Todd Tucker Patsy Horton, Pat Beaudette, Linda Foster, Michelle Prichard, and Risë Ficken.

Vice-Chairperson Brown called the meeting to order at 7:05 a.m.

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

Staff requested that Items 8 and 12 be removed from the Non-Hearing Consent Agenda for separate consideration.

Prairie Chicken moved, Hadcock seconded and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 through 13 in accordance with the staff recommendations with the exception of Items 8 and 12. (7 to 0 with LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the October 7, 2004, the October 14, 2004 and the October 21, 2004 Planning Commission Meeting Minutes.
2. No. 04CA033 - Section 30, T2N, R8E (I-90 Plaza)
Summary of Adoption Action - Amendment to the Comprehensive Plan by changing the future land use designation on an approximate 21.8 acre parcel from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development on property described by metes and bounds as beginning at the northwest intersection of the Right-of-way of Cherry Avenue and Sunnyside Avenue, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, Thence First Course: S90°00'00"W - 170.00'; Thence Second Course: N50°00'00"E - 843.73'; Thence Third Course: N00°00'00"E - 398.80'; Thence Fourth Course: S61°38'00"E - 629.13'; Thence Fifth Course: S42°00'00"E - 133.00'; Thence Sixth Course: S62°00'00"E - 276.00'; Thence Seventh Course: S69°00'00"E - 351.00'; Thence Eighth Course: S27°00'00"W - 405.36'; Thence Ninth Course: Along an arc to the left chord bearing S78°08'34"W a distance of 597.75' which radius is 2133.30' an arc distance of 599.72'; Thence Tenth Course: N00°11'27"W - 198.19'; Thence Eleventh Course: S89°51'40"W - 920.61' to the Point of Beginning, containing 21.8 Acres more or less, more generally described as being located lying south of Interstate 90, east of Spruce

Street, north of Anamosa Street and north of the existing Railroad right-of-way, and approximately 1000 feet west of the intersection of I-90 and Exit 60 (East North Street).

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

3. No. 04CA038 - Section 30, T2N, R8E (I-90 Plaza)
Summary of Adoption Action - Amendment to the Comprehensive Plan by changing the future land use designation on an approximate 2.2 acre parcel from Medium Density Residential to General Commercial with a Planned Commercial Development on property described by metes and bounds as beginning at the SE corner of Lot M of the NW1/4 SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota: Thence N89°44'10"E - 80.00' to the True Point of Beginning; Thence First Course: N90°00'00"E - 219.82'; Thence Second Course: N44°44'10"E - 319.22'; Thence Third Course: Along an arc to the left chord bearing N81°28'53"W a distance of 450.83' which radius is 1344.30' an arc distance of 452.97'; Thence Fourth Course: S00°15'50"E - 293.55' to the True Point of Beginning, containing 2.2 Acres more or less, more generally described as being located southeast corner of the intersection of Luna Avenue and Spruce Street.

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

4. No. 04CA039 - Section 30, T2N, R8E (I-90 Plaza)
Summary of Adoption Action - Amendment to the Comprehensive Plan by changing the future land use designation on an approximate 1.9 acre parcel from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development on property described by metes and bounds as beginning at the SE corner of Lot M of the NW1/4 SE1/4 of Section 30, T2N, R8E, BHM, Pennington County, SD: Thence N89°44'10"E - 80.00'; Thence N90°00'00"E - 219.82' to the True Point of Beginning; Thence First Course: N90°00'00"E - 689.19'; Thence Second Course: N61°38'00"W - 265.21'; Thence Third Course: Along an arc to the left chord bearing N66°26'49"W a distance of 252.15' which radius is 1344.30' an arc distance of 252.52'; Thence Fourth Course: S44°44'10"W - 319.22' to the True Point of Beginning, containing 1.9 Acres more or less, more generally described as being located approximately 220 feet east/southeast of the southeast corner of the intersection of Luna Avenue and Spruce Street.

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

5. No. 04PL140 - Falcon Crest Subdivision
A request by Dream Design International, Inc. for Dr. Marvin Buehner to consider an application for a **Layout Plat** on Lots 1 thru 3, Block 1, Falcon Crest Subdivision, Section 32, T1N, R7E, BHM, Pennington County, South Dakota, legally described as W1/2 W1/2 SW1/4, Section 32, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located one half mile

south of the intersection of Sheridan Lake Road and Countryside Boulevard.

