

DRAFT

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
June 9, 2005 at 7:00 a.m.

MEMBERS PRESENT: Scott Nash, Debra Hadcock, Ida Marie Fast Wolf, Gary Brown, Doug Andrews, Peter Anderson, Mel Prairie Chicken, Mike LeMay and Ethan Schmidt.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Bob Dominicak, Dave Johnson, Michele Horkey, Todd Tucker, Joel Landeen, Bill Knight and Carol Bjornstad.

Chairperson Nash called the continued meeting to order at 7:00 a.m. on June 9, 2005.

Nash 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.

Planning Commission Staff requested that Item 11, 12 and 13 be removed from the Non-Hearing Consent Agenda for separate consideration.

A member of the audience requested that Item 10 be removed from the Non-Hearing Consent Agenda for separate consideration.

Motion by Brown, Seconded by Andrews and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 thru 23 in accordance with the staff recommendations with the exception of Items 10, 11, 12 and 13.

(6 to 0 with Andrews, Anderson, Brown, Hadcock, LeMay and Nash voting yes and none voting no)

Prairie Chicken arrived at 7:03 a.m.
Schmidt and Fast Wolf arrived at 7:05 a.m.

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the May 25, 2005 Special Planning Commission Meeting Minutes.
2. Approval of the May 26, 2005 Planning Commission Meeting Minutes.
3. Approval of the June 2, 2005 Planning Commission Meeting Minutes.
4. No. 05AN005 - Red Rock Meadows
A request by Dream Design International, LLC to consider an application for a **Petition for Annexation** on beginning at a found point on the quarter corner of Section 28 and Section 29 T1N, R7E, BHM; thence S89°59'26"E 1064.51 feet; thence S63°16'56"W 75.68 feet; thence S58°41'53"W 119.08 feet; thence S67°34'57"W 52.00 feet; thence S76°02'59"W 119.17 feet; thence S88°05'02"W 104.00 feet; thence S89°59'30"W 626.72 feet; thence N00°18'06"W 148.20 feet;

to the Point of Beginning; containing 3.12 acres more or less, located at the SW1/4, Section 28, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of the intersection of Muirfield Drive and Coghill Lane.

Planning Commission recommended that the Petition for Annexation be approved contingent on any payment due to the Whispering Pines Volunteer Fire District being paid by the City of Rapid City.

5. No. 05AN006 - Freeland Meadow Subdivision

A request by Dream Design International to consider an application for a **Petition for Annexation** on NE1/4 NW1/4, Section 19, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of West Nike Road and Country Road.

Planning Commission recommended that the Petition for Annexation be continued to the June 23, 2005 Planning Commission meeting at the applicant's request.

6. No. 05PL036 - Elks Country Estates

A request by Sperlich Consulting for Triple Z Real Estate Development to consider an application for a **Layout Plat** on Lots 8-12 of Block 8, Lots 5-9 of Block 9, Lots 17-30 of Block 10, Lots 4-18 of Block 11, Lots 1-10 of Block 12, Lots 1-14 of Block 13, Lots 1-8 of Block 14, Lots 1-6 of Block 15, Lots 1-3 of Block 16 and Lots 1-3 of Block 17 all located in Elks Country Estates, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the SE1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current southern terminus of Jolly Lane.

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

1. **Upon submittal of a Preliminary Plat application, a revised Master Plan shall be submitted for review and approval. In particular, the Master Plan shall be revised to show the minor arterial street located in the southeast corner of the property as per the Major Street Plan and a road connection through the southern portion of the property to the west lot line;**
2. **Upon submittal of a Preliminary Plat application, a Phasing Plan shall be submitted for review and approval;**
3. **Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;**
4. **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;**
5. **Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall demonstrate accommodation for the Cyclone**

- Ditch located through the property. In addition, the plat document shall be revised to provide drainage easements as necessary;
6. 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;
 7. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
 8. Upon submittal of a Preliminary Plat application, road construction plans for Forest Oaks Court and Grey Hawk Court shall be submitted for review and approval. In particular, the cul-de-sac streets shall be located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the construction plans shall identify the construction of a permanent turnaround at the end of the cul-de-sacs with a minimum 110 foot diameter right-of-way and a minimum 92 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;
 9. Upon submittal of a Preliminary Plat application, road construction plans for Castle Pines Drive and LaCosta Drive shall be submitted for review and approval. In particular, the streets shall be located in a minimum 49 foot right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 10. Upon submittal of a Preliminary Plat, road construction plans for Padres Drive, Augusta Drive and Turtle Bay Drive shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 11. Upon submittal of a Preliminary Plat, road construction plans for Jolly Lane shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 12. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway located along the south line shall be submitted for review and approval. In particular, the road construction plans shall show the section line highway located in a minimum 100 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street

- light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highways shall be vacated. The adjacent property owner(s) shall sign the petition(s) to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way. In addition, the south half of the section line highway shall be vacated by the County Board of Commissioners or annexed into the City limits and, subsequently, vacated by the City Council. A Comprehensive Plan Amendment to the Major Street Plan shall also be obtained relocating the proposed minor arterial street;
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 utilities through the subject property as well as to adjacent properties;
 14. Upon submittal of the Preliminary Plat application, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained. In addition, the International Fire Code shall be continually met;
 15. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 16. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide a street connection to the Southeast Connector as a part of Phase One of the development or the right-of-way shall be dedicated as an "H" Lot or on a separate plat document or an Exception to allow 409 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual shall be obtained;
 17. Prior to submittal of a Final Plat application, the connector street to the Southeast Connector shall be constructed and the Southeast Connector shall be constructed and operational or an Exception to allow 409 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual shall be obtained;
 18. Prior to submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along the section line highway, a minor arterial street, or a Variance to the Subdivision Regulations shall be obtained;
 19. Prior to submittal of a Final Plat application, the plat document shall be revised to provide non-access easements in compliance with the Street Design Criteria Manual;
 20. Prior to submittal of a Final Plat application, the applicant shall submit different street names for Forest Oak Court, Grey Hawk Court, Castle Pines Drive and Turtle Bay Drive shall be submitted to the Emergency Services Communication Center for review and approval. In addition, Castle Pines Drive and Grey Hawk Court shall

share a single name. Turtle Bay Drive shall also be re-named Ironwood Lane as it extends through the subdivision. Staff is recommending that prior to submittal of a Final Plat, different street names be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names and revised street names as identified;

21. Prior to submittal of a Final Plat application, the plat document shall be revised re-labeling Lot 1 of Block 12 and submitted to the Register of Deed's Office for review and approval; and,
22. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

7. No. 05PL041 - Gravatt Subdivision

A request by D.C. Scott Co. Land Surveyors for Wayne Householder to consider an application for a **Preliminary Plat** on Lot AR of Gravatt Subdivision, dedicated Anderson Road right-of-way and dedicated Dunn Road right-of-way and vacated 33' right-of-way located in the SW1/4 NW1/4 and in the N1/2 SW1/4 of Section 24, T1N, R8E, BHM, Pennington County, South Dakota, legally described as Lot A of Gravatt Subdivision located in the SW1/4 NW1/4 and in the N1/2 SW1/4 of Section 24, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the intersection of Anderson Road and Dunn Road.

