

Draft

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
January 27, 2005

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

STAFF PRESENT: Marcia Elkins, Patsy Horton, Linda Foster, Bob Dominicak, Curt Huus, Karen Bulman, Renee Catron Blair, Bill Knight, Dave Johnson, Joel Landeen, Todd Tucker, and Nadine Bauer.

Chairperson Brown called the meeting to order at 7:09 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.

Elkins requested that Item 26 be removed for separate consideration.

Prairie Chicken moved, seconded by LeMay and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 thru 32 in accordance with the staff recommendations with the exception of Item 26. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

1. Approval of the December 9, 2004, January 6, 2005 and January 13, 2005 Planning Commission Meeting Minutes.
2. No. 04AN009 - Hyland Park Subdivision
A request by Dream Design International, Inc. to consider an application for a **Petition for Annexation** on the W1/2 SE1/4 and SE1/4 SE1/4 and N1/2 NW1/4 SW1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located east of South Highway 16 and south of Sammis Trail.

Planning Commission recommended that the Petition for Annexation be continued to the February 24, 2005 Planning Commission meeting at the applicant's request.

3. No. 04AN010 - Section 35, T1N, R7E
A request by Dream Design International Inc. to consider an application for a **Petition for Annexation** on the S1/2 NE1/4 SW1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located east of South Highway 16 and south of Sammis Trail.

Planning Commission recommended that the Petition for Annexation be continued to the February 24, 2005 Planning Commission meeting at the applicant's request.

4. No. 04PL097 - Hyland Park Subdivision
A request by Dream Design International, Inc. to consider an application for a **Layout Plat** on Hyland Park Subdivision, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the W1/2 SE1/4 and SE1/4 SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located east of South Highway 16 and south of Sammis Trail.

Planning Commission recommended that the Layout Plat be continued to the February 24, 2005 Planning Commission meeting at the applicant's request.

5. No. 04CA042 - Rapid City Regional Airport Master Plan (on airport)
A Summary of Adoption Action for an Amendment to the Comprehensive Plan to adopt the Rapid City Regional Airport Master Plan (on airport), dated January 2000 and Rapid City Regional Airport Master Plan Update (on airport), dated May 2004.

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

6. No. 04CA043 - Stoneridge Subdivision
A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.92 acre parcel from Public to General Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N49°55'49"E a distance of 1224.84 feet to the point of beginning; thence along the arc of a curve to the right whose radius point bears S50°24'14"E, having a radius of 842.93 feet, a central angle of 35°47'16" and an arc length of 526.57 feet; thence N83°15'56"W a distance of 119.91 feet; thence N54°42'24"W a distance of 248.48 feet; thence N84°42'24"W a distance of 114.98 feet; thence S00°03'21"W a distance of 446.63 feet to the point of beginning, containing an area of 1.92 acres, all located in the SE1/4 SE1/4 and SW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

7. No. 04CA044 - Stoneridge Subdivision
A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.26 acre parcel from General Commercial with a Planned Commercial Development to Public on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N64°54'42"E a

distance of 2092.35 feet to the point of beginning; thence N66°07'09" e a distance of 35.13 feet; thence along the arc of a curve to the left whose radius point bears N23°52'51"W, having a radius of 500.00 feet, a central angle of 23°20'19" and an arc length of 203.67 feet; thence N42°46'50"E a distance of 135.90 feet; thence along the arc of a curve to the right whose radius point bears S33°40'19"W, having a radius of 912.83 feet, a central angle of 9°23'00" and an arc length of 149.50 feet; thence S42°55'22"W a distance of 232.95 feet; thence along the arc of a curve to the right whose radius point bears N47°04'38"W, having a radius of 400.00 feet, a central angle of 15°13'51" and an arc length of 106.33 feet; thence N59°06'14"W a distance of 192.96 feet to the point of beginning, containing an area of 1.26 acres, all located in the SE1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

8. No. 04CA045 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.0 acre parcel from Office Commercial with a Planned Commercial Development to Public on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N52°10'52"E a distance of 1739.84 feet to the point of beginning; thence 83°15'56"E a distance of 276.46 feet; thence S59°06'14"E a distance of 286.69 feet; thence N66°07'09"E a distance of 35.13 feet; thence along the arc of a curve to the left whose radius point bears N23°52'51"W, having a radius of 500.00 feet, a central angle of 8°17'54" and an arc length of 72.42 feet; thence N44°05'09"W a distance of 171.27 feet; thence N83°15'56"W a distance of 303.07 feet; thence along the arc of a curve to the left whose radius point bears S1°11'17"E, having a radius of 851.82 feet, a central angle of 13°22'01" and an arc length of 198.73 feet to the point of beginning, containing an area of 1.0 acres, all located in the SE1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

9. No. 04CA046 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 3.18 acre parcel from Public to General Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N51°14'38"E a distance of 1781.74 feet to the point of beginning; thence S83°15'56"E a distance of 485.70 feet; thence N27°29'45"E a distance of 202.66 feet; thence

N62°31'55"W a distance of 476.05 feet; thence S27°28'05"W a distance of 278.96 feet; thence along the arc of a curve to the left whose radius point bears S62°31'55"E, having a radius of 220.67 feet, a central angle of 24°05'58" and an arc length of 92.82 feet; thence S3°22'06"W a distance of 6.07 feet to the point of beginning, containing an area of 3.18 acres, all located in the SE1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

10. No. 04CA047 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.21 acre parcel from Public to Office Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N51°14'38"E a distance of 1781.74 feet to the point of beginning; thence N3°22'06"E a distance of 6.07 feet; thence along the arc of a curve to the right whose radius point bears S86°37'54"E, having a radius of 220.67 feet, a central angle of 24°05'58" and an arc length of 92.82 feet; thence N27°28'05"E a distance of 278.96 feet; thence N62°31'55"W a distance of 89.99 feet; thence S27°29'45"W a distance of 272.96 feet; thence N89°16'18"W a distance of 248.96 feet; thence S54°42'24"E a distance of 227.17 feet; thence S83°15'56"E a distance of 116.68 feet to the point of beginning, containing an area of 1.21 acres, all located in the SE1/4 SE1/4, SW1/4 SE1/4, NE1/4 SE1/4, and NW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

11. No. 04CA048 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 0.42 acre parcel from Planned Residential Development with 6.7 dwelling units per acre to Office Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N28°31'52"E a distance of 1445.37 feet to the point of beginning; thence N78°01'29"E a distance of 97.70 feet; thence S89°42'24"E a distance of 105.65 feet; thence S84°42'24"E a distance of 18.19 feet; thence along the arc of a curve to the right whose radius point bears N32°25'42"E, having a radius of 1443.00 feet, a central angle of 11°03'18" and an arc length of 278.42 feet; thence S0°02'42"W a distance of 189.03 feet to the point of beginning, containing an area of 0.42 acres, all located in the NW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of

Fifth Street and Catron Boulevard.

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

12. No. 04CA049 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.92 acre parcel from Office Commercial with a Planned Commercial Development to Medium Density Residential with a Planned Residential Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N25°19'44"E a distance of 1614.03 feet to the point of beginning; thence N0°02'42"E a distance of 451.16 feet; thence N88°44'21"W a distance of 324.90 feet; thence along the arc of a curve to the left whose radius point bears N65°55'22"E, having a radius of 1443.00 feet, a central angle of 22°26'22" and an arc length of 565.14 feet to the point of beginning, containing an area of 1.92 acres, all located in the NW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

13. No. 04CA050 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 7.88 acre parcel from Planned Residential Development with 6.7 dwelling units per acre to Medium Density Residential with a Planned Residential Development on property described by metes and bounds starting from the center corner Section 24, T1N, R7E of the Black Hills Meridian, N84 19'06"W a distance of 840.15 feet to the point of beginning; thence N43 12'17"E a distance of 193.24 feet; thence N27 29'06"E a distance of 678.92 feet; thence S34 57'23"E a distance of 210.68 feet; thence along the arc of a curve to the left whose radius point bears N55 02'37"E, having a radius of 326.00 feet , a Central Angle of 54 27'18" and an arc length of 309.84 feet; thence S89 24'42"E a distance of 6.72 feet; thence N0 05'48"E a distance of 72.50 feet; thence N0 06'56"E a distance of 250.00 feet; thence S89 41'24"E a distance of 330.57 feet; thence N0 06'56"E a distance of 386.74 feet; thence N89 40'51"W a distance of 238.67 feet; thence N60 48'44"W a distance of 49.11 feet; thence S33 16'59"W a distance of 65.31 feet; thence S45 06'34"W a distance of 65.81 feet; thence S50 59'02"W a distance of 69.64 feet; thence S54 23'47"W a distance of 309.94 feet; thence S35 36'13"E a distance of 30.00 feet; thence S54 23'47"W a distance of 174.17 feet; thence S43 25'38"W a distance of 129.39 feet; thence S26 02'24"W a distance of 121.98 feet; thence S24 30'11"W a distance of 559.66 feet To The Point of Beginning. Containing an area of 8.94 Acres. Located in the SW1/4 SE1/4, NW1/4SE1/4, NE1/4SW1/4, and SE1/4SW1/4 Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located

northwest of Fifth Street and Catron Boulevard.