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

- 1. A Special Exception is hereby granted to allow 101 dwelling units in lieu of 40 dwelling units with one point of access with the stipulation that a note be placed on the plat stating that the property may not be further subdivided;**
- 2. A Special Exception to the Street Design Criteria Manual to allow a 2,000 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds every 600 feet shall be granted with the stipulation that a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;**
- 3. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;**
- 4. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall address the characteristics of downstream drainage facilities. In addition, adequate facilities for conveyance of increased or modified flows, proper easements for use of the drainage facilities or demonstration of the application of legal reasonable use principles shall be provided. The plat document shall also be revised to provide drainage easements as necessary to convey upstream run-off across the property;**
- 5. Upon submittal of a Preliminary Plat application, 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. If a central sewer system is proposed, the applicant shall identify the entity responsible for operation and maintenance and obtain South Dakota Department of Environment and Natural Resource approval. If individual on-site wastewater systems are used, then an on-site wastewater plan prepared by a Registered Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval. In particular, the information shall include percolation test data and location as well as soil profile data and locations. In addition, a septic tank plan must be submitted for review and approval as per Chapter 16.20.040.N of the Rapid City Municipal Code;**
- 6. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In addition, the proposed aquifer and anticipated depth of the well(s) shall be identified. The plat**

- document shall also be revised to show utility easement(s) as needed;
7. Upon submittal of the Preliminary Plat application, a pavement design with supporting geotechnical information shall be submitted for review and approval;
 8. Upon submittal of the Preliminary Plat application, road construction plans for Limelight Lane shall be submitted for review and approval. In particular, Limelight Lane shall be located in a minimum 49 foot wide right-of-way and 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;
 9. Upon submittal of a Preliminary Plat, road construction plans for the section line highways located along the south and west lot lines shall be submitted for review and approval. In particular, the road construction plans shall show the section line highways 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 or the section line highways shall be vacated. The adjacent property owner(s) shall sign the petition(s) to vacate the section line highways or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;
 10. Upon submittal of the Preliminary Plat application, 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 or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained;
 11. Upon submittal of a Final Plat application, a road maintenance agreement for Limelight Lane shall be submitted for review and approval;
 12. Upon submittal of a Final Plat application, a reserve area shall be shown or a note shall be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided;
 13. Upon submittal of a Final Plat application, the plat title shall be revised to read "Section 32" in lieu of "Section 31";
 14. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval; and,
 15. 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.
6. No. 04PL146 - Minnesota Ridge Heights Subdivision
A request by Centerline, Inc. for 3 T's Land Development LLC to consider an application for a **Preliminary Plat** on Lots 11 thru 16 and Lots 31 thru 42,

Minnesota Ridge Heights Subdivision, located in the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion and Tract R of NW1/4 SW1/4 located in the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 0.75 miles west of Fifth Street and Minnesota Avenue.

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

- 1. Prior to Preliminary Plat approval by the City Council, geotechnical analysis, including pavement design, shall be submitted for review and approval;**
- 2. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;**
- 3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the extension of West Minnesota Street right-of-way to the west lot line;**
- 4. Prior to Preliminary Plat approval by the City Council, West Minnesota Street construction plans shall be revised to show a sidewalk along the south side of the street or a Variance to the Subdivision Regulations shall be obtained;**
- 5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the Outlot incorporated into the adjacent lots or the plat document shall be revised to show the proposed lot as a numbered lot in lieu of an Outlot. In addition, the applicant shall demonstrate physical access to the proposed lot if left as a separate lot;**
- 6. Prior to Preliminary Plat approval by the City Council, a SDCL 11-6-19 Review shall be reviewed and approved to relocate the fence on the City's reservoir lot and to allow a portion of the reservoir lot to be incorporated into the West Minnesota Street right-of-way;**
- 7. Prior to Preliminary Plat approval by the City Council, the section line highway located along the west lot line shall be improved to City Street Design standards with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, sidewalk, water and sewer improvements or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. The adjacent property owner(s) shall sign the petition to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;**
- 8. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Engineering Division;**
- 9. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;**

10. All Uniform Fire Codes shall be continually met;
11. Prior to submittal of a Final Plat application, the plat document shall be revised to show the street names. In addition, "West Minnesota Street" as shown on the associated Initial and Final Planned Residential Development site plan shall be labeled on the plat document as "Minnesota Street";
12. Prior to submittal of a Final Plat application, the plat document shall be revised to show the labeling of the proposed lot located between the reservoir lot and the west lot line of the subject property;
13. Prior to submittal of a Final Plat application, the plat document shall be revised to show a Certificate of Ownership for the City of Rapid City;
14. Prior to submittal of a Final Plat application, staff and the property owner(s) shall prepare an agreement to allow Minnesota Street to occupy a portion of the City property containing the existing reservoir;
15. Prior to submittal of a Final Plat application, the plat title shall be revised to read (Formerly unplatted portion of the W1/2SW1/4 and Tract R of NW1/4SW1/4, Section 13, T1N, R7E) located in the SW1/4 of Section 13;
16. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along the first fifty feet of all corner lots; and,
17. 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.