Planning Commission recommended that the Preliminary Plat be continued to the July 7, 2005 Planning Commission meeting.

8. No. 05PL048 - Black Hills Estates

A request by Dream Design International to consider an application for a **Layout Plat** on Lots 1-25, Black Hills Estates located in the NE1/4 and SW1/4 NW1/4 Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the NE1/4 and SW1/4 NW1/4 Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Catron Boulevard and Fifth Street.

Planning Commission recommended that the Layout Plat be continued to the July 7, 2005 Planning Commission meeting to allow the applicant to submit additional information.

9. No. 05PL072 - Keller Subdivision

A request by Renner and Associates for Pete Lien and Sons to consider an application for a **Preliminary Plat** on Lien Tract and Lot AR, Keller Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota., legally described as Lot A, B, and C of Keller Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota., more generally described as being located at the old Dog Track on North Highway 79.

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

- 1. Prior to Preliminary Plat approval by the City Council, a complete site plan shall be submitted for review and approval. In particular, the site plan shall identify all existing structures and utilities;**
- 2. Prior to Preliminary Plat approval by the City Council, 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, then percolation information demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;**
- 3. Prior to Preliminary Plat approval by the City Council, 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. If on-site well(s) are used, data to confirm that the well(s) have sufficient flows and water quality shall be submitted for review and approval. If a shared well is proposed than it shall be designed as a public water system. In addition, the plat document shall be revised to show utility easement(s) as needed;**
- 4. Prior to Preliminary Plat approval by the City Council, road construction plans for S.D. Highway 79 shall be submitted for review and approval. In particular, S.D. Highway 79 shall be constructed with curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
- 5. Prior to Preliminary Plat approval by the City Council, a complete drainage plan and a grading plan shall be submitted for review and approval addressing site improvements. In addition, the plat document shall be revised to provide drainage easements as needed;**
- 6. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to redlined comments on the construction plans, if required. In addition, the red lined drawings shall be returned to the Department Service Center Division;**
- 7. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;**
- 8. All International Fire Code shall be continually met;**
- 9. Upon submittal of a Final Plat application, a note shall be placed on the plat indicating that at the time a Building Permit is applied for, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided;**
- 10. Upon submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along S.D. Highway 79 accept for approved approach location(s); and,**
- 11. Upon submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.**

14. No. 05PL090 - Brookfield Subdivision

A request by Sperlich Consulting, Inc. for Doeck L.L.C. to consider an application for a **Preliminary Plat** on Lots 1 through 8 and Lots 24 through 61 of Block 1, and Lots 1 through 10 of Block 2, Brookfield Subdivision, located in the NE1/4 of the SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the NE1/4 of the SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to West Nike Road.

Planning Commission recommended that the Preliminary Plat be continued to the July 7, 2005 Planning Commission meeting.

15. No. 05PL091 - Auburn Hills Subdivision

A request by Sperlich Consulting, Inc. for Doeck LLC to consider an application for a **Preliminary Plat** on Lots 18 through 26, Block 3, Auburn Hills Subdivision, a portion of land located in the SW1/4 of the NW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as located in the SW1/4 of the NW1/4, Auburn Hills Subdivision, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the west end of Crimson Court and adjacent to Coal Bank Drive.

Planning Commission recommended 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 redlined comments on the construction plans. 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 subdivision cost estimate shall be submitted for review and approval;**
3. **Prior to Preliminary Plat approval by the City Council, a revised grading plan shall be submitted for review and approval. In particular, the revised grading plan shall identify the diversion of drainage to the common lot lines. In addition, the plat document shall be revised to show drainage easements as needed;**
4. **Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement; and,**
5. **Upon submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.**

16. No. 05PL092 - Pine Crest Village Addition

A request by Kadmas, Lee and Jackson for Pine Crest Village to consider an application for a **Layout Plat** on Lot 2, Block 1, Pine Crest Village Addition located in the SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a tract of land lying in the SW1/4 of

Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, described more particularly as follows: commencing at the southeast corner of Lot 12, Block 6, of the plat of Lots 1 and 2 of Block 5, and Lot 12 of Block 6, Auburn Hills Subdivision; thence from said corner of S00°06'59"W for 100.20 feet to the point of beginning; thence from said point of beginning S86°46'09"E for 310.31 feet; thence S00°11'06"W for 285.66 feet; thence S89°53'47"W for 310.03 feet; thence N00°12'53"E for 303.71 feet to the point of beginning, said tract contains 2.097 acres, and, a tract of land lying in the SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: commencing at the southeast corner of Lot 12, Block 6, of the plat of Lots 1 and 2 of Block 5, and Lot 12 of Block 6, Auburn Hills Subdivision which is the point of beginning; thence from said point of beginning S00°06'59"W for 100.20 feet; thence S00°12'53"W for 303.71 feet; thence S00°17'45"W for 263.17 feet; thence S89°57'16"W for 311.95 feet; thence N00°11'03"E for 300.82 feet; thence along a curve to the right with a delta angle of 40°01'24", a radius of 174.00 feet and an arc length of 121.55 feet; thence N 40°12'27"E for 137.94 feet; thence along a curve to the left with a delta angle of 40°01'48", a radius of 226.00 feet and an arc length of 157.90 feet; thence N00°10'4"E for 3.16 feet; thence N89°41'05"E for 130.11 feet to the point of beginning, said tract contains 3.975 acres, more generally described as being located at the southern end of Chalkstone Drive.

