

MINUTES
RAPID CITY PLANNING COMMISSION
November 4, 2004

MEMBERS PRESENT: Scott Nash, Gary Brown, Debra Hadcock, Mike Lemay, Mel Prairie Chicken, Martha Rodriguez, Ethan Schmidt, Pete Anderson; Karen Olson, Council Liaison, was also present.

STAFF PRESENT: Patsy Horton, Marcia Elkins, Linda Foster, Pat Beaudette, Joel Landeen, Karen Bulman, Bill Knight and Jeanne Nicholson

Chairperson Nash called the meeting to order at 7:00 p.m. and opened the public hearing on 04CA032 – Comprehensive Plan Amendment to the Comprehensive Plan adopting the U.S. Highway 16 Neighborhood Area Future Land Use Plan.

Horton advised that at the direction of the Planning Commission, the Future Land Use Committee visited with area property owners concerning the proposed future land use designations in the area of Sammis Trail, east of Highway 16. She briefly identified the Committee's proposed changes to the Future Land Use Plan and added that the Future Land Use Committee recommends that the Planning Commission direct staff to move forward with the proposed changes to the Major Street Plan and to make changes to the density calculations to reflect the proposed land use designations identified on the land use map.

Rodriguez suggested that the plan be divided into four different areas and that public comments be received for one particular area at a time for purposes of clarity.

In response to Schmidt's question, Horton advised that no change was made to the designation for the proposed Highland Park development. She added that the Future Land Use Committee's recommendation for the proposed designation is 2.0 dwelling units per acre.

Nash advised that the committee will receive public comments on the area west of US Highway 16 and north of Catron Boulevard. No public comments were received for this area. He then asked if anyone wished to comment on the area east of US Highway 16 and north of Catron Boulevard. No comments from the public were received. He asked if anyone wished to comment on the area south of Catron Boulevard and west of US Highway 16. No public comments were received. Nash called for comments on the area south of Catron Boulevard and east of US Highway 16.

Casey Peterson advised that he is a resident in the southeast area of the proposed plan and briefly reviewed the neighborhood's concerns with the proposed number of dwelling units per acre in the Hyland Park development, leapfrog annexation and sprawl, inadequate utilities for the proposed development and the maintenance of new roads in this area. He added that the neighborhood supports the 2.0 dwelling units per acre. Peterson noted that the neighborhood has met with the Future Land Use Committee several times and he expressed his opinion that the committee addressed the wishes of the neighbors regarding the existing covenants, and the appropriate land uses and density for this area.

In response to a question from Schmidt, Peterson advised that the developers have referenced that the houses in this area would be similar to the size of the homes in Terracita Heights. In response to another question from Schmidt, Peterson indicated that his interpretation of the proposed City sewer boundary indicates that septic tanks would not be allowed and all sewage would go into the City system. A brief discussion followed.

In response to a question from Schmidt, Elkins advised that any subdivision that is located in the City's three mile jurisdiction, but not in the City limits, must provide documentation for the

maintenance of new roads. She added that this could be accomplished by the County's acceptance of the new road or roads, the establishment of a homeowners association or the development of a road district.

Don Shultz advised that he and his partners do not agree with the proposed designation of their property located south of Catron Boulevard and east of the South Hill Subdivision. He expressed his opinion that their property should have the same designation as the property directly to the east, which is 6.7 dwelling units per acre. He added that he met with the Future Land Use Committee and requested that the property have the designation of 6.7 dwelling units per acre based on recommendations from his engineer and a prospective buyer.

Hadcock stated that when the Future Land Use Committee met with Mr. Shultz's representative, Mr. Hall, he requested that Mr. Schultz's property have the designation 3.0 dwelling units per acre. She added that the Growth Management Department received a letter from Mr. Schultz the next day requesting that the property have a designation of 6.7 dwelling units per acre. Hadcock noted that the Future Land Use Committee felt that the 3.0 dwelling units per acre was appropriate for the property because of the topography of the land. Shultz advised that he would be willing to meet with the committee to further review the appropriate designation for his property. A brief discussion followed regarding the topography of Mr. Shultz's property.