7. No. 04PL147 - Cavern Crest Subdivision

A request by Daniel P. Wegner to consider an application for a **Layout Plat** on Lots 4A and 4B of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota, legally described as Lot 4 of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota, more generally described as being located at 2680 Cavern Road.

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

1. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary;
2. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas must be submitted for review and approval;
3. Upon submittal of a Preliminary Plat application, an on-site wastewater plan prepared by a Registered Professional Engineer showing an evapotranspiration system or a holding tank wastewater disposal system shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;

4. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains and lines shall be submitted for review. Data to confirm that proposed on-site well(s) have sufficient flows and water quality shall be submitted for review and approval. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show utility easement(s) as needed;
 5. Upon submittal of the Preliminary Plat application, road construction plans for Cavern Road shall be submitted for review and approval. In particular, Cavern Road shall be constructed with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained;
 6. Upon submittal of the Preliminary Plat application, a site plan shall be submitted identifying existing structures, wells, septic systems and existing and proposed approaches along Cavern Road;
 7. A Special Exception is hereby granted to allow more than four lots to access via an easement;
 8. A Special Exception is hereby granted to allow an approximate 2,500 foot long cul-de-sac with one intermediate turnaround in lieu of a maximum 500 foot long cul-de-sac with intermediate turnarounds at intervals not exceeding 600 feet in extreme fire danger areas;
 9. Upon submittal of a Final Plat application, a note shall be placed on the plat indicating that at the time a Building Permit is applied for, an evapotranspiration system or holding tank system is provided for on any new wastewater disposal systems;
 10. Prior to submittal of a Final Plat application, the applicant shall submit a plat document showing the proper street name and dedicated right-of-way for Cavern Road and shall show the required Final Plat certificates; and,
 11. Prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan shall be submitted for review and approval. In addition, the Wild Fire Mitigation Plan shall be implemented.
9. No. 04SR056 - Section 28, T2N, R8E
A request by the City of Rapid City to consider an application for an **11-6-19 SDCL Review to extend a major sanitary sewer transmission along North Elk Vale Road** on property located upon and across the right-of-way and property and under or over the tracks of the Company near MP 644.83, 2220 feet east of west section line: Section 27, T2N, R8E, and 326 feet of pipe parallel to an 35 feet from centerline of track in the Rapid City, South Dakota; sanitary sewer main easement located in an eighteen foot strip of land beginning seven feet from the east property line of Lot 2 of Wal-East Subdivision, NE1/4 SW1/4, Section 27, T2N, R8E, BHM, Box Elder, Pennington County, South Dakota; sanitary sewer main easement located in a twenty foot strip of land adjacent to the north property line of the Dakota, Minnesota, and Eastern Railroad Corporation property in the NE1/4 SW1/4, Section 27, T2N, R8E, BHM, Rapid

City, Pennington County, South Dakota near M.P. 644.83, 2220 feet east of the west section line; and, NE1/4 SE1/4 less right-of-way; S1/2 SE1/4 NE1/4 less Discovery Subdivision and less right-of-way, Section 28, T2N, R8E, BHM, Rapid City, South Dakota, more generally described as being located along North Elk Vale Road.

Planning Commission recommended that the 11-6-19 SDCL Review to extend a major sanitary sewer transmission along North Elk Vale Road be approved with the following stipulations:

1. **An Air Quality Permit shall be obtained if the area of disturbance exceeds one acre in size;**
2. **Prior to Planning Commission approval, the License Agreement between the City and the Dakota, Minnesota and Eastern Railroad shall be approved by the City Council;**
3. **The proposed sanitary sewer line shall be bored under the south Interstate 90 Service Road per the Pennington County utility permit requirements; and,**
4. **Property access to manholes must be provided in a manner that will not unduly impact traffic operation.**

10. No. 04SR057 - Section 5, T1N, R8E

A request by City of Rapid City to consider an application for an **11-6-19 SDCL Review to allow the extension of a sewer main** on Lot 3 of Manor House Subdivision. Located in the NW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; Lot 4, Rice Valley View Properties, located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, railroad right-of-way located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along Centre Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the extension of a sewer main be approved with the following stipulations:

1. **An Air Quality Permit shall be obtained if the area of disturbance exceeds one acre in size;**
2. **Prior to Planning Commission approval, the License Agreement between the City and the South Dakota Department of Transportation shall be approved by the City Council; and,**
3. **Access to manholes shall be paved or a method of access restriction shall be provided.**

11. No. 04TP021 - 2005 Unified Planning Work Program

Planning Commission recommended that the Draft 2005 unified Planning Work Program be approved.