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

- 1. Upon submittal of a Preliminary Plat application, a grading plan and a drainage plan, as well as an erosion and sediment control plan, shall be submitted for review and approval. In particular, the drainage plan shall incorporate the local or regional facilities in order to detain flows to pre-developed flow rates. In addition, the drainage plan shall demonstrate that fill along the north side of the property does not impact detention pond capacities. The plat document shall be revised to provide drainage easements as needed;**
- 2. Upon submittal of a Preliminary Plat application, a utility master plan shall be submitted for review and approval. In particular, the utility master plan shall provide for the extension of private and public utilities through the subject property as well as to adjacent properties;**
- 3. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;**
- 4. Upon submittal of a Preliminary Plat application, sewer utility 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;**
- 5. Upon submittal of a Preliminary Plat application, water utility 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 particular, a water system model and report of the water distribution system shall be submitted for review and approval demonstrating that adequate flows and pressures are being provided to serve the development;

6. Upon submittal of a Preliminary Plat application, road construction plans for Chalkstone Drive shall be submitted for review and approval. In particular, Chalkstone Drive shall be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 7. Upon submittal of a Preliminary Plat application, a complete structural site plan showing existing structures, utilities, etc. shall be submitted for review and approval;
 8. An Exception is hereby granted to allow 48 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual;
 9. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along Chalkstone Drive except for approved approach location(s);
 10. Upon submittal of a Preliminary Plat application, a subdivision cost estimate shall be submitted for review and approval; and,
 11. 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.
17. No. 05PL093 - Eastridge Estates Subdivision
A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 10 through 27, Block 4 and Lots 1 through 12, Block 5, Eastridge Estates Subdivision, located in the NE1/4, Section 24, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Unplatted land located in the NE1/4, Section 24, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to East Catron Boulevard and Enchantment Road.

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

1. Prior to Preliminary Plat approval by the City Council, the drainage report shall be resubmitted with the Professional Engineer's seal, signature and date. In addition, the plat document shall be revised to provide drainage easements as needed;
2. Prior to Preliminary Plat approval by the City Council, a water system analysis, including source and adequacy of fire and domestic flows, shall be submitted for review and approval. In addition, the plat document must be revised to provide utility easements as needed;
3. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to redlined comments on the construction

plans. In addition, the redlined drawings shall be returned to the Engineering Division;

4. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;
5. Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
6. Prior to submittal of a Final Plat application, a different street name for East Ridge Drive shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name;
7. Prior to submittal of a Final Plat application, the plat title shall be revised to read "Eastridge Estates Subdivision". In addition, the plat title shall be revised to read "located in" in lieu of "being a portion of";
8. Upon submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

18. No. 05SR006 - Par Subdivision

A request by Renner & Associates, LLC for Black Hills Power to consider an application for a **SDCL 11-6-19 Review to allow the construction of a utility hub structure** on Utility Lot 1 of Par Subdivision located in the E1/2 of the SE1/4 Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 770 Catron Boulevard.

Planning Commission recommended that the SDCL 11-6-19 Review to allow the construction of a utility hub structure be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the building;
2. A variance to the Zoning Regulations is hereby granted to reduce the east side yard setback from the required 35 feet to 12 feet;
3. Prior to Planning Commission approval, a revised site plan shall be submitted showing one van accessible handicapped stall with an eight foot wide access aisle located on the driver's right hand side as per Section 17.50.270 of the Rapid City Municipal Code;
4. An approach permit issued by the South Dakota Department of Transportation shall be obtained authorizing the approach onto Catron Boulevard which is a State Highway; and,
5. All applicable provisions of the International Fire Code shall be continually met.

19. No. 05SR023 - Schnasse Subdivision

A request by Ron Dahlinger for Black Hills Power, Inc. to consider an application for a **SDCL 11-6-19 Review to allow the construction of a public utility transformer and a switchgear building on private property** on Lots 16

through 18, Block 15, Schnasse Subdivision, Section 31, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 120 East Denver Street.

Planning Commission recommended that the SDCL 11-6-19 Review to allow the construction of a public utility transformer and a switchgear building on private property be approved with the following stipulations:

- 1. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the building;**
- 2. A variance is hereby granted to reduce the required rear yard setback from 25 feet to 17 feet;**
- 3. The proposed utility transformer substation and accessory switchgear building shall comply with all other setback requirements of the Medium Density Residential Zoning District;**
- 4. A variance is hereby granted to waive the requirement to provide two off-street parking stalls on site with one stall being a van accessible handicapped stall; and,**
- 5. The landscaping plan shall continually comply with all applicable provisions of the Landscaping Ordinance and the approved landscaping plan.**

20. No. 05VR004 - Keller Subdivision

A request by Scott Landguth for Pete Lien and Sons to consider an application for a **Vacation of Section Line Highway** on the west 857.64 feet of Section Line Highway lying between the SW1/4SE1/4 of Section 17, T2N, R7E and the NW1/4NE1/4 of Section 20, T2N, R7E, all lying in BHM, Pennington County, South Dakota, more generally described as being located at the northwest corner of Universal Drive and North Highway 79.

Planning Commission recommended that the Vacation of Section Line Highway be continued to the June 23, 2005 Planning Commission meeting at the applicant's request.

21. No. 05VR005 - Northside Addition

A request by Fisk Land Surveying & Consulting for MBJ Company, Inc. to consider an application for a **Vacation of Alley Right of Way adjoining Lots 1 through 8 and Lots 21 through 28 of Northside Addition** on Undeveloped alley adjoining Lots 1 through 8 and Lots 21 through 28, Block 7, Northside Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 826 East Monroe Street.

Planning Commission recommended that the Vacation of Alley Right-of-Way adjoining Lots 1 through 8 and Lots 21 through 28 of Northside Addition be approved with the following stipulations:

- 1. Prior to City Council approval of the Vacation of Right-of-Way, a separate miscellaneous easement document shall be submitted for review and approval showing that portion of the alley right-of-way to be vacated, dedicated as a utility easement;**

2. **The utility easement shall be recorded with the Pennington County Register of Deeds immediately after the vacation of right-of-way exhibit is recorded; and,**
3. **All affected lots shall be combined with a Developmental Lot Agreement. In addition, the Developmental Lot Agreement shall be recorded at the Pennington County Register of Deeds office immediately after the utility easement exhibit is recorded.**

22. No. 05VR006 - Northside Addition

A request by Fisk Land Surveying & Consulting for MJB Company, Inc. to consider an application for a **Vacation of Right-of-Way** on Undeveloped Monroe Street adjoining Lots 22 through 28, Block 7, and Lots 1 through 7, Block 8, Northside Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 826 East Monroe Street.