Scott Sumner advised that the developers for the Hyland Park development met with the Future Land Use Committee and requested the 2.5 dwelling units per acre designation. He added that the developers of Hyland Park started with an evaluation of the land and how the land could best be developed in a manner that would be consistent with the area. He stated that the developers initially were considering higher density but the engineer's analysis did not support it. Therefore, the plan was modified to its current proposal of 2.5 dwelling units per acre. Sumner added that this is a responsible proposal and that the price range for homes would be from \$195,000 to \$250,000. He briefly reviewed the financial impact that would be incurred if the dwelling unit designation was changed from 2.5 to 2.0 dwelling units per acre. He expressed his opinion that topography is the most significant issue in this development and that at the Future Land Use Committee meeting, no documentation was provided indicating that the topography would not support the density of 2.5 dwelling units per acre. He added that previous discussion has occurred about increased traffic and emphasized that the Hyland Park development proposal is consistent with the overall plan for this neighborhood. He briefly reviewed the road infrastructure of the development and requested that the road going south from Sammis Trail through this development be moved slightly to the east to allow for development on both sides of the road.

In response to a question from Schmidt, Sumner reviewed the topography maps for this area noting how the location of the contour lines indicate the layout of the land. In a response to Schmidt's next question, Sumner indicated that the investors for the Hyland Park development feel that this is the right time to proceed with the proposed development of 2.5 dwelling unit per acre.

Gene Addink informed the Planning Commission that Hart Ranch supported the original draft land use plan. He expressed concern with the new designation for the Hart Ranch property on the revised plan. He added that the revised plan shows the density going from 4,000 homes to 600 homes on 600 acres. He added that the topography of the land is very similar to the proposed Highland Park development and questioned the difference in density designations. Addink expressed his support for the 2.5 dwelling units per acre designation for the Hyland Park development and for the 120 acres directly south of the proposed development. He added that he would like to request that the remaining Hart Ranch property have the designation of 1.0 dwelling unit per acre.

In response to a question from Schmidt, Hadcock explained the process the Future Land Use Committee used to determine the appropriate density designations for property in this proposed

plan. She added that the committee tried to work with everyone and tried to meet the needs of all parties involved.

In response to a question from Schmidt, Hadcock indicated that no documentation was received indicating that the proposed Hyland Park property is not suitable for 2.5 dwelling units per acre.

Olson stated that the Future Land Use Committee felt it was important to understand the rights of current property owners and to take into consideration their feelings about new development in this area. She expressed her opinion that the project may be ahead of its time in terms of providing City services to this development, partially because of the undeveloped property in the immediate area. She expressed her opinion that the interests of the current property owners need to be taken into consideration and felt a compromise was needed to determine the appropriate density for the proposed Hyland Park development and surrounding properties.

Hani Shafai briefly reviewed the discussion held at the Future Land Use Committee meeting regarding Mr. Shultz's property and noted that his response at that meeting was that the property could support three single family units per acre. He added that the terrain of this property is very similar to a piece of property on the west side of US Highway 16 along Catron Boulevard that has a designation of 4.8 dwelling units per acre. He noted that this would be a good compromise for Mr. Shultz's property and the land could support the 4.8 dwelling units per acre. Shafai requested that the proposed road from Sammis Trail to the south through Highland Park be moved approximately 120 feet to the east and that it be reclassified as a collector road instead of an arterial road. He had that the terrain of the 120 acres will support the 2.5 dwelling units per acre.

In response to a question from Schmidt, discussion followed regarding the criteria used to determine property road classifications.

Lew Papendick advised that the Orthopedic Land Company consists of eight partners and briefly identified their wishes for the appropriate designation for their property adjacent to the clinic. He expressed his appreciation for the Future Land Use Committee's consideration for the current property owners in this area. Papendick expressed his opinion that future development needs to be consistent and not negatively impact development that has already occurred in this particular area.

In response to a question from Schmidt, Papendick explained that he has a 10 acre parcel that currently consists of a horse barn and a single family residence that is under construction. He advised that the current covenants allow for one dwelling unit per five acres.