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

8. No. 04PL148 - Murphy Ranch Estates Subdivision

A request by Davis Engineering to consider an application for a **Preliminary Plat** on Lots 10 thru 13, Block 3; Lots 9 thru 15, Block 4; Lots 2 thru 7, Block 5; Lot 1,

Block 8; Lots 2, Block 10; Lots 2 thru 5, Block 11; all located in Murphy Ranch Estates Subdivision, 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 Reservoir Road.

Elkins presented the request and reviewed the slides of the subject property and staff's recommendations.

Discussion followed concerning the street classification for Wesson Road, applicant's request for a Special Exception and revising Stipulation #4.

Prairie Chicken moved, seconded by LeMay and unanimously carried to recommend that the Preliminary Plat be approved with the following stipulations:

- 1. Prior to Preliminary Plat approval by the City Council, a sediment and erosion control plan for all improved areas shall be submitted for review and approval;**
- 2. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall address drainage from Phase One as it flows across proposed Lots 9 thru 15 of Block 4. In addition, the drainage plan shall address drainage from Lots 10 thru 13 of Block 3 and Lots 2 thru 5 of Block 11. The drainage plan shall also include calculations and the design of an on-site detention facility. In addition, the facility shall be constructed as a part of this phase of the development. The plat document shall also be revised to provide drainage easements as necessary;**
- 3. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Engineering Division;**
- 4. Prior to Preliminary Plat approval by the City Council, the road construction plans shall be revised to show Springfield Road located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface or a Variance to the Subdivision Regulations shall be obtained. If a Variance to the Subdivision Regulations is obtained, then visitor parking shall be provided at a ratio of one parking stall per dwelling located within three hundred feet of the residence or a Special Exception to the Street Design Criteria Manual shall be obtained. In addition, a Special Exception is hereby granted to reduce the right-of-way width from 52 feet to 49 feet and to reduce the pavement width for Wesson Road from 27 feet to 24 feet as per the Street Design Criteria Manual;**
- 5. A Special Exception is hereby granted to allow 44 dwelling units in lieu of 40 dwelling units with one point of access;**
- 6. All Uniform Fire Codes shall be continually met;**

7. **Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;**
8. **Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along the first fifty feet of all corner lots;**
9. **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. (7 to 0 LeMay, Brown, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)**

12. No. 04VR009 - South Boulevard Addition

A request by Glenda Kolkman for Roger S. Knutsen for Bellwether, Ltd to consider an application for a **Vacation of Public Right-of-Way** on Lots 1 thru 14, Lots 21 thru 32 and Tract B of Block 25, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in the alley between 717 Meade Street and 702 Indiana Street and between 725 and 735 Meade Street and 720 Indiana Street.

Elkins advised that the stipulations of approval have not been met, and staff recommended that the Vacation of Public Right-of-Way be continued to the November 24, 2004, Planning Commission meeting.

Hadcock moved, seconded by Prairie Chicken and unanimously carried to recommend that the Vacation of Public Right-of-way be continued to the November 24, 2004 Planning Commission meeting. (7 to 0 LeMay, Brown, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

Brown announced that the Public Hearings on Items 13 through 20 were opened.

Prairie Chicken moved, Hadcock seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 13 through 20 in accordance with the staff recommendations. (7 to 0 LeMay, Brown, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

The Public Hearings for Items 13 through 20 were closed.

---HEARING ITEMS CONSENT CALENDAR---

13. No. 04CA030 - Waterslide Addition

A request by Dream Design International to consider an application for an **Amendment to the Comprehensive Plan to relocate a Collector Street on the Major Street Plan** in the SE1/4 NW1/4 and the SW1/4 of Section 25, T1N, R7E to a right-of-way 76.00 feet in width with the centerline described as follows: commencing at the found corner stamped R.L.S. No. 4208 of the center ¼ of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; thence N55°50'19"W along a non-visual line, 963.91 feet to the true point of

beginning; thence S20°01'45"E 210.75 feet; thence along a curve to the right having a radius of 526.00 feet, included angle of 21°19'54", and a curve length of 195.83 feet; thence S01°18'09"W 1450.65 feet; said parcel containing 3.24 acres more or less all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of South Highway 16 and south of U.S. Highway 16B (Catron Boulevard).

Planning Commission recommended that the Amendment to the Comprehensive Plan to relocate a Collector Street on the Major Street Plan be continued to the November 24, 2004, Planning Commission meeting to allow the applicant an opportunity to work with the adjacent property owner.