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

14. No. 04CA051 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 1.05 acre parcel from Planned Residential Development with 6.7 dwelling units per acre to Public on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N04°24'10"E a distance of 1226.78 feet to the point of beginning; thence N60°48'44"W a distance of 152.49 feet; thence along the arc of a curve to the left whose radius point bears N60°58'31"W, having a radius of 330.00 feet, a central angle of 4°20'43" and an arc length of 25.03 feet; thence S60°48'44"E a distance of 95.30 feet; thence S89°40'51"E a distance of 634.83 feet; thence N78°01'29"E a distance of 97.70 feet; thence S89°42'24"E a distance of 105.65 feet; thence S84°42'24"E a distance of 18.19 feet; thence along the arc of a curve to the left whose radius point bears N32°25'42"E, having a radius of 1443.00 feet, a central angle of 01°18'43" and an arc length of 33.04 feet; thence S00°03'21"W a distance of 35.42 feet; thence N84°42'24"W a distance of 48.82 feet; thence N89°42'24"W a distance of 99.09 feet; thence S80°17'36"W a distance of 119.51 feet; thence N89°40'51"W a distance of 578.09 feet to the point of beginning, containing an area of 1.05 acres, all located in the NW1/4 SE1/4, NE1/4 SW1/4 and SW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

15. No. 04CA052 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 3.56 acre parcel from Planned Residential Development with 6.7 dwelling units per acre to Office Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N21°41'03"E a distance of 898.69 feet to the point of beginning; thence S89°41'24"E a distance of 400.31 feet; thence N0°03'21"E a distance of 397.36 feet; thence S80°17'36"W a distance of 61.38 feet; thence N89°40'51"W a distance of 339.42 feet; thence S0°06'56"W a distance of 386.74 feet to the point of beginning, containing an area of 3.56 acres, all located in the SW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

Planning Commission approved the Summary of Adoption Action and

authorized publication in the Rapid City Journal.

16. No. 04CA053 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 2.45 acre parcel from Planned Residential Development with 6.7 dwelling units per acre to Office Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N32°58'04"E a distance of 609.06 feet to the point of beginning; thence N0°05'48"E a distance of 74.11 feet; thence N0°06'56"E a distance of 250.00 feet; thence N89°41'24"W a distance of 330.57 feet; thence S0°06'56"W a distance of 250.00 feet; thence S0°05'48"W a distance of 72.50 feet; thence S89°24'42"E a distance of 330.58 feet to the point of beginning, containing an area of 2.45 acres, all located in the SW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

17. No. 04CA054 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 3.89 acre parcel from Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N32°58'04"E a distance of 609.06 feet to the point of beginning; thence N89°24'42"W a distance of 330.58 feet; thence S0°05'48"W a distance of 365.07 feet; thence S89°16'18"E a distance of 2.76 feet; thence S1°09'27"W a distance of 149.31 feet; thence S89°42'31"E a distance of 330.57 feet; thence N0°05'48"E a distance of 512.67 feet to the point of beginning, containing an area of 3.89 acres, all located in the SW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

18. No. 04CA055 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 5.86 acre parcel from Planned Residential Development with 6.7 dwelling units per acre to General Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24,

Township 1 North, Range 7 East of the Black Hills Meridian, N32°58'04"E a distance of 609.06 feet to the point of beginning; thence S89°24'42"E a distance of 452.05 feet; thence along the arc of a curve to the right whose radius point bears S72°22'50"E, having a radius of 842.93 feet, a central angle of 21°58'36" and an arc length of 323.32 feet; thence N00°03'21"E a distance of 446.63 feet; thence N84°42'24"W a distance of 48.82 feet; thence N89°42'24"W a distance of 99.09 feet; thence S80°17'36"W a distance of 58.13 feet; thence S00°03'21"W a distance of 397.36 feet; thence N89°41'24"W a distance of 400.31 feet; thence S00°06'56"W a distance of 250.00 feet; thence S00°05'48"W a distance of 74.11 feet to the point of beginning, containing an area of 5.86 acres, all located in the SW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

19. No. 04CA056 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 4.93 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 starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N32°58'04"E a distance of 609.06 feet to the point of beginning; thence S0°05'48"W a distance of 512.67 feet; thence S89°42'31"E a distance of 416.02 feet; thence N0°36'33"W a distance of 245.03 feet; thence along the arc of a curve to the right whose radius point bears N89°19'20"E, having a radius of 842.93 feet, a central angle of 18°17'50" and an arc length of 269.19 feet; thence N89°24'42"W a distance of 452.05 feet to the point of beginning, containing an area of 4.93 acres, all located in the SW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

20. No. 04CA057 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 16.78 acre parcel from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, S89°42'31"E a distance of 746.59 feet to the point of beginning; thence S89°42'31"E a distance of 701.03 feet; thence N0°45'02"W a distance of 362.10 feet; thence along the arc of a curve to the right whose radius point bears N89°12'50"E, having a radius of 500.00 feet, a central angle of 66°54'19" and an arc length of 583.86 feet; thence

N66°07'09"E a distance of 169.03 feet; thence N59°06'14"W a distance of 286.69 feet; thence N83°15'56"W a distance of 276.71 feet; thence along the arc of a curve to the left whose radius point bears S14°36'58"E, having a radius of 842.93 feet, a central angle of 76°03'42" and an arc length of 1119.01 feet; thence S0°36'33"E a distance of 245.03 feet to the point of beginning, containing an area of 16.78 acres, all located in the SW1/4 SE1/4 and SE1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

21. No. 04CA058 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 0.06 acre parcel from Office Commercial with a Planned Commercial Development to Public on property described by metes and bounds starting from the center corner Section 24, Township 1 North, Range 7 East of the Black Hills Meridian, N35°14'08"E a distance of 1576.77 feet to the point of beginning; thence S58°33'19"E a distance of 49.54 feet; thence S89°16'18"E a distance of 136.19 feet; thence N54°42'24"W a distance of 21.99 feet; thence N84°42'24"W a distance of 161.19 feet to the point of beginning, containing an area of 0.06 acres, all located in the NW1/4 SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

22. No. 04CA059 - Stoneridge Subdivision

A Summary of Adoption Action for an Amendment to the Comprehensive Plan by revising the South Robbinsdale Neighborhood Area Future Land Use Plan to change the land use designation on a 8.94 acre parcel from Planned Residential Development with 6.7 dwelling units per acre to Medium Density Residential with a Planned Residential Development on property described by metes and bounds starting from the center corner section 24, T1N, R7E, of the BHM, N25°19'44"E a distance of 1614.03 feet to the point of beginning; thence along the arc of a curve to the right whose radius point bears N43°29'00"E, having a radius of 1443.00 feet, a central angle of 20°24'13" and an arc Length of 513.87 feet; thence N89°39'23"W a distance of 284.98 feet; thence S00°02'42"W a distance of 470.11 feet; thence S14°43'10"W a distance of 65.38 Feet; thence S17°41'04"W a distance of 69.06 Feet; thence S89°40'51"E a distance of 625.52 Feet; thence N0°02'42"E a distance of 189.03 feet to the point of beginning. Containing an area of 6.54 acres. Located In the NW1/4 SE1/4 and NE1/4 1/4, Section 24, T1N, R7E, BHM, City of Rapid City, Pennington County, South Dakota, more generally described as being located northwest of Fifth Street and Catron Boulevard.

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

23. No. 04PL185 - Owen Hibbard Subdivision

A request by Black Hills Surveying to consider an application for a **Preliminary Plat** on Lots 4 and 5 of Owen Hibbard Subdivision, all located in the W1/2 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, legally described as the unplatted portion of Tract A of Tract 1, all located in the W1/2 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, more generally described as being located at the intersection of Promise Road and Golden Eagle Drive.

Planning Commission recommended that the Preliminary Plat be continued to the February 24, 2005 Planning Commission meeting to allow the applicant time to submit additional information.

24. No. 04PL193 - Cavern Crest Subdivision

A request by Daniel P. Wegner to consider an application for a **Preliminary 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 Preliminary Plat be continued to the February 24, 2005 Planning Commission meeting to allow the applicant time to submit a Subdivision Variance.

25. No. 04PL194 - Elks Country Estates

A request by Sperlich Consulting, Inc. for Dennis Zandstra to consider an application for a **Preliminary and Layout Plat** on Jolly Lane Right-of-Way extended south to section line, legally described as a portion of Tract 1 of Elks Country Estates, located in the SE1/4, of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as the extension of Jolly Lane.

Planning Commission recommended that the Preliminary Plat be continued to the February 10, 2005 Planning Commission meeting to allow the applicant to submit additional information.