Planning Commission recommended that the Vacation of Right-of-Way be approved with the following stipulations:

1. **Prior to City Council approval of the Vacation of Right-of-Way, a separate miscellaneous easement document shall be submitted for review and approval showing that portion of the East Monroe Street right-of-way to be vacated, dedicated as a utility easement;**
2. **The utility easement shall be recorded with the Pennington County Register of Deeds immediately after the vacation of right-of-way exhibit is recorded; and,**
3. **All affected lots shall be combined with a developmental lot agreement. In addition, the developmental lot agreement shall be recorded at the Pennington County Register of Deeds office immediately after the utility easement exhibit is recorded.**

23. No. 05VR007 – Minnesota Ridge Heights Subdivision

A request by Centerline for 3 T's Land Development and Elton Eller to consider an application for a **Vacation of Right-of-Way** on the north 1400.34 feet of the 66 foot wide Section Line Highway lying between the NW1/4 of Section 13, T1N, R7E, BHM, and the NE1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of Minnesota Street.

Planning Commission recommended that the Vacation of Section Line Highway be approved.

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

10. No. 05PL079 - North 80 Subdivision

A request by Sperlich Consulting for John Kharouf to consider an application for a **Preliminary Plat** on Lots A and B of Lot 1, North 80 Subdivision, Located in Government Lot 2, SW1/4 of the NW1/4, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 1, North 80 Subdivision, located in Government Lot 2, SW1/4 of the NW1/4, Section 19, T1N,

R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of Fifth Street and East Stumer Road.

Lawrence Kostaneski, representative for adjacent property owner expressed concerns with the drainage plan for the property.

In response to concerns expressed by Kostaneski regarding the drainage improvements, Dominak stated that the fill being placed in the drainage easement along the proposed development site was to eliminate drainage problems and should not create problems with drainage on the adjacent lot to the east.

Kostaneski advised that he would accept staff's assurances that the fill would not create a problem on the proposed development site.

Doug Sperlich, petitioner's representative, stated that the proposal would eliminate run off on the proposed development site.

Kostaneski stated his acceptance of staff assurances that drainage issues would not negatively impact the adjacent property.

Motion by LeMay, Seconded by Andrews and unanimously carried to recommend that the Preliminary Plat be approved with the following stipulations:

1. **Prior to issuance of a Building Permit, a Planned Commercial Development - Initial and Final Development Plan shall be approved;**
2. **Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate that access will be provided to the proposed fire hydrant or show the hydrant located in a location accessible by fire department apparatus;**
3. **All applicable provisions of the International Fire Code shall be continually met; and,**
4. **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.**

(9 to 0 with Andrews, Anderson, Brown, Fast Wolf, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

11. No. 05PL085 - Rushmore Crossing

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** on Parcels 1 through 17, Rushmore Crossing, located in the SW1/4, Section 30 and a portion of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as an unplatted portion of the SW1/4, lying south of I-90 and north of the Railroad Right-of-Way, less Tract C, Section 30 and a portion of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to Eglin Street between Lacrosse Street and East North Street.

Elkins requested that this item be continued to the July 7, 2005 Planning Commission meeting and stated that the applicant is in concurrence with the request.

Motion by LeMay, Seconded by Andrews and unanimously carried to recommend that the Layout Plat be continued to the July 7, 2005 Planning Commission meeting to allow the applicant to submit additional information.

(9 to 0 with Andrews, Anderson, Brown, Fast Wolf, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

12. No. 05PL086 - PLM Subdivision

A request by Centerline for PLM Land Development, LLC to consider an application for a **Preliminary Plat** on Lots 1 through 20 located in NE1/4 NW1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as property located in the NE1/4 NW1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Catron Boulevard and Fifth Street.

Fisher presented revised stipulations at the applicant's request and recommended approval of the Preliminary Plat with revised stipulations.

Motion by Andrews to approve the Preliminary Plat with revised stipulations. The motion died for lack of second.

Lawrence Kostaneski requested that the additional information required prior to Preliminary Plat be required at the time of Final Plat application.

In response to Nash's question, Elkins stated that staff recommends that the stipulations be met as a condition of the Preliminary Plat approval. Discussion continued.

Motion by Andrews, seconded by Hadcock to approve the Preliminary Plat with revised stipulations and further revising stipulations numbers 2 and 5 to allow the information to be submitted with the Final Plat application.

Schmidt opposed the motion on the floor.

Open a Roll Call (3 to 6 with Anderson, Fast Wolf, Hadcock voting yes and Andrews, Brown, LeMay, Nash, Prairie Chicken and Schmidt voting no)

Motion by Andrews, Seconded by Brown to approve the Preliminary Plat 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, road construction plans for Enchantment Road shall be submitted for review and approval. In particular, the road construction plans shall show Enchantment Road located in a minimum 68 foot wide right-of-way and constructed with a minimum 32 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 plat document shall be revised eliminating proposed Lot 20;**
5. **Prior to Preliminary Plat approval by the City Council, a maintenance agreement shall be submitted for review and approval for the sanitary sewer main to be located along the common lot line of proposed Lots 9 and 10 as well as the graveled maintenance road;**
6. **Prior to Preliminary Plat approval by the City Council, the construction plans shall be revised to provide property line sidewalks or an Exception to allow curb side sidewalks shall be obtained;**
7. **Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;**
8. **Prior to submittal of a Final Plat application, a different street name for "Highlights Lane" shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street name;**
9. **An Exception is hereby granted to allow access to proposed Lot 13 from Enchanted Pines Drive in lieu of Highlights Lane, the lesser order street, as per the Street Design Criteria Manual with the stipulation that the plat document be revised to provide a non-access easement along the first fifty feet of the corner of the lot;**
10. **Prior to submittal of a Final Plat application, the plat document shall be revised to provide a non-access easement along Enchantment Road, along Enchanted Pines Drive as it abuts Lot 1 and along the first fifty feet of all corner lots; and,**
11. **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.**

(8 to 1 with Andrews, Anderson, Brown, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and Fast Wolf, voting no)

13. No. 05PL087 - Red Rock Meadows

A request by Dream Design International, LLC to consider an application for a **Preliminary Plat** on Lots 1R and Lot 8, Block 1, Lots 1 through 8, Block 10 and dedicated street, (Red Rock Meadows Subdivision), Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Beginning at a found point on the quarter corner of Section 28 and Section 29 T1N, R7E, BHM; thence S89°59'26"E 1064.51 feet; thence S63°16'56"W 75.68 feet; thence S58°41'53"W 119.08 feet; thence S67°34'57"W 52.00 feet; thence S76°02'59"W 119.17 feet; thence S88°05'02"W 104.00 feet; thence S89°59'30"W 626.72 feet; thence N00°18'06"W 148.20 feet; to the Point of Beginning; containing 3.12 acres more or less, located at the SW1/4, Section 28, T1N, R7E, BHM, Pennington

County, South Dakota, more generally described as being located south of the intersection of Muirfield Drive and Coghill Lane.