***14. No. 04PD059 - Minnesota Ridge Heights Subdivision**

A request by Centerline, Inc. for 3 T's Land Development LLC to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on property described by metes and bounds as commencing from the Point of Beginning, the west 1/4 Corner of Section 13, T1N, R7E, BHM consisting of a 5/8" rebar with no cap. Thence S89°35'44"E – 625.58 feet along the south line of Robbinsdale Addition #10, thence S00°47'55"E – 390.31 feet to the north side of Middle Valley Drive R.O.W., thence S16°26'30"W – 53.78 feet to the south side of Middle Valley Drive R.O.W., thence S00 47'55"E – 206.82 feet, thence N69°46'16"E – 106.04 feet, thence N89°12'05"E – 100.00 feet, thence S16°13'21"W – 247.92 feet, thence S20°58'09"W – 140.00 feet to the north side of Minnesota Street R.O.W., thence S00°15'02"E – 55.78 feet to the south side of Minnesota Street R.O.W., thence S20°58'09"W – 297.01 feet, thence S69°01'52"E – 262.70 feet, thence N89°16'59"W – 847.81 feet, thence N00°23'47"E – 1400.34 feet to the Point of Beginning, more generally described as being located 0.75 miles west of Fifth Street and Minnesota Avenue.

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

- 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. A minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence. All other provisions of the Low Density Residential District shall be met unless exceptions have been specifically authorized;**
- 3. All Uniform Fire Codes must be continually met;**
- 4. The proposed single family residences shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development;**
- 5. Prior to issuance of a building permit, a Final Plat shall be reviewed and approved for the subject property creating 16 individual lots; and,**
- 6. The Planned Residential Development shall allow for the construction of single family residences on the property. However,**

the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for two years.

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

15. No. 04RZ047 - North Riverside Addition

A request by Mike Tennyson and Pat Tlustos to consider an application for a **Rezoning from Heavy Industrial District to Office Commercial District** on the unplatted portion of the W1/2 NW1/4 SE1/4 and Block 1, North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1350 West Chicago Street.

Planning Commission recommended that the Rezoning from Heavy Industrial District to Office Commercial District be continued to the November 24, 2004, Planning Commission meeting at the applicant's request.

16. No. 04SV060 - Cavern Crest Subdivision

A request by Daniel P. Wegner to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along Cavern Road as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 4A and 4B of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota, legally described as Lot 4 of Tract 2 Revised, Cavern Crest Subdivision, Section 11, T1N, R6E, BHM, Pennington County, South Dakota, more generally described as being located at 2680 Cavern Road.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement along Cavern Road as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

- 1. Prior to submittal of a Final Plat application, the applicant shall sign a waiver of right to protest any future assessments for the improvements along Cavern Road.**

17. No. 04TI009 - Sections 4 and 5, T1N, R8E

A request by Haven Stuck for BWWW Enterprises, LLC to consider an application for a **Resolution Creating Tax Increment District #48** on Tract B of NE1/4SE1/4 and SE1/4SE1/4 and Tract C of SE1/4SE1/4, all located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots A, C & D of Tract A of SE1/4SE1/4 of Section 5, T1N, R8E, BHM, Rapid City,

Pennington County, South Dakota; and Lots E, F and K of Tract A, Schlottman Addition of SE1/4SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; Lots G and H of Tract A of Schlottman Addition located in SE1/4 SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the 50 foot dedicated public right-of-way lying north of Lots A, C, & D of Tract A of SE1/4 of SE1/4 and lying north of Lots E, F, G and H of Tract A, Schlottman Addition of SE1/4 of SE1/4 all located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota known as East Saint Charles Street located between Sedivy Lane and South Valley Drive; and, the 66 foot dedicated public access road located in the SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota known as Sedivy Lane beginning south of the railroad right-of-way in the SE1/4 of Section 5 extending south approximately 1,026 feet more or less, all located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of South Valley Drive, south of SD Highway 44 and north of E. St. Charles Street and South Valley Drive Right-of-way.

Planning Commission recommended that the Resolution Creating Tax Increment District #48 be approved.

18. No. 04TI010 - Sections 4 and 5, T1N, R8E

A request by Haven Stuck for BWWW Enterprises, LLC to consider an application for a **Tax Increment District #48 - Project Plan** on Tract B of NE1/4SE1/4 and SE1/4SE1/4 and Tract C of SE1/4SE1/4, all located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots A, C & D of Tract A of SE1/4SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and Lots E, F and K of Tract A, Schlottman Addition of SE1/4SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; Lots G and H of Tract A of Schlottman Addition located in SE1/4 SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the 50 foot dedicated public right-of-way lying north of Lots A, C, & D of Tract A of SE1/4 of SE1/4 and lying north of Lots E, F, G and H of Tract A, Schlottman Addition of SE1/4 of SE1/4 all located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota known as East Saint Charles Street located between Sedivy Lane and South Valley Drive; and, the 66 foot dedicated public access road located in the SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota known as Sedivy Lane beginning south of the railroad right-of-way in the SE1/4 of Section 5 extending south approximately 1,026 feet more or less, all located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of South Valley Drive, south of SD Highway 44 and north of E. St. Charles Street and South Valley Drive Right-of-way.