27. No. 04PL210 - Trailwood Village

A request by Sperlich Consulting Inc. for Gordon Howie to consider an application for a **Layout and Preliminary Plat** on a portion of Tract T of Trailwood Village, located in the SE1/4 of the SE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Lot 3 of Block 22, Trailwood Village, Thence, S00°03'09"W, a distance of 346.91 feet to the northeasterly corner of the boundary, and the Point of Beginning; Thence, first course: S00°05'47"W, a distance of 317.18 feet, to the southeasterly corner of said boundary; Thence,

second course: S89°49'52"W, a distance of 227.28 feet, to the southwesterly corner of said boundary; Thence, third course: N00°04'24"W, a distance of 199.81 feet, to the northerly corner of said boundary; Thence, fourth course: N65°25'59"W, a distance of 24.18 feet, to the northwesterly corner of said boundary; Thence, fifth course: N00°04'24"E, a distance of 35.04 feet, to the northerly corner of said boundary; Thence, sixth course: S89°55'36"E, a distance of 40.00 feet, to the northeasterly corner of said boundary; Thence, seventh course: N00°04'24"E, a distance of 73.27 feet, to the northerly corner of said boundary; Thence, eighth course: S89°55'36"E, a distance of 209.43 feet, to the northeasterly corner of said boundary, and the Point of Beginning, said parcel contains 1.460 acres more or less, more generally described as being located at the northwest corner of the intersection of Long View Road and Reservoir Road.

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

- 1. Prior to Preliminary Plat approval by the City Council, road construction plans shall be submitted for review and approval for Reservoir Road and Long View Road. In particular, the road construction plans shall show the street constructed with curb, gutter, sidewalk, street light conduit and additional pavement or a Variance to the Subdivision Regulations shall be obtained;**
- 2. Prior to Preliminary Plat approval by the City Council, road construction plans shall be submitted for review and approval for the access and utility easements shown on the plat. In particular, the road construction plans shall show the street constructed with a minimum 49 foot wide right-of-way and a minimum 24 foot wide paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained.**
- 3. Prior to Preliminary Plat approval by the Planning Commission, a Master Plan for the unplatted remaining balance to the north of the proposed plat shall be submitted for review and approval;**
- 4. Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval;**
- 5. 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 and shall be submitted for review and approval. In addition, the redlined drawings shall be returned to the Growth Management staff;**
- 6. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
- 7. Prior to Preliminary Plat approval by the City Council, the applicant shall submit documentation demonstrating the legal entity responsible for providing street maintenance and snow removal on the proposed access easements for review and approval;**
- 8. Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Reservoir Road and Long View Road or a Variance to the**

Subdivision Regulations shall be obtained;

9. **Upon submittal of the Final Plat application, the plat document shall be revised to show 17 feet of additional right-of-way being dedicated along Long View Road and access restrictions shall be more clearly identified along Reservoir Road and Long View Road; and,**
 10. **Upon submittal of the 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.**
28. No. 04PL212 - Trailwood Village
A request by Sperlich Consulting, Inc. for Gordon Howie to consider an application for a **Layout and Preliminary Plat** on a portion of Tract T of Trailwood Village, located in the SE1/4 of the SW1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota more fully described as follows: Commencing at the southwesterly corner of Lot BR of Trailwood Village, common to a point on the northerly edge of the right-of-way of SD State Highway 44, and the Point of Beginning; Thence, first course: N68°57'27"E, along the southerly boundary of said Lot BR, a distance of 209.64 feet, to an angle point on the southerly boundary of said Lot BR; Thence, second course: S65°06'07"E, along the southerly boundary of said Lot BR, a distance of 72.70 feet, to a point on the southerly boundary of said Lot BR, common with a point on the westerly end of the edge of right-of-way of Avery Drive; Thence, third course: S24°53'53"W, along the westerly end of the edge of right-of-way of said Avery Drive, a distance of 60.00 feet; Thence, fourth course: S65°06'07"E, along the southerly edge of right-of-way of said Avery Drive, a distance of 10.00 feet; Thence, fifth course: S24°53'53"W, along the southerly edge of right-of-way of said Avery Drive, a distance of 20.00 feet; Thence, sixth course: S65°06'07"E, along the southerly edge of right-of-way of said Avery Drive, a distance of 25.00 feet; Thence, seventh course: N24°53'53"E, along the southerly edge of right-of-way of said Avery Drive, a distance of 20.00 feet; Thence, eighth course: southeasterly, along the southerly edge of said Avery Drive, curving to the right on a curve with a radius of 1983.52 feet, a delta angle of 09°09'25", an arc length of 317.00 feet, a chord bearing of S60°31'25"E, and a chord distance of 316.66 feet, to the southeasterly corner of said Avery Drive, common to a point on the westerly edge of the right-of-way of Covington Street; Thence, ninth course: southwesterly, along the westerly edge of said Covington Street, curving to the right on a curve with a radius of 520.00 feet, a delta angle of 06°21'52", an arc length of 57.76 feet, a chord bearing of S37°14'14"W, and chord distance of 57.73 feet, to a point of tangency on the westerly edge of the right-of-way of said Covington Street; Thence, tenth course: S40°25'09"W, along the westerly edge of the right-of-way of said Covington Street, a distance of 142.61 feet, to the southwesterly corner of the right-of-way of said Covington Street, common to a point on the northerly edge of the right-of-way of said SD State Highway 44; Thence, eleventh course: N51°11'35"W, along the northerly edge of the right-of-way of said SD State Highway 44, a distance of 534.30 feet, to the southwesterly corner of said Lot BR of Trailwood Village, and the Point of Beginning; said parcel contains 1.968 acres, more or less, more generally described as being located at the intersection of Avery Drive and Covington Street.

Planning Commission recommends that the Layout and Preliminary Plat be approved with the following stipulations:

- 1. Prior to Preliminary Plat approval by the City Council, road construction plans shall be submitted for review and approval for S. D. Highway 44. In particular, the road construction plans shall show the street constructed with curb, gutter and sidewalk or a Variance to the Subdivision Regulations shall be obtained;**
- 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 necessary;**
- 3. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
- 4. Prior to Preliminary Plat approval by the City Council, a construction plan shall be submitted for review and approval for Covington Street. In particular, the road construction plan shall show the sidewalk or a Variance to the Subdivision Regulations shall be obtained;**
- 5. Prior to submittal of a Final Plat application, the plat document shall be revised to add the note, "prior to a building or construction permit being issued, downstream drainage improvements as approved by the City of Rapid City and Pennington County are to be constructed"; and,**
- 6. Upon submittal of the 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.**

29. No. 04SR070 - Minneluzahan Senior Citizen's Center

A request by Wayne Asscherick for the Minneluzahan Senior Citizen's Center to consider an application for an **11-6-19 SDCL Review to allow the construction of a sign on public property** on Lot RU-18, RU Lots and Tract 21, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 315 North 4th Street.

Planning Commission recommended that the 11-6-19 SDCL Review to allow the construction of a sign on public property be approved with the following stipulation:

- 1. Prior to installation of the sign, a Sign Permit shall be obtained.**

30. No. 04VR011 - Millard Addition

A request by Lyle Henriksen for Chase & Company, LPI to consider an application for a **Vacation of Right-of-Way** on that portion of Greenway Street right-of-way lying between the east line of Holcomb Avenue right-of-way and a line between the south corner of Lot 3 and the east corner of Lot 19 of Block 1 of Millard Addition, located in NE1/4 of NE1/4 of Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being a portion of Greenway Street between Holcomb Avenue and North Maple Avenue.

Planning Commission recommended that the Vacation of Right-of-Way be continued to the February 24, 2005 Planning Commission meeting.

31. No. 04VR013 - Potts Subdivision

A request by Fisk Land Surveying & Consulting Engineers for Donald Potts to consider an application for a **Vacation of a portion of undeveloped section line right-of-way** lying within the SW1/4, SW1/4, SE1/4 and SE1/4, SW1/4, SE1/4, less Lot H1, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

Planning Commission recommended that the Vacation of a portion of undeveloped section line right-of-way be continued to the February 10, 2005 Planning Commission meeting at the applicant's request to allow the applicant to submit additional information.

32. No. 771 - Rushmore Regional Industrial Park

A request by City of Rapid City for a **Dissolution of Tax Increment District #18** on a parcel of land located in the balance of Block 4 of Rushmore Regional Industrial Park in the East ½ of Section 4, T1N, R8E, BHM in Pennington County, SD as shown on the plat recorded in the Pennington County Register of Deeds Office in Plat Book 21, page 189; being more particularly described as follows: Beginning at the southeast corner of said Parcel; the southeast corner of said Parcel being common with the southwest corner of the previously platted Lot 3 of Block 4 of Rushmore Regional Industrial Park as shown on the aforementioned plat; thence N0°21'E, a distance of 442.35' along the westerly line of said Lot 3 to the northeast corner which is common with the northwest corner of Lot 3 of Block 4 of Rushmore Regional Industrial Park; thence S89°51'W, a distance of 594.35' along the northerly line of Block 4 to the northwest corner; thence S0°21'W, a distance of 437.16' to the southwest corner, which is an intersection with the northerly right-of-way line of previously platted Jet Drive; thence S89°39'E, a distance of 594.33' along the northerly right-of-way line of previously platted Jet Drive to the Point of Beginning, said parcel of land contains 6.00 acres, more or less, more generally described as being located north of Jet Drive in the Rapid City Regional Industrial Park.