In response to a question from Schmidt, Papendick expressed his support for two dwelling units per acre for the proposed Hyland Park development.

In response to a question from Nash, Elkins explained that the Planning Commission has the right to make changes or amendments to the plan and that the Planning Commission's recommendation would go to the City Council for their approval. She added that the City Council can also make changes to the proposed plan prior to their adoption of the plan.

Shultz advised that he agrees with his engineer that his property could support the 4.8 dwelling units per acre and requested the Planning Commission to approve this designation on his property.

In response to a question from Schmidt, Landeen stated that the City is not bound by private covenants but the character of the surrounding area should be a determining factor.

In response to a question from Schmidt, Elkins advised that staff supports the current classification of arterial road for the road that extends from Sammis Trail to the south through the Hyland Park development.

Olson advised that the Future Land Use Committee supported the 3.0 dwelling units per acre for Mr. Shultz's property because it would allow for higher density on different portions of the property based on the suitability of the topography. She expressed her opinion that this property would support 4.8 dwelling units per acre.

Sumner added that several developers and investors are planning to build in the Hyland Park development.

Prairie Chicken moved, Lemay seconded and motion carried to close the public hearing on the US Highway 16 Neighborhood Area Future Land Use Plan.

Rodriguez moved to recommend approval of the proposed Future Land Use Plan with the following amendments:

- 1. That the property located in the E1/2 NE1/4 and the E1/2 SE1/4 of Section 26, T1N, R7E, BHM, Pennington County, South Dakota - change from Planned Residential Development with 3 dwelling units per acre to Planned Residential Development with 4.8 dwelling units per acre with the option to designate park land within the area as an alternate use;**
- 2. 120 acres located in the W1/2 SE1/4 and the SE1/4 SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota - change from Planned Residential Development with 2.0 dwelling units per acre to Planned Residential Development with 2.5 dwelling units per acre; and,**
- 3. That the property located east of the collector road in the SE1/4 SW1/4, Section 26, T1N, R7E, BHM, Pennington County, South Dakota - change from Planned Residential Development with 2.0 dwelling units per acre to Planned Residential Development with 2.5 dwelling units per acre.**

The motion was seconded by Brown.

Schmidt expressed his opinion that reasonable compromises need to be made by all parties involved. He added that he supports the 2.5 dwelling units per acre for the Highland Park development. Schmidt reminded everyone that the average dwelling units per acre for Rapid City is 2.4.

The motion to recommend that the Amendment to the Comprehensive Plan adopting the U.S. Highway 16 Neighborhood Area Future Land Use Plan be approved as submitted with the following amendments:

- 1. That the property located in the E1/2 NE1/4 and the E1/2 SE1/4 of Section 26, T1N, R7E, BHM, Pennington County, South Dakota be designated as a Planned Residential Development with 4.8 dwelling units per acre with an option to designate park land within the property boundary;**
- 2. That the property located in the W1/2 SE1/4 and the SE1/4 SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, known as the proposed Hyland Park Subdivision, be designated as a Planned Residential Development with 2.5 dwelling units per acre; and**

- 3. That the property located in the SE1/4 SW1/4, Section 26, T1N, R7E, BHM, Pennington County, South Dakota be designated as a Planned Residential Development with 2.5 dwelling units per acre.**

carried with Brown, Rodriguez, Schmidt, Anderson, Prairie Chicken and Lemay voting aye, and Hadcock and Nash voting nay. (6 to 2)

Elkins advised that the Future Land Use Committee recommended that the staff be directed to amend the Major Street Plan to be consistent with approved Future Land Use Plan and to complete the supporting documentation for density calculations reflected by the proposed land use designations.

Schmidt moved, Prairie Chicken seconded and motion carried to direct staff to bring forward proposed changes to the Major Street Plan as identified on the revised draft of the U.S. Highway 16 Neighborhood Area Future Land Use Map including changes to the density calculations to reflect the proposed land use designation changes identified on the referenced map and as amended herein.

There being no further business, Schmidt moved, Prairie Chicken seconded and motion carried to adjourn the meeting at 8:30 p.m.