Planning Commission recommended that the Project Plan for Tax Increment District #48 be approved.

*19. No. 04UR015 - Original Town of Rapid City

A request by Kennedy Design Group for Robert J. Rick to consider an application for a **Conditional Use Permit to allow a Car Wash in the Central Business District** on the north 40 feet of Lots 29-32, Block 102, Original Town of Rapid

City, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 715 Mount Rushmore Road.

Planning Commission denied without prejudice at the applicant's request, the Conditional Use Permit to allow a Car Wash in the Central Business District. (7 to 0 LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with 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 Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.

*20. No. 04PD057 - Sandstone Ridge Subdivision

A request by Fisk Land Surveying & Consulting Engineers for Ken Kirkeby and Mike Tennyson to consider an application for a **Major Amendment to a Planned Residential Development** on Lot 5 Revised, Sandstone Ridge Subdivision, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Sheridan Lake Road and Holiday Lane.

Planning Commission approved the Major Amendment to a Planned Residential Development with the following stipulations:

1. **Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the building;**
2. **Prior to initiation of construction, an Air Quality Permit shall be obtained;**
3. **The structure shall be fully fire sprinkled and fully fire alarmed;**
4. **A minimum of two fire hydrants shall be provided with one being located no more than 250 feet from the driveway to the facility and one located on site;**
5. **Fire hydrants shall be in place and operational providing the minimum required fire flow water pressure prior to any building construction;**
6. **Prior to issuance of a Building Permit, plans for the fire hydrant systems shall be submitted for design and location review and approval;**
7. **The applicant shall pay the Arrowhead Drainage Basin Drainage Plan fees;**
8. **Prior to issuance of a Building Permit, specific design recommendations shall be provided for the foundations, floor slabs, grading and compaction, retaining walls and paved parking lots and access drives;**
9. **A special exception to the Street Design Criteria Manual is hereby granted to reduce the driveway separation from Sheridan Lake Road from 115 feet to 60 feet;**
10. **The proposed structure shall not exceed a maximum height of 26**

- feet. In addition, any improvements to the structure increasing the overall height of the structure above 26 feet shall be reviewed as a Major Amendment to the Planned Residential Development;
11. The parking plan shall continually comply with all requirements of the Zoning Ordinance;
 12. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 13. Prior to initiation of sign construction, a Sign Permit shall be obtained;
 14. Any additional signage shall be approved through a Major Amendment to the Planned Residential Development;
 15. The proposed structure shall conform architecturally to the plans and elevations submitted; and,
 16. The Major Amendment to the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

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

---BEGINNING OF REGULAR AGENDA ITEMS---

Catron requested that Items 21 and 22 be considered concurrently.

21. No. 04PL137 - Schamber Subdivision
A request by Russell and Dalaina Salamun to consider an application for a **Layout Plat** on Lot 1R of Block 1 and Lot 2R of Block 1, Schamber Subdivision, NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the north 68.5 feet of Lot H, less the east 33 feet, Block 1 of Lot 3; and the south 44 feet of Lot H of Lot 3; Schamber Subdivision, NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2016 and 2020 Elmhurst Drive.
22. No. 04SV055 - Schamber Subdivision
A request by Russell and Dalaina Salamun to consider an application for a **Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit and pavement as per Chapter 16.16 of the Rapid City Municipal Code** on Lot 1R of Block 1 and Lot 2R of Block 1, Schamber Subdivision, NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the north 68.5 feet of Lot H, less the east 33 feet, Block 1 of Lot 3; and the south 44 feet of Lot H of Lot 3; Schamber Subdivision, NE1/4 NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as

being located at 2016 and 2020 Elmhurst Drive.

Catron-Blair presented the requests and reviewed the slides of the subject property and staff's recommendations.

Discussion followed concerning 38th Street, providing additional right-of-way along Elmhurst Street and 38th Street, installing pavement, curb, gutter, sidewalk, streetlight conduit, and sewer; and the applicant signing a Waiver of Right to Protest any future assessment projects along 38th Street.

Elkins explained that assessments are based on a front footage basis or on a benefit basis or combination thereof depending on how the project was put together and how many properties are involved. Elkins added that the applicant would have double frontage on this property.