Planning Commission recommended that the Resolution Dissolving Tax Increment District #18 be approved.

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

26. No. 04PL209 - Godfrey Addition

A request by Renner & Associates for Dan Godfrey to consider an application for a **Layout Plat** on Lots A and B of Lot 2 of Godfrey Addition located in the SE1/4 of Section 27, T1N, R7E and in SW1/4 of SW1/4 of Section 26, T1N, R7E, BHM, Pennington County, South Dakota, legally described as Lot 2 of Godfrey Addition located in the SE1/4 of Section 27, T1N, R7E and in SW1/4 of SW1/4 of Section 26, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located southwest of the intersection of Catron Boulevard and U.S. Highway 16.

Horton presented the request and reviewed the slides of the subject property and staff's recommendation.

In response to a question by Prairie Chicken, Horton advised that prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits. She added that the property shall also be Rezoned from No Use District to General Commercial with a Planned Commercial Development overlay, Medium Density Residential with a Planned Residential Development overlay and Planned Residential Development with a maximum of 4 dwelling units per acre consistent with the adopted Southwest Connector Future Land Use Plan.

In response to a question by Hadcock, Horton advised that there are no notification requirements for a Layout Plat.

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

- 1. 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;**
- 2. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall provide on-site detention as needed. In addition, the plat document shall be revised to provide drainage easements as necessary;**
- 3. 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 individual on-site wastewater systems are proposed, than 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;**
- 4. Upon submittal of a Preliminary Plat application because of the close proximity to existing city utilities, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the applicant shall request in writing oversizing reimbursement from the City; supplemental tap fees shall also be paid as required. If on-site well(s) and/or a community water source are used, data to confirm that the well(s) have sufficient flows and water quality shall be submitted for review and approval. The water plans must also address high and low water pressure looping. In addition, the applicant must submit documentation that the existing community water district concurs with the proposed expansion of use;**
- 5. Upon submittal of a Preliminary Plat application, road construction**

- plans for the driveway easement shall be submitted for review and approval. In particular, the road construction plans shall show the driveway easement located in a minimum 49 foot easement and constructed with curb, gutter, sidewalk, street light conduit, water, sewer and a minimum 24 foot wide paved surface or a Variance to the Subdivision Regulations shall be obtained;
6. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway or right-of-way located along the eastern lot line shall be submitted for review and approval. In particular, the road construction plans shall show the section line highway or right-of-way 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 highway or right-of-way shall be vacated. If the section line highway or right-of-way is vacated, then all of the adjacent property owners shall sign a Petition to Vacate the section line or right-of-way;
 7. Upon submittal of the Preliminary Plat, the plat document shall be revised to show the dedication of the west half of the section line highway or right-of-way located on the adjacent property(s) or the west half of the section line highway or right-of-way shall be dedicated as part of a separate platting proposal. Either way, the entire section line highway or right-of-way shall be dedicated at the same time or a Variance to the Subdivision Regulations shall be obtained to allow platting half a right-of-way.
 8. Upon submittal of a Preliminary Plat application, construction plans providing for a north-south collector road to be located through a portion of Lot B of Lot 2 shall be submitted for review and approval or an amendment to the Major Street Plan shall be approved eliminating and/or relocating the collector road;
 9. Upon submittal of a Preliminary Plat application, construction plans for US Highway 16 frontage road shall be submitted for review and approval. In particular, the frontage road construction plans shall show the frontage road constructed within a minimum 100 foot right-of-way and constructed with curb, gutter, sidewalk, street light conduit, water, sewer and a minimum 40 foot wide paved surface or a Variance to the Subdivision Regulations shall be obtained;
 10. Upon submittal of a Preliminary Plat application, construction plans for a permanent turnaround at the end of the driveway easement shall be submitted for review and approval or a Special Exception to waive the requirement shall be approved;
 11. Upon submittal of a Preliminary Plat application, geotechnical analysis for the pavement design shall be submitted for review and approval;
 12. Prior to Preliminary Plan 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 Development Services Center;
 13. Upon submittal of a Preliminary Plat, a utility master plan shall be

- submitted for review and approval. In particular, the utility master plan shall provide for the extension of private utilities through the subject property as well as to adjacent properties;
14. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements 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;
 15. Upon submittal of the Preliminary Plat application, a fire hydrant design plan showing the location of fire hydrants and waterlines, 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;
 16. Upon submittal of a Preliminary Plat application, the title block shall be revised to indicate "formerly Lot 2 of Godfrey Addition";
 17. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits. In addition, the property shall be Rezoned from No Use District to General Commercial with a Planned Commercial Development overlay, Medium Density Residential with a Planned Residential Development overlay and Planned Residential Development with a maximum of 4 dwelling units per acre;
 18. Prior to submittal of a Final Plat, the plat document shall be revised to show a ten foot wide planting screen easement along Haines Avenue or a Variance to the Subdivision Regulations shall be obtained; and
 19. 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 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

---HEARING ITEMS CONSENT CALENDAR---

Brown announced that the Public Hearings on Items 33 through 44 were opened.

LeMay moved, seconded by Hadcock and unanimously carried to recommend approval of the Hearing Consent Agenda Items 33 through 44 in accordance with the staff recommendations (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

The Public Hearings for Items 22 through 46 were closed.

33. No. 04CA029 - Hyland Park Subdivision
A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change a Minor Arterial Street to a Collector Street on the Major Street Plan** on property located in the W1/2 SE1/4 and SE1/4 SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located east of South Highway 16 and south of Sammis Trail.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change a Minor Arterial Street to a Collector Street on the Major Street Plan be continued to the February 24, 2005 Planning Commission meeting at the applicant's request.

34. No. 04RZ037 - Hyland Park Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from No Use District to Low Density Residential District** on a parcel of land located in the W1/2 SE1/4 and the SE1/4SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located east of South Highway 16 and south of Sammis Trail.

Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District be continued to the February 24, 2005 Planning Commission meeting at the applicant's request.

35. No. 04SV042 - Hyland Park Subdivision

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, pavement, sewer, water and street light conduit; to waive the requirement to dedicate additional right-of-way; and, to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code** on the W1/2 SE1/4 and SE1/4 SE1/4 of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located east of South Highway 16 and south of Sammis Trail.

Planning Commission recommended that the Special Exception to allow 80 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual; that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, pavement, sewer, water and street light conduit and to dedicate additional right-of-way; and, that the Variance to the Subdivision Regulations to allow lots twice as long as wide be continued to the February 24, 2005 Planning Commission meeting at the applicant's request.

36. 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** to a right-of-way 76.00' in width with 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 N56°29'51"W along a non-visual line, 972.17' to the True Point of Beginning; Thence S22°35'26"E 198.94 feet; Thence along a curve to the right having a radius of 526.00 feet, included angle of 23°53'35", and a curve length of 219.35 feet; Thence S01°18'09"W 1438.43 feet; Thence along a curve to the right having a radius of 600.00 feet, included angle of 38°11'50", and a curve length of 400.00 feet; thence S39°29'59"W 257.99 feet; Thence along a curve to the right having a radius of 850.00 feet, included angle of 38°11'50", and a curve

length of 566.67 feet; Thence S01°18'09"W 237.88 feet to a point on the south line of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Said parcel containing 5.80 acres more or less and located in the SE1/4NW1/4 and E1/2SW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the 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 February 10, 2005 Planning Commission meeting.

37. No. 04CA067 - Section 27, T2N, R7E

A request by Fisk Engineering for Bailey Associates, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 9.70 acre parcel of land from General Agriculture to Light Industrial** on the west 320 feet of the SE1/4 SE1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current eastern terminus of Commerce Road.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 9.70 acre parcel of land from General Agriculture to Light Industrial be continued to the February 10, 2005 Planning Commission meeting.

38. No. 04CA068 - Sections 26, 27, and 34, T2N, R7E

A request by Fisk Engineering for Bailey Associates, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on an approximate 130.9 acre parcel of land from Park Forest to Light Industrial** on the east 1000 feet of the SE1/4 SE1/4 of Section 27, T2N, R7E, BHM; the SW1/4 SW1/4 of Section 26, T2N, R7E, BHM; and the east 1000 feet of the E1/2 NE1/4 of Section 34, T2N, R7E, BHM, all located in Rapid City, Pennington County, South Dakota, more generally described as being located at the current eastern terminus of Commerce Road.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on an approximate 130.9 acre parcel of land from Park Forest to Light Industrial be continued to the February 10, 2005 Planning Commission meeting.

39. No. 04RZ063 - Sections 26, 27, and 34, T2N, R7E

A request by Fisk Engineering for Bailey Associates, Inc. to consider an application for a **Rezoning from Public District to Light Industrial District** on the unplatted SW1/4 SW1/4, Section 26, T2N, R7E, BHM, and the unplatted E1/2 NE1/4, Section 34, T2N, R7E, BHM, and the unplatted SE1/4 SE1/4, Section 27, T2N, R7E, BHM, all located in Rapid City, Pennington County, South Dakota, more generally described as being located east of Rand Road and south of South Plaza Drive.