Fisher stated staff is recommending approval with stipulation 7 revised to state the first "50 feet of the corner the lots" instead of "75."

Motion by Andrews, Seconded by LeMay and unanimously carried to recommend that the Preliminary Plat be approved with the following stipulations:

- 1. Prior to Preliminary Plat approval by the City Council, 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, the plat document shall be revised to provide 17 additional feet of right-of-way along Dunsmore Road or a Variance to the Subdivision Regulations shall be obtained;**
- 3. The Exception request to allow 101 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual is hereby denied;**
- 4. Prior to Preliminary Plat approval by the City Council, a Private Utility Master Plan shall be submitted for review and approval;**
- 5. Prior to Preliminary Plat approval by the City Council, a subdivision cost estimate shall be submitted for review and approval;**
- 6. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits of Rapid City;**
- 7. Prior to submittal of a Final Plat application, the plat document shall be revised to provide a non-access easement along Dunsmore Road as it abuts Lot 1, Block 10, along Muirfield Drive as it abuts Lot 8, Block 1 and Lot 8, Block 10, the first 50 feet of the corner lots along Red Angus Drive and the west 75 feet of Lot 1, Block 10; and,**
- 8. 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.**

(9 to 0 with Andrews, Anderson, Brown, Fast Wolf, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

Nash announced that the Public Hearings on Items 24 through 42 were opened.

Staff requested that Item 28 be removed for separate consideration.

Prairie Chicken moved, Anderson seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 24 through 42 in accordance with the staff recommendations (9 to 0 with Anderson, Andrews, Brown, Fast Wolf, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

Olsen arrived at 7:31

---HEARING ITEMS CONSENT CALENDAR---

24. No. 05CA015 - Section 34, T2N, R8E

A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by amending the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on an approximate 55.3 acre parcel from Light Industrial to General Commercial** on the eastern most 504 feet of the SW1/4NW1/4 and the SE1/4NW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Interstate 90 and east of Elk Vale Road.

Planning Commission recommended that the Amendment to the Comprehensive Plan by amending the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on an approximate 55.3 acre parcel from Light Industrial to General Commercial be continued to the August 25, 2005 Planning Commission meeting.

25. No. 05CA026 - Riverside Addition

A request by Joseph A. Carlin, Jr. for D. Hamm Limited Partnership/Joe & Michele Carlin to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation parcel from Light Industrial District to General Commercial District** on Lots 17 through 22, Block 3, Section 35, T2N, R7E, and the north 10 feet of Lots 8, 8B, and 9 through 12, and the south 40 feet of the vacated Rapid Street adjacent to said lots, Block 6 all located in Riverside Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Sum Place, Twelfth Street and West Rapid Street.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on an approximate 1.0 acre parcel from Light Industrial to General Commercial be approved.

26. No. 05RZ041 - Riverside Addition

A request by Joseph A. Carlin, Jr. for D. Hamm Limited Partnership/Joe & Michele Carlin to consider an application for a **Rezoning from Light Industrial District to General Commercial District** on Lots 17 through 22, Block 3, Section 35, T2N, R7E, and the north 10 feet of Lots 8, 8B, and 9 through 12, and the south 40 feet of the vacated Rapid Street adjacent to said lots, Block 6 all located in Riverside Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Sum Place, Twelfth Street and West Rapid Street.

Planning Commission recommended that the Rezoning from Light Industrial District to General Commercial District be approved in conjunction with the associated Amendment to the Comprehensive Plan.

*27. No. 05PD027 - Fifth Street Office Plaza

A request by Dream Design International for Mandalay Homes to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot 2, Block 1, Fifth Street Office Plaza, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4940 5th Street.

Planning Commission recommended that the Planned Commercial Development - Initial and Final Development Plan be continued to the June 23, 2005 Planning Commission meeting.

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.

*29. No. 05PD034 - Pine Crest Village Addition

A request by Kadrmas, Lee and Jackson for Pine Crest Village to consider an application for a **Planned Residential Development - Initial Development Plan** on Lot 2, Block 1, Pine Crest Village Addition located in the SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a tract of land lying in the SW1/4 of Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, described more particularly as follows: commencing at the southeast corner of Lot 12, Block 6, of the plat of Lots 1 and 2 of Block 5, and Lot 12 of Block 6, Auburn Hills Subdivision; thence from said corner of S00°06'59"W for 100.20 feet to the point of beginning; thence from said point of beginning S86°46'09"E for 310.31 feet; thence S00°11'06"W for 285.66 feet; thence S89°53'47"W for 310.03 feet; thence N00°12'53"E for 303.71 feet to the point of beginning, said tract contains 2.097 acres, and, a tract of land lying in the SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: commencing at the southeast corner of Lot 12, Block 6, of the plat of Lots 1 and 2 of Block 5, and Lot 12 of Block 6, Auburn Hills Subdivision which is the point of beginning; thence from said point of beginning S00°06'59"W for 100.20 feet; thence S00°12'53"W for 303.71 feet; thence S00°17'45"W for 263.17 feet; thence S89°57'16"W for 311.95 feet; thence N00°11'03"E for 300.82 feet; thence along a curve to the right with a delta angle of 40°01'24", a radius of 174.00 feet and an arc length of 121.55 feet; thence N 40°12'27"E for 137.94 feet; thence along a curve to the left with a delta angle of 40°01'48", a radius of 226.00 feet and an arc length of 157.90 feet; thence N00°10'4"E for 3.16 feet; thence N89°41'05"E for 130.11 feet to the point of beginning, said tract contains 3.975 acres, more generally described as being located at the southern end of Chalkstone Drive.