Anderson stated that he supports waiving the requirement for construction of 38th Street with the requirement that the applicant sign a Waiver of Right to Protest.

Discussion followed concerning revising the stipulations of approval.

Anderson moved, seconded by Fast Wolf and unanimously carried to recommend that the Layout Plat be approved with the following stipulations:

- 1. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for 38th Street. In particular, the road construction plans from Cottonwood Street to the north property line shall show the street constructed with a minimum 47 foot right-of-way and a 22 foot paved surface with curb, gutter, sidewalk, street light conduit and sewer or a Variance to the Subdivision Regulations shall be obtained;**
- 2. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for Elmhurst Drive. In particular, the road construction plans shall show the street constructed with a minimum 47 foot right-of-way and a 22 foot paved surface and sidewalk or a Variance to the Subdivision Regulations shall be obtained;**
- 3. Upon submittal of the Preliminary Plat application, a drainage plan shall be submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;**
- 4. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
- 5. Upon submittal of the Preliminary Plat application, additional right-of-way shall be dedicated for Elmhurst Drive and 38th Street;**
- 6. Prior to submittal of the Final Plat application, a Subdivision Variance shall be obtained to allow lots twice as wide as they are long;**
- 7. Prior to submittal of the Final Plat, the applicant shall obtain a**

- Variance to the zoning lot width for a single family dwelling at the front building line from 50 feet to 44 feet;
8. Prior to submittal of the Final Plat, the applicant shall obtain a Variance to reduce the front yard setback on Elmhurst Drive from 26 feet to 11.5 feet;
 9. Prior to submittal of the Final Plat, the applicant shall obtain a Variance to reduce the side yard setback on the intermediate property line to allow the existing garage from eight feet to 0.5 feet;
 10. Prior to submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid;
 11. Prior to submittal of a Final Plat application, the plat document shall be revised to include the required Final Plat certificates; and,

that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, and pavement along 38th Street be approved and that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk and pavement along Elmhurst Drive as per Chapter 16.16 of the Rapid City Municipal code be approved with the following stipulations:

1. Upon submittal of a Final Plat application, the plat document shall be revised to show the dedication of seven additional feet of right-of-way along 38th Street to be dedicated;
2. Upon submittal of a Final Plat application, the plat document shall be revised to show the dedication of 14.5 additional feet of right-of-way along Elmhurst Drive; and,
3. Prior to submittal of a Final Plat application, the applicant shall sign a waiver of right to protest any future assessments for the installation of curb, gutter, sidewalk, street light conduit, sewer, and pavement along 38th Street and to install sidewalk and additional pavement width along Elmhurst Drive. (7 to 0 with LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

Elkins requested that Items 23 and 24 be considered concurrently.

23. No. 04PL135 - Copper Oaks Subdivision

A request by Sperlich Consulting, Inc. for Paul Reinke to consider an application for a **Layout Plat** on Lots 18 thru 20 of Copper Oaks No. 2, Lots 11 thru 13 Block 2, Lots 8 thru 12 of Block 3, Lots 1 thru 5 of Block 4, Lots 1 thru 8 of Block 5 and Lot A of Copper Oaks No. 3 Subdivision located in the unplatted balance of the N1/2NE1/4 less Right-of-way, unplatted balance of the SE1/4NE1/4, SW1/4NE1/4 less the south 23 feet of the east 240 feet of the west 593 feet the of SW1/4NE1/4, less Copper Oaks, and Tract A less the east 350 feet of the north 900 feet of the Busted Five Development all located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located along Wild Turkey Way and Quartz Canyon Lane.

24. No. 04SV053 - Copper Oaks Subdivision

A request by Sperlich Consulting, Inc. for Paul Reinke 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 to improve pavement as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 18 thru 20 of Copper Oaks No. 2, Lots 11 thru 13 Block 2, Lots 8 thru 12 of Block 3, Lots 1 thru 5 of Block 4, Lots 1 thru 8 of Block 5 and Lot A of Copper Oaks No. 3 Subdivision located in the NE1/4, Section 7, T1S, R7E, BHM, Pennington County, South Dakota, legally described as the unplatted balance of the N1/2NE1/4 less Right-of-way, unplatted balance of the SE1/4NE1/4, SW1/4NE1/4 less the south 23 feet of the east 240 feet of the west 593 feet the of SW1/4NE1/4, less Copper Oaks, and Tract A less the east 350 feet of the north 900 feet of the Busted Five Development all located in Section 7, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located along Wild Turkey Way and Quartz Canyon Lane.

Elkins presented the requests and reviewed staff's recommendations.

Doug Sperlich, Sperlich Consulting, Inc., expressed concerns with the topographical constraints along the section line highway.