Planning Commission recommended that the Rezoning from Public District to Light Industrial District be continued to the February 10, 2005 Planning Commission meeting at the applicant's request.

40. No. 04CA069 - Mahoney Addition

A request by Dan McFarland for Jeff and Patty Griffith to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a .48 acre parcel of land from Low Density Residential to Low Density Residential-II** on Lots 1 and 2, Block 85, Mahoney Addition, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast corner of the intersection of MacArthur Street and Wood Avenue.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a .48 acre parcel of land from Low Density Residential to Low Density Residential-II be continued to the February 10, 2005 Planning Commission meeting.

41. No. 04RZ064 - Mahoney Addition

A request by Dan McFarland for Jeff and Patty Griffith to consider an application for a **Rezoning from Low Density Residential District to Low Density Residential-II District** on Lots 1 and 2, Block 85, Mahoney Addition, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of the intersection of MacArthur Street and Wood Avenue.

Planning Commission recommended that the Rezoning from Low Density Residential District to Low Density Residential II District be continued to the February 10, 2005 Planning Commission meeting.

42. No. 04RZ065 - Big Sky Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from No Use District to Low Density Residential District** on a parcel of land located in the NE1/4 SW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota being more particularly described as follows: beginning at a point on the center quarter corner of Section 3, T1N, R8E, BHM, being the Point of beginning S00°16'47"E 34.02 feet; thence S00°09'17"E 87.56 feet; thence S00°08'51"E 180.13 feet; thence N68°17'52"W 743.68 feet; thence S89°56'03"W 111.76 feet; thence N00°09'17"W 26.01 feet; thence N89°56'03"E 802.06 feet; to the Point of Beginning; containing 2.67 acres more or less, more generally described as being located south of Homestead Street between Degeest Street and Aurora Drive.

Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District be approved.

43. No. 04SV079 - Trailwood Village

A request by Sperlich Consulting, Inc. for Gordon Howie to consider an

application for a **Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk and street light conduit along S.D. Highway 44 as per Chapter 16.16 of the Rapid City Municipal Code** on a portion of Tract T of Trailwood Village, located in the SE1/4 of the SW1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota more fully described as follows: Commencing at the southwesterly corner of Lot BR of Trailwood Village, common to a point on the northerly edge of the right-of-way of SD State Highway 44, and the Point of Beginning; Thence, first course: N68°57'27"E, along the southerly boundary of said Lot BR, a distance of 209.64 feet, to an angle point on the southerly boundary of said Lot BR; Thence, second course: S65°06'07"E, along the southerly boundary of said Lot BR, a distance of 72.70 feet, to a point on the southerly boundary of said Lot BR, common with a point on the westerly end of the edge of right-of-way of Avery Drive; Thence, third course: S24°53'53"W, along the westerly end of the edge of right-of-way of said Avery Drive, a distance of 60.00 feet; Thence, fourth course: S65°06'07"E, along the southerly edge of right-of-way of said Avery Drive, a distance of 10.00 feet; Thence, fifth course: S24°53'53"W, along the southerly edge of right-of-way of said Avery Drive, a distance of 20.00 feet; Thence, sixth course: S65°06'07"E, along the southerly edge of right-of-way of said Avery Drive, a distance of 25.00 feet; Thence, seventh course: N24°53'53"E, along the southerly edge of right-of-way of said Avery Drive, a distance of 20.00 feet; Thence, eighth course: southeasterly, along the southerly edge of said Avery Drive, curving to the right on a curve with a radius of 1983.52 feet, a delta angle of 09°09'25", an arc length of 317.00 feet, a chord bearing of S60°31'25"E, and a chord distance of 316.66 feet, to the southeasterly corner of said Avery Drive, common to a point on the westerly edge of the right-of-way of Covington Street; Thence, ninth course: southwesterly, along the westerly edge of said Covington Street, curving to the right on a curve with a radius of 520.00 feet, a delta angle of 06°21'52", an arc length of 57.76 feet, a chord bearing of S37°14'14"W, and chord distance of 57.73 feet, to a point of tangency on the westerly edge of the right-of-way of said Covington Street; Thence, tenth course: S40°25'09"W, along the westerly edge of the right-of-way of said Covington Street, a distance of 142.61 feet, to the southwesterly corner of the right-of-way of said Covington Street, common to a point on the northerly edge of the right-of-way of said SD State Highway 44; Thence, eleventh course: N51°11'35"W, along the northerly edge of the right-of-way of said SD State Highway 44, a distance of 534.30 feet, to the southwesterly corner of said Lot BR of Trailwood Village, and the Point of Beginning; said parcel contains 1.968 acres, more or less, more generally described as being located at the intersection of Avery Drive and Covington Street.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk and street light conduit along S.D. Highway 44 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 installation of curb, gutter and sidewalk along S. D. Highway 44.**

A request by Sperlich Consulting Inc. for Gordon Howie to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code** on a portion of Tract T of Trailwood Village, located in the SE1/4 of the SE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Lot 3 of Block 22, Trailwood Village, Thence, S00°03'09"W, a distance of 346.91 feet to the northeasterly corner of the boundary, and the Point of Beginning; Thence, first course: S00°05'47"W, a distance of 317.18 feet, to the southeasterly corner of said boundary; Thence, second course: S89°49'52"W, a distance of 227.28 feet, to the southwesterly corner of said boundary; Thence, third course: N00°04'24"W, a distance of 199.81 feet, to the northerly corner of said boundary; Thence, fourth course: N65°25'59"W, a distance of 24.18 feet, to the northwesterly corner of said boundary; Thence, fifth course: N00°04'24"E, a distance of 35.04 feet, to the northerly corner of said boundary; Thence, sixth course: S89°55'36"E, a distance of 40.00 feet, to the northeasterly corner of said boundary; Thence, seventh course: N00°04'24"E, a distance of 73.27 feet, to the northerly corner of said boundary; Thence, eighth course: S89°55'36"E, a distance of 209.43 feet, to the northeasterly corner of said boundary, and the Point of Beginning, said parcel contains 1.460 acres more or less, more generally described as being located at the northwest corner of the intersection of Long View Road and Reservoir Road.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to provide a ten foot wide planting screen easement be denied and that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and additional pavement 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 installation of curb, gutter, sidewalk, street light conduit and additional pavement along Reservoir Road and Long View Road.**

---END OF HEARING CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

45. No. 04PL195 - Bridle Path Estates

A request by Gary and Donna Kluthe to consider an application for a **Preliminary Plat** on Lots 1 thru 25 of Bridle Path Estates, Section 36, T1N, R6E, BHM, Pennington County, South Dakota, legally described as the SE1/4 NE1/4 and NE1/4 NE1/4 lying south of County Road #C228 (Sheridan Lake Road) Less Lot W, all located in Section 36, T1N, R6E, BHM, Pennington County, South Dakota, more generally described as being located at 9425 Sheridan Lake Road.

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

staff's recommendation.

Discussion followed concerning access to Lots 8 and 9.

In response to question by Hadcock, Huus advised that the applicant has submitted percolation tests showing the suitability for septic systems on this property. He added that the applicant plans to utilize a shared well for the water system.

Hadcock moved, seconded by Schmidt 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, 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 Development Service Center Division;**
- 2. Prior to Preliminary Plat approval by the City Council, a Utility Master Plan for the private utilities shall be submitted for review and approval;**
- 3. Prior to Preliminary Plat approval by the City Council, a complete geotechnical report for this phase of the development shall be submitted for review and approval;**
- 4. Prior to Preliminary Plat approval by the City Council, a revised water plan shall be submitted for review and approval. In particular, the water plan shall be revised replacing the three inch mains with eight inch mains. In addition, geotechnical recommendations for corrosion control for the metal fittings shall be submitted for review and approval. A community water system agreement shall also be submitted for review and approval. In addition, the plat document shall be revised to show a water main utility easement on Lots 4 and 5;**
- 5. A Special Exception is hereby granted to allow a 1,650 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 as per the Street Design Criteria Manual contingent upon the implementation of a Wild Fire Hazard Mitigation Plan and that the cul-de-sac proposed in Phase Three be located in a minimum 110 foot diameter right-of-way and constructed with a minimum 90 foot diameter paved surface;**
- 6. Prior to Preliminary Plat approval by the City Council, a site plan showing the location of the detention cell on the overall site shall be submitted for review and approval. In addition the site plan shall show the outlet pipe location as it extends from the pond;**
- 7. Prior to submittal of a Final Plat application, the plat document shall be revised to show the street name;**
- 8. Upon submittal of a Final Plat application, a road maintenance agreement for High Divide Circle shall be submitted for review and approval; and,**

9. **Upon submittal of the 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 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)**

Catron-Blair requested that Items 46 and 47 be considered concurrently.