Planning Commission recommended that the Planned Residential Development - Initial Development Plan be approved with the following stipulations:

1. **Upon Final Planned Residential Development submittal, a water and sewer plan prepared by a Professional Engineer shall be submitted**

- for review and approval. In addition, the applicant shall demonstrate that adequate domestic and fire flows are being provided;
2. Upon Final Planned Residential Development submittal, a grading plan and geotechnical information shall be submitted for review and approval;
 3. Upon Final Planned Residential Development submittal, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall incorporate the local or regional facilities in order to detain flows to pre-developed flow rates. In addition, the drainage plan shall demonstrate that fill along the north side of the property does not impact detention pond capacities;
 4. The International Fire code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. In addition, all of the residences shall be sprinklered;
 5. Upon Final Planned Residential Development submittal, a landscaping plan shall be submitted for review and approval;
 6. Upon Final Planned Residential Development submittal, a sign and lighting package shall be submitted for review and approval;
 7. Upon Final Planned Residential Development submittal, elevations for the proposed structures shall be submitted for review and approval. In addition, a list of building materials and the proposed color palette for all structural development shall be submitted for review and approval. All construction shall comply with the approved elevations;
 8. Upon Final Planned Residential Development submittal, the location and size of the dumpsters shall be submitted for review and approval. In particular, the applicant shall identify whether individual trash receptacles and/or community dumpsters are being proposed. In addition, the dumpsters shall be screened;
 9. Upon Final Planned Residential Development submittal, the location, size and noise rating of any exterior air handling equipment proposed for the community center shall be submitted for review and approval;
 10. A building permit shall be obtained prior to any construction. In addition, a Certificate of Occupancy shall be obtained prior to occupancy;
 11. Prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus;
 12. Prior to issuance of a building permit, a Final Plat shall be approved creating a separate lot for the proposed development;
 13. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre; and,
 14. All provisions of the Medium Density Residential District shall be met unless otherwise specifically authorized as a stipulation of the Final Planned Residential Development or a subsequent Major Amendment.

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.

30. No. 05RZ023 - Section 34, T2N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** on the eastern most 504 feet of the SW1/4NW1/4 and the SE1/4NW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Interstate 90 and east of Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to General Commercial District be continued to the August 25, 2005 Planning Commission meeting.

31. No. 05RZ024 - Section 34, T2N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Low Density Residential District** on the northern most 210 feet of the SE1/4SW1/4SW1/4; the NE1/4SW1/4SW1/4; the northern most 870 feet of the SE1/4SW1/4; the E1/2 NW1/4SW1/4; the NE1/4SW1/4; the NW1/4SE1/4; and the NE1/4SE1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Interstate 90 and east of Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District be continued to the August 25, 2005 Planning Commission meeting.

32. No. 05RZ025 - Section 34, T2N, R8E and Section 3, T1N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Medium Density Residential District** on the north 200 feet of Lot 1, Neffs Subdivision #3; the eastern most 440 feet and southern most 450 feet of the SW1/4SW1/4; and the southern most 450 feet of the SE1/4SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the north 670 feet of the NE1/4NW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of East Anamosa Street and Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to Medium Density Residential District be continued to the August 25, 2005 Planning Commission meeting.

33. No. 05RZ026 - Sections 27 and 34, T2N, R8E and Section 3, T1N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** on the SW1/4SW1/4SW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; the

west 130 feet of NW1/4NW1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the west 130 feet lying adjacent to RR ROW and south of RR ROW, located in the SW1/4SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the north 670 feet of the NW1/4NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of East Anamosa Street and Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to General Commercial District be continued to the August 25, 2005 Planning Commission meeting.

34. No. 05RZ027 - Section 34, T2N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Office Commercial District** on the west 816 feet of the SW1/4NW1/4; the W1/2NW1/4SW1/4; and the NW1/4SW1/4SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Interstate 90 and east of Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to Office Commercial District be continued to the August 25, 2005 Planning Commission meeting.

35. No. 05RZ039 - Red Rock Meadows

A request by Dream Design International to consider an application for a **Rezoning from No Use District to Low Density Residential District** on Beginning at a found point on the quarter corner of Section 28 and Section 29 T1N, R7E, BHM; thence S89°59'26"E 1064.51 feet; thence S63°16'56"W 75.68 feet; thence S58°41'53"W 119.08 feet; thence S67°34'57"W 52.00 feet; thence S76°02'59"W 119.17 feet; thence S88°05'02"W 104.00 feet; thence S89°59'30"W 626.72 feet; thence N00°18'06"W 148.20 feet; to the Point of Beginning; containing 3.12 acres more or less, located at the SW1/4, Section 28, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located south of the intersection of Muirfield Drive and Coghill Lane.

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

36. No. 05RZ040 - Robbinsdale Subdivision

A request by Kahler Property Management for Robert Froehlich to consider an application for a **Rezoning from Medium Density Residential District to Neighborhood Commercial District** on Lots 1 through 20, Block 1, Robbinsdale Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of the intersection at East Saint Patrick Street and Robbins Drive.

Planning Commission recommended that the Rezoning from Medium Density Residential District to Neighborhood Commercial District be approved in conjunction with a Planned Development Designation.

37. No. 05SV021 - Gravatt Subdivision

A request by D.C. Scott Co. Land Surveyors for Wayne Householder to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer and water, and pavement as per Chapter 16.16 of the Rapid City Municipal Code** on Lot AR of Gravatt Subdivision, dedicated Anderson Road right-of-way and dedicated Dunn Road right-of-way and vacated 33' right-of-way located in the SW1/4 NW1/4 and in the N1/2 SW1/4 of Section 24, T1N, R8E, BHM, Pennington County, South Dakota, legally described as Lot A of Gravatt Subdivision located in the SW1/4 NW1/4 and in the N1/2 SW1/4 of Section 24, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the intersection of Anderson Road and Dunn Road.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer and water as per Chapter 16.16 of the Rapid City Municipal Code be continued to the July 7, 2005 Planning Commission meeting.

38. No. 05SV033 - Brookfield Subdivision

A request by Sperlich Consulting Inc. for Doeck LLC to consider an application for a **Variance to the Subdivision regulations to allow a lot twice as long as it is wide and to waive the requirement to install sidewalk and street light conduit along Cobalt Drive and to waive the requirement to install street light conduit on Adonia Lane, Wisteria Court and Three Rivers Drive as per Section 16.16 of the Rapid City Municipal Code** on Lots 1 through 8 and Lots 24 through 61 of Block 1, and Lots 1 through 10 of Block 2, Brookfield Subdivision, located in the NE1/4 of the SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the NE1/4 of the SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to West Nike Road.