Keith McGuire, area resident, expressed his concerns with the present water system and road maintenance.

Tom Hagen, area resident, expressed his concerns with the present water pressure and road maintenance.

Discussion followed concerning the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement for Copper Oaks Subdivision.

Hadcock moved, seconded by Anderson and unanimously carried to recommend that the Layout Plat be continued to the November 24, 2004 Planning Commission meeting and that the Variance to the Subdivision Regulations to waive the requirement to improve the section line highway with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer be denied;

That the Variance to the Subdivision Regulations to waive the requirement to provide a minimum 24 foot wide paved surface along the two un-named cul-de-sacs, Quartz Canyon Place and Wild Turkey Way be denied;

That the Variance to the Subdivision Regulations to waive the requirement to provide a minimum 20 foot wide paved surface along the emergency access easement be denied;

That the Variance to the Subdivision Regulations to waive the requirement to improve pavement along Wilderness Canyon Road and Quartz Canyon Lane from 24 feet to 27 feet be approved with the following stiuations:

- 1. Prior to submittal of a Final Plat application, the applicant shall sign a waiver of right to protest any future assessments for the pavement improvement along Wilderness Canyon Road and Quartz**

- Canyon Lane; and,
2. A note prohibiting on-street parking shall be placed on the plat;

That the Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk, street light conduit and sewer along the two un-named cul-de-sacs, Quartz Canyon Place, Quartz Canyon Lane and Wild Turkey Way be approved with the following stipulation:

1. Prior to submittal of a Final Plat application, the applicant shall sign a waiver of right to protest any future assessments for the improvements;

That the Variance to the Subdivision Regulations to waive the requirement to provide curb, gutter, sidewalk, street light conduit, water and sewer along the emergency access easement be approved. (7 to 0 with LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

*25. No. 04PD050 - Fairway Hills PRD

A request by Westside Baptist Church to consider an application for a **Major Amendment to a Planned Residential Development** on Lot 3B less Lot H1, Fairway Hills PRD, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4024 Sheridan Lake Road.

Tucker stated that staff is recommending that the Public Hearing on the Major Amendment to a Planned Residential Development be continued to the November 24, 2004, Planning Commission meeting.

Hadcock moved, seconded by Anderson and unanimously carried to continue the Public Hearing on the Major Amendment to a Planned Residential Development to the November 24, 2004 Planning Commission meeting. (7 to 0 with LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

*26. No. 01UR042 - Section 23, T1N, R7E

A request by the City of Rapid City to consider an application for a **Revocation of a Use on Review to allow Communication Tower in Public District** on Lot 2 of Owen Hibbard Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Golden Eagle Drive and adjacent to old Marine Life.

Elkins recommended that the Public Hearing on the Revocation of a Use on Review to allow a Communication Tower in a Public District be continued to the November 24, 2004, Planning Commission meeting to allow the applicant time to resolve the landscaping issues.

Prairie Chicken moved, seconded by Hadcock and unanimously carried to continue the Public Hearing on the Revocation of a Use on Review to allow a Communication Tower in a Public District to the November 24, 2004,

Planning Commission meeting. (7 to 0 with LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

27. Discussion Items

A. Noise Standards

Elkins advised that Michael Gould has requested that the discussion on Noise Standards be continued to the November 24, 2004, Planning Commission meeting.

Prairie Chicken moved, seconded by Hadcock and unanimously carried to continue the discussion of Noise Standards to the November 24, 2004 Planning Commission meeting. (7 to 0 with LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

B. Draft Overlay Zoning District Ordinance

Bulman presented the Draft Overlay District Ordinance for the Canyon Lake Area and staff's recommendation to schedule a neighborhood meeting before the Thanksgiving holiday or after the first of the year with the residents of the Canyon Lake area.

Discussion continued.

Prairie Chicken moved, seconded by Anderson and unanimously carried to direct staff to schedule an Open House with the residents of the Canyon Lake Area to receive comments and concerns regarding the proposed Overlay Zoning District Regulations. (7 to 0 with LeMay, Anderson, Fast Wolf, Hadcock, Brown, Prairie Chicken, and Schmidt voting yes and with none voting no)

28. Staff Items

A. Planning Commission Assignment for the November 15, 2004 City Council meeting

In response to a request by Elkins, Gary Brown volunteered to attend the November 15, 2004 City Council meeting.

29. Planning Commission Items

None

30. Committee Reports

None

There being no further business Rodriguez moved, Brown seconded and unanimously carried to adjourn the meeting at 7:56 a.m. (7 to 0 with LeMay, Brown, Anderson, Fast Wolf, Hadcock, Prairie Chicken, and Schmidt voting yes and with none voting no)