46. No. 04PL208 - Golden Eagle Subdivision

A request by Britton Engineering and Land Surveying, Inc. for Jim Meier to consider an application for a **Preliminary Plat** on Lot A, Lot B and Lot C of Lot 2 of Lot C of Golden Eagle Subdivision, Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 2 of Lot C of Golden Eagle Subdivision, Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of Dyess Avenue and Seger Drive intersection.

47. No. 04SV078 - Golden Eagle Subdivision

A request by Britton Engineering and Land Surveying, Inc. for Jim Meier to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code** on Lot A, Lot B and Lot C of Lot 2 of Lot C of Golden Eagle Subdivision, Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 2 of Lot C of Golden Eagle Subdivision, Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest corner of Dyess Avenue and Seger Drive intersection.

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

LeMay moved, seconded by Schmidt 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 Site Plan showing pipe size of water lines, water service lines and sizes and location of valves, capacity of septic tank and size of treatment mound system and dimension from buildings shall be submitted for review and approval. In addition, permanent access easements shall be provided for water lines, curb stops and fire hydrants;**
2. **Prior to Preliminary Plat approval by the City Council, a plan showing shared approaches into the property and eliminating the access easement on each lot shall be submitted for review and approval;**
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 and shall be submitted for review and approval. In addition, the redlined drawings shall be returned to the Growth Management staff;**
4. **Prior to Preliminary Plat approval by the City Council, a cost estimate**

- of the subdivision improvements shall be submitted for review and approval;
5. Prior to submittal of the Final Plat application, traffic signs shall be posted as shown on redlines in accordance with the City of Rapid City Standards;
 6. Upon submittal of the Final Plat application, the plat document shall be revised to show 17 feet of additional right-of-way being dedicated along Dyess Avenue and Seger Drive and access restrictions shall be shown along Dyess Avenue and Seger Drive;
 7. Upon submittal of the 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, that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, streetlight conduit, water and sewer on Dyess Avenue and to waive the requirement to install curb, gutter, sidewalk, streetlight conduit and sewer on Seger Drive as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulations:
 1. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the installation of curb, gutter, sidewalk, streetlight conduit, water and sewer on Dyess Avenue and to waive the requirement to install curb, gutter, sidewalk, streetlight conduit and sewer on Seger Drive as they abut the subject property. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

Catron-Blair requested that Items 48 and 49 be considered concurrently.

48. No. 04PL211 - Buehner Subdivision
A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 1-3, Block 1, Buehner Subdivision located in the W1/2 W1/2 SW1/4 of Section 32, T1N, R7E, BHM, Pennington County, South Dakota, legally described as W1/2 W1/2 SW1/4 of Section 32, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the current southern terminus of Limelight Lane.
49. No. 04SV081 - Buehner Subdivision
A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Limelight Lane and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the Section Line Highway as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1-3, Block 1, Buehner Subdivision located in the W1/2 W1/2 SW1/4 of Section 32, T1N, R7E, BHM, Pennington County, South Dakota, legally described as the W1/2 W1/2 SW1/4 of Section 32, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the current southern terminus of Limelight Lane.

Catron-Blair stated that staff is recommending that Items 48 and 49 be continued to the February 10, 2005 Planning Commission meeting.

Schmidt moved, seconded by Hadcock and unanimously carried to recommend that the Preliminary Plat and the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Limelight Lane and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the Section Line Highway as per Chapter 16.16 of the Rapid City Municipal Code be continued to the February 10, 2005 Planning Commission meeting. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

*50. No. 04PD075 - Eastridge Estates

A request by Dream Design International, Inc. for Stoneridge, LLC to consider an application for a **Planned Residential Development - Initial Development Plan to allow the construction of 32 townhouses in the Low Density Residential Zoning District** on a tract of land located in the W1/2 NE1/4 and E1/2 NW1/4, Section 24, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: beginning at a point from which the N1/4 corner of Section 24 bears N08°00'26"W a distance of 706.96 feet; thence S00°02'42"W a distance of 470.11 feet; thence S14°43'10"W a distance of 65.38 feet; thence S17°41'04"W a distance of 69.06 feet; thence S27°00'41"W a distance of 27.99 feet; thence S33°16'59"W a distance of 66.85 feet; thence S45°06'34"W a distance of 65.81 feet; thence S50°59'02"W a distance of 69.64 feet; thence S54°23'47"W a distance of 283.94 feet; thence N35°36'13"W a distance of 90.00 feet; thence N09°23'47"E a distance of 14.14 feet; thence N54°23'47"E a distance of 150.00 feet; thence N35°36'13"W a distance of 168.00 feet; thence N54°23'47"E a distance of 133.90 feet; thence N50°25'57"E a distance of 22.40 feet; thence N39°52'17"E a distance of 37.22 feet; thence N26°41'30"E a distance of 37.14 feet; thence N13°31'37"E a distance of 37.14 feet; thence N00°11'58"E a distance of 435.55 feet; thence S89°57'18"E a distance of 90.00 feet; thence S89°39'23"E a distance of 88.00 feet; thence S89°39'23"E a distance of 90.00 feet to the point of beginning; said tract containing 5.49 acres more or less, more generally described as being located south of Enchanted Pines Drive.

Tucker presented the request and reviewed staff's recommendation.

Hadcock moved, seconded by Prairie Chicken and unanimously carried to approve the Planned Residential Development - Initial Development Plan to allow the construction of 32 townhouses in the Low Density Residential Zoning District with the following stipulations:

- 1. The uses allowed within the Planned Residential Development shall be limited to a maximum of 32 dwelling units;**
- 2. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the buildings;**

3. If the area of disturbance exceeds one acre, an Air Quality Permit shall be obtained;
4. Upon submittal of a Final Development Plan, structural elevations and a list of the building materials for the proposed structures shall be submitted for review and approval;
5. A minimum front yard setback of 18 feet in front of the garage and a minimum 15 feet in front of the residence shall be provided for all townhome lots within the Planned Residential Development;
6. A minimum rear yard setback of 25 feet shall be provided for all townhome lots within the Planned Residential Development;
7. All applicable provisions of the International Fire Code shall be continually met;
8. Upon submittal of a Final Development Plan the site plan shall be revised to show all driveway approaches located outside of the platted "No Access" easements and in compliance with the Street Design Criteria Manual or those portions of the "No Access" easements where the proposed driveway approaches encroach shall be vacated prior to submission of the Final Development Plan;
9. The proposed structures shall conform architecturally to the plans and elevations submitted; and,
10. 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. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all 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 Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.

*51. No. 04PD080 - Fairway Hills Subdivision

A request by Fisk Land Surveying & Consulting Engineers for Mike Buckingham, Dlorah Inc. to consider an application for a **Major Amendment to Fairway Hills Subdivision** on a tract of land located in the N $\frac{1}{2}$ SW $\frac{1}{4}$ and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: beginning at the southeast corner of Lot 29R of Fairway Hills P.R.D., as shown on the plat filed on February 17, 1984 and recorded in Plat Book 19 on Page 124, said corner being marked by a rebar with survey cap number 3095; Thence, South 73 degrees 09 minutes 46 seconds East, more or less, a distance of 4.84 feet more or less, to a point along the westerly edge of Fairway Hills Drive right-of-way, as shown on the plat filed on March 10, 1986 and recorded in Plat Book 20 on Page 224, said corner being marked by a rebar with survey cap number 6565; Thence, southerly and along the westerly edge of said Fairway Hills Drive right-of-way, S16°50'14"W, more or less, a distance of 160.90 feet, more or less to a point of curvature along said right-of-way, said point being marked by a rebar with survey cap number 6565;