Planning Commission recommended that the Variance to the Subdivision regulations to allow a lot twice as long as it is wide and to waive the requirement to install sidewalk and street light conduit along Cobalt Drive and to waive the requirement to install street light conduit on Adonia Lane, Wisteria Court and Three Rivers Drive as per Section 16.16 of the Rapid City Municipal Code be continued to the July 7, 2005 Planning Commission meeting.

39. No. 05SV027 - Keller Subdivision

A request by Renner & Associates for Pete Lien and Sons to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water,**

sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code on Lien Tract and Lot AR, Keller Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota., legally described as Lot A, B, and C of Keller Subdivision, located in the S1/2 of SE1/4, Section 17, T2N, R7E, BHM, Pennington County, South Dakota., more generally described as being located at the old Dog Track on North Highway 79.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirements to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the section line highway be tabled and, that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along S.D. Highway 79 as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:

- 1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessments for the improvements.**

40. No. 05SV034 - Auburn Hills Subdivision

A request by Sperlich Consulting, Inc. for Doeck LLC to consider an application for a **Variance to the Subdivision Regulations to allow a lot twice as long as it is wide as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 18 through 26, Block 3, Auburn Hills Subdivision, a portion of land located in the SW1/4 of the NW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as located in the SW1/4 of the NW1/4, Auburn Hills Subdivision, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the west end of Crimson Court and adjacent to Coal Bank Drive.

Planning Commission recommended that the Variance to the Subdivision Regulations to allow a lot twice as long as it is wide as per Chapter 16.16 of the Rapid City Municipal Code be approved.

*41. No. 05UR006 - Par Subdivision

A request by Dave St. Pierre for Steve and Trisha Nolan to consider an **application for a Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District** on Lot 2 of Tract 1 of Par Subdivision, Section 23, T1N, R7E, Rapid City, Pennington County, South Dakota, more generally described as being located at 6047 Tartan Court.

Planning Commission recommended that the Conditional Use Permit to allow a Child Care Center in the General Agriculture Zoning District be continued to the June 23, 2005 Planning Commission meeting.

*42. No. 05UR009 - Bradsky Subdivision

A request by Fisk Land Surveying for Mike Paulson on behalf of Dairy Farmers of America to consider an application for a **Conditional Use Permit to allow a wholesale and distribution facility in excess of 5,000 square feet in the General Commercial District** on Lots 22 and 23, Block 5, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more

generally described as being located at 1130 East Saint James Street.

Planning Commission recommended that the Conditional Use Permit to allow a wholesale and distribution facility in excess of 5,000 square feet in the General Commercial District be continued to the June 23, 2005 Planning Commission meeting.

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.

*28. No. 05PD033 - Summit Industrial Park

A request by Owen H. Emme and Summit, Inc. to consider an application for a **Planned Commercial Development - Initial and Final Development Plan to allow a Vendor Park** on Lot 1R Revised and 2R Revised, Summit Industrial Park and the balance of Lot X of Lot H2, NW1/4 of the SW1/4, Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3310 Deadwood Avenue.

Elkins stated that the applicant has complied with all conditions with the exception of item 8 regarding landscaping islands. She indicated that the applicant would like to address the Planning Commission on that issue.

Owen H. Emme requested that the stipulations of approval be revised to eliminate the requirement for landscaping islands, and requested that the trees in the temporary parking lot offset the requirement to install islands in the parking lot. Discussion followed.

Motion by Hadcock, Seconded by Schmidt and unanimously carried to recommend that the Planned Commercial Development - Initial and Final Development Plan to allow a Vendor Park be approved with the following stipulations:

- 1. Prior to initiation of any construction, including the parking lot, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the vendor park;**
- 2. An Air Quality Permit shall be obtained;**
- 3. Prior to issuance of a Building Permit, a Developmental Lot Agreement shall be recorded at the Pennington County Register of Deeds office;**
- 4. A Temporary Use Permit shall be obtained for any temporary structures located on the subject property;**
- 5. A minimum of 288 off-street parking stalls shall be provided as identified on the site plan. In addition, the motorcycle parking area shall be provided as shown on the submitted site plan;**
- 6. The site shall be secured so that vehicles may not enter the site and be posted with a "No Parking" or other appropriate signs when not in use as a vendor park;**

7. No overnight camping shall be allowed on the site. In addition, a sign stating that "No Overnight Camping" shall be posted on the subject property at all times;
8. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;
9. If any on-site signage is proposed, a sign package shall be submitted for review and approval prior to Planning Commission approval. In addition, a Sign Permit shall be obtained for any on-site signage;
10. Prior to Planning Commission approval, information shall be provided documenting how all trash receptacles will be secured to preclude trash from blowing around on the site, receptacles from being overturned and to indicate the scheduled for removing debris from the site;
11. Prior to Planning Commission approval, a grading and drainage plan including a sediment and erosion control plan shall be submitted for review and approval. In addition, the plan shall account for the capacity of downstream facilities;
12. The applicant shall be responsible for providing fire fighting water to the site during all vendor events;
13. The vendor park site shall be assigned one address with site numbers assigned to the separate vendor booths. In addition, the site numbers for vendor booths shall be painted on the ground or displayed on a sign; and,
14. The Planned Commercial 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.

(9 to 0 with Andrews, Anderson, Brown, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and Fast Wolf, 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.

The Public Hearings for Items 24 through 42 were closed

---END OF HEARING CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

43. No. 05SV019 - Section 5, T1N, R8E
A request by Sperlich Consulting, Inc. for Jim Letner to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Creek Drive and East Saint Charles Street and to waive the requirement to dedicate additional right-of-way along Creek Drive and East**

Saint Patrick Street as per Chapter 16.16 of the Rapid City Municipal Code on the SW1/4 of the SW1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1720 East St. Patrick Street.

Elkins requested that the Variance to the Subdivision Regulations be denied without prejudice at the applicant's request.

Schmidt moved, Brown seconded and unanimously carried to recommend denial of the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Creek Drive and East Saint Charles Street and to waive the requirement to dedicate additional right-of-way along Creek Drive and East Saint Patrick Street as per Chapter 16.16 of the Rapid City Municipal Code without prejudice.

(9 to 0 with Andrews, Anderson, Brown, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and Fast Wolf, voting no)

Bulman requested Items 44 and 45 be taken concurrently.