thence, continuing along the westerly edge of said Fairway Hills Drive right-of-way and curving to the right on a curve with a radius of 96.87 feet, a delta of $17^{\circ}55'27''$, an arc length of 30.30 feet, a chord bearing of $S25^{\circ}58'25''W$, more or less, and a chord distance of 30.18 feet, more or less, to a point of tangent on the westerly edge of said right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the westerly edge of said Fairway Hills Drive right-of-way, $S34^{\circ}46'00'' W$, more or less, a distance of 496.97 feet, more or less to a point of curvature on said right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the northwesterly edge of said Fairway Hills Drive right-of-way and curving to the right on a curve with a radius of 151.11 feet, a delta of $91^{\circ}35'13''$, an arc length of 241.55 feet, a chord bearing of $S80^{\circ}36'45'' W$, more or less, and a chord distance of 216.64 feet, more or less, to a point of tangent along said right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way, $N53^{\circ}37'38'' W$ more or less, a distance of 69.36 feet, more or less, to a point of curvature along said right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way and curving to the left on a curve with a radius of 230.00 feet, a delta of $4^{\circ}41'57''$, an arc length of 18.86 feet, a chord bearing of $N56^{\circ}09'17'' W$, more or less, and a chord distance of 18.86 feet, more or less, to a point on the northerly edge of said Fairway Hills Drive right-of-way, said point being marked by a rebar with survey cap number 6565; Thence, continuing along the northerly edge of said Fairway Hills Drive right-of-way, as shown on the plat filed September 22, 2004 and recorded in Plat Book 32 on page 94, and curving to the left on a curve with a radius of 230.00 feet, a delta of $16^{\circ}30'34''$, an arc length of 66.27 feet, a chord bearing of $N66^{\circ}39'30'' W$, more or less, and a chord distance of 66.04 feet, more or less, to a point on the northerly edge of said Fairway Hills Drive right-of-way, said point also being the southeast corner of Lot 16 of Block 10 of Fairway Hills PRD, as shown on the aforementioned plat, said point being marked by a rebar with survey cap number 6565; Thence, northeasterly along the easterly line of said Lot 16 in Block 10 of Fairway Hills PRD, $N14^{\circ}38'21'' E$, more or less, a distance of 102.58 feet, more or less, to the northeast corner of said Lot 16, said corner being coincident with the southeast corner of Lot 15 of Block 10 of Fairway Hills PRD, and said corner being marked by a rebar with survey cap number 6565; Thence, northeasterly along the easterly lot line of said Lot 15 in Block 10 of Fairway Hills PRD, $N14^{\circ}38'21'' E$, more or less, a distance of 83.44 feet, more or less, to a point on the easterly lot line of said Lot 15, said point being marked by a rebar with survey cap number 6565; Thence, northwesterly along the northeasterly lot line of said Lot 15 in Block 10 of Fairway Hills PRD, $N25^{\circ}09'50'' W$, more or less, a distance of 132.38 feet, more or less, to the northerly corner of said Lot 15, said corner being coincident with the northeast corner of Lot 14 of Block 10 of Fairway Hills PRD, and also coincident with the southeast corner of Lot 3B of Fairway Hills PRD, as shown on the plat filed July 9, 1980 and filed in Plat Book 17, Page 189, and also coincident with the westerly lot line of Lot 3A of Fairway Hills PRD, as shown on the plat filed November 21, 1979 and recorded in Plat Book 17, on Page 132, said corner being marked by a rebar with survey cap number 1019; Thence, northeasterly along the easterly lot line of said Lot 3B of Fairway Hills PRD, and the westerly line of said Lot 3A of Fairway Hills PRD, $N17^{\circ}55'58'' E$, more or less,

a distance of 191.15 feet, more or less, to a point on the easterly lot line of said Lot 3B and the westerly lot line of said Lot 3A, said point being marked by a rebar with survey cap number 6565; Thence, northwesterly along the easterly lot line of said Lot 3B of Fairway Hills PRD, and the westerly line of said Lot 3A of Fairway Hills PRD, N20°01'18" W, more or less, a distance of 326.69 feet, more or less, to a point on the easterly lot line of said Lot 3B and the westerly lot line of said Lot 3A, said point being coincident with the southwest corner of Lot H1 of Lot 3A of Fairway Hills PRD, as shown on the plat filed on August 30, 1991 and recorded in Book 8 of Highway Plats on Page 39, said corner being marked by a rebar with survey cap number 6565; Thence, northeasterly along the southerly line of said Lot H1 of Lot 3A of Fairway Hills PRD, N57°02'43" E, more or less, a distance of 77.75 feet, more or less, to the southeasterly corner of said Lot H1 of Lot 3A, said point also being located on the northeasterly lot line of said Lot 3A of Fairway Hills PRD, and also on the southwesterly line of Lot 2 of Fairway Hills PRD, as shown on the plat filed on November 30, 1977 and recorded in Plat Book 15 of Page 215, said corner being marked by a rebar with survey cap number 6565; Thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD, and along the southwesterly line of said Lot 2 of Fairway Hills PRD, S22°24'27" E, more or less, a distance of 100.94 feet, more or less, to a point on the northeasterly lot line of said Lot 3A and the southwesterly line of said Lot 2, said point being marked by a rebar with survey cap number 3095; Thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD, and along the southwesterly line of said Lot 2 of Fairway Hills PRD, S40°29'56" E, more or less, a distance of 133.62 feet, more or less, to a point on the northeasterly lot line of said Lot 3A and the southwesterly line of said Lot 2, said point being marked by a rebar with survey cap number 1019; Thence, southeasterly along the northeasterly lot line of said Lot 3A of Fairway Hills PRD, and along the southerly line of said Lot 2 of Fairway Hills PRD, S76°54'53" E, more or less, a distance of 221.11 feet, more or less, to a point on the northeasterly lot line of said Lot 3A, said point being coincident with the southeast corner of said Lot 2 of Fairway Hills PRD, and also coincident with the westerly line of Lot 30 of Fairway Hills PRD, as shown on the plat filed February 17, 1984 and recorded in Plat Book 19 on Page 124, said point being marked by a rebar with survey cap number 1019; Thence, southerly along the easterly line of said Lot 3A of Fairway Hills PRD, and along the westerly line of said Lot 30 of Fairway Hills PRD, S08°05'24" E, more or less, a distance of 102.89 feet, more or less, to a point on the easterly line of said Lot 3A, said point being coincident with the southwest corner of said Lot 30, said point being marked by a rebar with survey cap number 3095; Thence, northeasterly along the southerly line of said Lot 30 of Fairway Hills PRD, N76°46'01" E, more or less, a distance of 105.59 feet, more or less, to the southeast corner of said Lot 30, said corner also being coincident with the southwesterly corner of Lot 29R of Fairway Hills PRD, as shown on the plat filed February 17, 1984 and filed in Plat Book 19 and Page 124, said corner being marked by a rebar with survey cap number 3095; Thence, easterly along the southerly lot line of said Lot 29R of Fairway Hills PRD, N76°42'20" E, more or less, a distance of 161.03 feet, more or less, to a point on the southerly lot line of said Lot 29R, said point being marked by a rebar with survey cap 3095; Thence, easterly along the southerly lot line of said Lot 29R of Fairway Hills PRD, N87°22'22" E, more or less, a distance of 66.97 feet, more or less, to the point of beginning. Said tract of land contains

8.00 acres, more or less, and is more generally described as being located along Fairway Hills Drive and Sheridan Lake Road.

Elkins stated that staff is recommending that the Major Amendment to the Fairway Hills Planned Residential Development Plan be continued to the February 10, 2005 Planning Commission meeting to allow the applicant time to negotiate a settlement of an outstanding lawsuit related to the water service for the property. Elkins added that the applicant's engineer is in concurrence with the recommendation to continue the request.

Discussion followed concerning the additional public comment received this week.

Prairie Chicken moved, seconded by Hadcock and unanimously carried to continue the public hearing on the Major Amendment to a Planned Residential Development Plan to the February 10, 2005 Planning Commission meeting. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

*52. No. 04PD083 - The Villas at Homestead Gardens (Big Sky Subdivision)

A request by Dream Design International, Inc. to consider an application for a **Planned Residential Development - Initial and Final Development Plan to allow the construction of single-family and townhome structures** on Tract H, Lots 13A, 13B, and 14 thru 19, Block 4; Lots 1A thru 3A, Lots 1B thru 3B, and Lots 4 thru 15, Block 19; Lots 1 thru 10, Block 20 and dedicated streets, The Villas at Homestead Gardens, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 13, Block 4 and a portion of Tract E, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Homestead Street between Degeest Street and Aurora Drive.

Tucker explained that staff is recommending that the Planned Residential Development Initial and Final Development Plan be continued to the February 10, 2005 Planning Commission to allow the applicant time to submit additional information.

Hadcock moved, seconded by LeMay and unanimously carried to continue the public hearing on the Planned Residential Development - Initial and Final Development Plan to the February 10, 2005 Planning Commission meeting to allow the applicant time to submit additional information. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

*53. No. 04PD084 - The Villas at Homestead Gardens (Big Sky Subdivision)

A request by Dream Design International, Inc. to consider an application for a **Planned Residential Development - Initial Development Plan to allow the construction of five multi-family structures** on Tract G, The Villas at Homestead Gardens, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Tract E, Big Sky

Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Homestead Street between Degeest Street and Aurora Drive.

Tucker presented the request and reviewed the slides of the subject property and staff's recommendation.

In response to a question by Prairie Chicken, Tucker advised that Valley View Elementary School is located northeast of the subject property at the intersection of Aurora Street and Homestead Street.

LeMay moved, seconded by Prairie Chicken and unanimously carried to approve the Planned Residential Development - Initial Development Plan to allow the construction of five multi-family structures with the following stipulations:

- 1. The uses allowed within the Planned Residential Development shall be limited to a maximum of 54 multi-family dwelling units;**
- 2. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the buildings;**
- 3. If the area of disturbance exceeds one acre, an Air Quality Permit shall be obtained;**
- 4. Upon submittal of a Final Planned Residential Development, structural elevations and a list of the building materials for the proposed structures shall be submitted for review and approval;**
- 5. A minimum front yard setback of 15 feet in front of the structure shall be provided, with no additional structural encroachments into the setback;**
- 6. A minimum rear yard setback of 25 feet shall be provided for all main structures within the Planned Residential Development;**
- 7. Upon submittal of a Final Development Plan, a sight plan showing all exterior and parking lot lighting to be provided shall be submitted for review and approval;**
- 8. Upon submittal of a Final Development Plan, a sign package showing the location, size, and design of any proposed signage shall be submitted for review and approval;**
- 9. Upon submittal of a Final Development Plan, a detailed landscape plan shall be submitted with a description of the landscaping to be installed;**
- 10. Upon submittal of a Final Development Plan, the site plan shall be revised to show a minimum of one "van accessible" handicapped parking stall as per Section 17.50.270 of the Rapid City Municipal Code;**
- 11. Upon submittal of a Final Development Plan, a drainage and grading plan shall be submitted for review and approval; and,**
- 12. 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. (6 to 0 with Brown, Fast Wolf, Hadcock,**

LeMay, Prairie Chicken and Schmidt all 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 Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.

54. No. 04SE006 - Copper Oaks Subdivision

A request by Sperlich Consulting, Inc. for Paul Reinke to consider an application for an **Exception to the Street Design Criteria Manual to allow 178 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual** 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 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 request and reviewed staff's recommendation to deny the Exception to the Street Design Criteria Manual to allow 178 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual. Elkins further advised that the applicant is proposing to provide a paved emergency access up to the Rushmore Shadows Resort boundary. She added that the paved emergency access would not meet the City's standards; thus and Exception would be required.

In response to a question by Schmidt, Elkins advised that even with a pavement emergency access up to the Rushmore Shadows Resort boundary, the applicant would not meet the 40 dwelling unit rule.

Discussion followed concerning the applicant providing a second full access to the property.

Peter Wharton, 23624 Wilderness Canyon Road, expressed his concerns with the lack of infrastructure, water pressure and impact of additional development in the area including traffic issues.

Mary Yelick, 23605 Wilderness Canyon Road, read a letter to the Planning Commission from Verity Maher, 23614 Wilderness Canyon Road, which in her opinion summarizes many of the concerns of the residents of Copper Oaks concerning ingress and egress and pedestrian safety.

Discussion followed concerning the signatures on Paul Reinke's petition and the signatures on the petition submitted by Mary Yelick.

Doug Sperlich, Sperlich Consulting, Inc., reviewed the slides of the subject

property and addressed the extenuating circumstances concerning the development of Copper Oaks, the Pennington County platting and zoning approval process, the proposed secondary access, the City's street design standards, walking trails, and the Wild Fire Mitigation Plan.

Don Burger, 23637 Wilderness Canyon Road, expressed concerns that there has been no representative from Rushmore Shadows Resorts commenting on the easement through the campground.

Paul Reinke, applicant, advised that he has met with Gene Adink, Manager of Rushmore Shadows Resorts. He added that Adink is cooperative and supportive of the applicant's proposed emergency egress through the campground.

Sperlich advised that the applicant has a filed easement allowing the applicant to go through the campground.

Ed Yelick, 23605 Wilderness Canyon Road, expressed concerns with pedestrian safety and the secondary access. He added that he feels there should be walking paths constructed in the subdivision.

Hadcock stated that she empathizes with the Copper Oaks residents regarding pedestrian safety. She added that in her opinion the applicant has been cooperative and is trying to make a difference in the neighborhood by providing a secondary access.

In response to question by LeMay, Sperlich advised that the secondary access will be along Quartz Canyon Road and will be strictly an emergency access.

Discussion followed concerning the construction of the emergency access and walking paths.

Steve Sessums, 10566 Briarwood Court, expressed his concerns with public safety, increased traffic, terrain and potential fire danger, only one access for 178 dwelling units, and additional development in the area.

In response to a question by Olson, Gene Lebrun, attorney for the applicant, advised that Wilderness Canyon Road is maintained by Pennington County.

In response to a question by Hadcock, Lebrun advised that the access would be through the campground with an unlocked gate.

LeMay stated that he does not support allowing 178 dwelling units with one point of access.

Peter Wharton stated that in his opinion, the request should be continued to the next Planning Commission meeting to allow the applicant and area residents to further discuss the expansion of the development, public safety, walking paths and construction of a secondary access.

Fast Wolf moved and seconded by LeMay to recommend that the Exception

to the Street Design Criteria Manual to allow 178 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual be denied.

Schmidt stated that he supports the growth of Rapid City and this development but does not support the proposed emergency access and planned to recommend denial of the Exception to the Street Design Criteria Manual.

Ed Yelick advised that in 1947 the County took over maintenance of Silver Fox Road, Wilderness Canyon Road and the cul-de-sacs off of Wilderness Canyon Road. He added that Quartz Canyon Road is a private road and the County does not maintain it.

Corwin Wipf, 23641 Wilderness Canyon Road, stated that he has two small children and expressed his concerns with pedestrian safety.

Pauline Casey, 23649 Wilderness Canyon Road, invited the Planning Commissioners to visit her residence and watch the traffic on Wilderness Canyon Road. She expressed her concerns with additional traffic and pedestrian safety.

The vote on the motion to deny the Exception to the Street Design Criteria Manual to allow 178 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual carried unanimously. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

55. No. 04SR018 - Section 34, T1N, R8E

A request by Basin Electric Power Cooperative to consider an application for an **11-6-19 SDCL Review to allow expansion of a utility substation** on the NE1/4, Section 34, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located west of the intersection of Old Folsom Road and Lamb Road.

Elkins presented the request and reviewed the staff's recommendation.

Lundeen advised that the only issue before the Planning Commission is whether to approve or disapprove the installation of the circuit breaker. He added that if the Planning Commission recommends approval, the applicant would be able to install the circuit breaker on the line. He further explained that if the Planning Commission recommends disapproval, the applicant would not be able to install the circuit breaker on the line at this time but added that there is a process in which the Planning Commission's decision could be overruled by the City Council or the Public Utilities Commission. He added that the Public Utilities Commission has already approved this expansion of a utility substation. He stated that most of the discussion on the utility substation has been related to the current noise problem based on what is already installed at the utility substation. He reiterated that the only issue before the Planning Commission today is the circuit breaker.

In response to a question from Prairie Chicken, Elkins advised that the tour of the site was properly noticed.

LeMay stated that he would abstain from voting on this request due to a conflict of interest.

Hadcock stated that in her opinion the noise issue and the installation of the circuit breaker are related and does not support approval of the expansion of the utility substation.

Schmidt stated that in his opinion this is an emotional issue but planned to rely on the City Attorney's opinion and he supports installation of the circuit breaker.

Duane Miller stated that he opposes the request for the 11-6-19 SDCL Review to allow expansion of a utility substation due to the noise vibration. Miller stated that he believes there can be a resolution to this problem.

Jackie Miller stated that in her opinion the AC/DC tie and the installation of the circuit breaker are related and asked that the Planning Commission deny the request.

Discussion followed concerning noise standards.

Elkins explained that the original facility was approved by the Planning Commission on April 25, 2002. She added that she believes that everyone is concerned about the noise issues in the area and how they affect the Millers but ultimately the development of the area. She explained that it is unfortunately out of the scope of what the Planning Commission can act on today. She suggested that the Planning Commission take a separate action and request that the Public Utilities Commission investigate the noise issue further.

Hadcock stated in her opinion this is not an emotional issue but a safety issue.

Gene Lebrun requested that the Planning Commission make a decision today and not continue the request. He added that the circuit breaker is crucial to the area and that there would be a number of consumers that would be without power should there be an outage.

Mike Bowers, Rushmore Electric, stated that this is a facility that would have been needed eventually.

Hadcock moved, seconded by Fast Wolf and unanimously carried to direct staff to prepare a letter to the Public Utilities Commission to further investigate the noise issue at the utility substation. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

Prairie Chicken moved and seconded by Schmidt to recommend that the 11-6-19 SDCL Review to allow expansion of a utility substation be approved with the following stipulations:

- 1. That all the improvements shall be constructed in compliance with the design plans submitted for review and approval; and,**

2. The converter substation shall be continually operated in compliance with the South Dakota Public Utility Commission requirements.

Hadcock moved, seconded by Fast Wolf and failed to recommend denial of the 11-6-19 SDCL Review to allow expansion of a utility substation. (2 to 3 to 1 with Fast Wolf and Hadcock voting yes, Brown, Prairie Chicken and Schmidt voting no and LeMay abstaining)

The vote on the motion to recommend that the 11-6-19 SDCL Review to allow expansion of a utility substation be approved with the following stipulations:

1. That all the improvements shall be constructed in compliance with the design plans submitted for review and approval; and,
2. The converter substation shall be continually operated in compliance with the South Dakota Public Utility Commission requirements. (3 to 2 to 1 with Brown, Prairie Chicken and Schmidt voting yes, Fast Wolf and Hadcock voting no and LeMay abstaining)

Schmidt moved, seconded by Prairie Chicken and unanimously carried to continue the Discussion Items to the February 10, 2005 Planning Commission meeting. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)

There being no further business Schmidt moved, seconded by Prairie Chicken and unanimously carried to adjourn the meeting at 9:05 a.m. (6 to 0 with Brown, Fast Wolf, Hadcock, LeMay, Prairie Chicken and Schmidt all voting yes and none voting no)