44. No. 05TI004 – Section 13, T1N

A request by Joseph Lux for Lazy P6 Land Company, Inc. to consider an application for a **Resolution Creating Revised Tax Increment District No. 41** on Government Lot 1 & 2 less Lot H1 in the SW1/4NW1/4 and Lot 1 of North 80 Subdivision, all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A Revised of N1/2 GL 4 and adjacent Parkview Drive right-of-way, located in Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, all of Eastridge Estates Subdivision and Stumer Road and Enchantment Road rights-of-way adjacent to Eastridge Estates Subdivision, the unplatted balance of N1/2NW1/4, the unplatted balance of SW1/4NW1/4, the unplatted balance of the SE1/4NW1/4, and the unplatted balance of the NE1/4, and all of Enchanted Pines Road right-of-way and 5th Street right of-way, and Lot 2, Block 1, 5th Street Office Plaza, all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, SW1/4SW1/4SE1/4, N1/2SW1/4SE1/4, the Unplatted Balance of the E1/2NW1/4SE1/4, the Unplatted balance of the W1/4NW1/4SE1/4, the 100 foot dedicated 5th Street Right-of-way lying adjacent to Lot 19 of Block 6, Robbinsdale Addition No. 10 located in the NW1/4SE1/4, the platted 60 foot Minnesota Street Right-of-way adjacent to Lot 1 of Block 1, Terracita Park Subdivision as shown on Plat 30 Page 109, the platted 80 foot Minnesota Street Right-of-way as shown on Plat 29 Page 117 adjacent to Lot 19 of Block 6, Robbinsdale Addition No. 10 located in the NW1/4SE1/4 and adjacent to the Unplatted balance of the E1/2NW1/4SE1/4 and adjacent to Tract B, and all of 5th Street right-of-way, all located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 2 and dedicated ROW, Block 11, Robbinsdale Addition No. 10, Lot 1 and adjacent Parkview Drive right-of-way, Block 11, Robbinsdale #10, and Lots 2-6, Block 1, Terracita Park Subdivision, and Lot 20, Block 6, Robbinsdale #10, all located in Section 13, T1N, R7E, BHM,

Rapid City, Pennington County, South Dakota., more generally described as being located at Fifth Street north of Catron Boulevard, east of US Highway 16 and west of SD Highway 79.

45. No. 05TI005 - Section 13, T1N, R7E

A request by Joseph Lux for Lazy P6 Land Company, Inc. to consider an application for a **Resolution for Revised Project Plan for Tax Increment District No. 41** on Government Lot 1 & 2 less Lot H1 in the SW1/4NW1/4 and Lot 1 of North 80 Subdivision, all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A Revised of N1/2 GL 4 and adjacent Parkview Drive right-of-way, located in Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, all of Eastridge Estates Subdivision and Stumer Road and Enchantment Road rights-of-way adjacent to Eastridge Estates Subdivision, the unplatted balance of N1/2NW1/4, the unplatted balance of SW1/4NW1/4, the unplatted balance of the SE1/4NW1/4, and the unplatted balance of the NE1/4, and all of Enchanted Pines Road right-of-way and 5th Street right of-way, and Lot 2, Block 1, 5th Street Office Plaza, all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, the SW1/4SW1/4SE1/4, N1/2SW1/4SE1/4, the Unplatted Balance of the E1/2NW1/4SE1/4, the Unplatted balance of the W1/4NW1/4SE1/4, the 100 foot dedicated 5th Street Right-of-way lying adjacent to Lot 19 of Block 6, Robbinsdale Addition No. 10 located in the NW1/4SE1/4, the platted 60 foot Minnesota Street Right-of-way adjacent to Lot 1 of Block 1, Terracita Park Subdivision as shown on Plat 30 Page 109, the platted 80 foot Minnesota Street Right-of-way as shown on Plat 29 Page 117 adjacent to Lot 19 of Block 6, Robbinsdale Addition No. 10 located in the NW1/4SE1/4 and adjacent to the Unplatted balance of the E1/2NW1/4SE1/4 and adjacent to Tract B, and all of 5th Street right-of-way, all located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 2 and dedicated ROW, Block 11, Robbinsdale Addition No. 10, Lot 1 and adjacent Parkview Drive right-of-way, Block 11, Robbinsdale #10, and Lots 2-6, Block 1, Terracita Park Subdivision, and Lot 20, Block 6, Robbinsdale #10, all located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota., more generally described as being located at Fifth Street north of Catron Boulevard, east of US Highway 16 and west of SD Highway 79.

Bulman presented the Revised Tax Increment District #41 Project Plan. Bulman stated that the applicant requested that the revisions be made to allow a lift station and a forced main be included in the project costs. Bulman stated that additional costs would be financed by the developer. Bulman stated the Revised Tax Increment Finance Committee's recommendation to approve the Tax Increment District #41.

In response to Anderson's questions regarding blighted area requirements, Elkins stated that the blight was addressed at the time Tax Increment District #41 was originally approved. Discussion followed.

Landeen commented that the City Attorney's office is not opposed to this item.

Nash stated that previously a Tax Increment District to extend sewer lines did not

materialize as easements could not be acquired. Nash expressed concern with the capacity of sewer lines in Minnesota Street.

In response to Nash's question with regard to the sewer capacity of Minnesota Street, Dominak stated that discussion has taken place in the Public Works Department regarding this issue.

Elkins commented that prior discussion indicated that the use of the sewer in Minnesota Street could be an interim solution. Elkins commented that the long term solution would be to extend the sewer lines to the east.

Nash expressed concerns with definition of "long term" solution.

Discussion continued.

Joseph Lux stated that the property owner would finance the lift station and force main improvements requested in the Revised Tax Increment District. Lux expressed his opinion that approval of this Revised Tax Increment District would be a resolution to sewer issues on the proposed developments site and would allow development to continue.

Brown expressed his opinion that a long term solution needs to be addressed. Discussion continued.

LeMay moved to continue the request to allow the proposed district to be modified. The motion died for lack of second.

Lux expressed his opinion that delay or modification would increase costs significantly.

Andrews moved, Hadcock seconded to recommend approval of the Resolution creating Revised Tax Increment District #41 and the Resolution approving the Revised Project Plan for Tax Increment District #41.

(6 to 3 with Anderson, Andrews, Hadcock, LeMay, Prairie Chicken and Schmidt voting yes and Brown, Fast Wolf, and Nash voting no)

Bulman requested that Items 46 and 47 be taken concurrently.

Prairie Chicken left the meeting

46. No. 05TI006 - Stoney Creek South Subdivision
A request by Centerline to consider an application for a **Resolution Creating Tax Increment District No. 53** on , legally described as Lots 1 through 4, Block 1 and Lots 3 through 7, Block 2, all located in Stoney Creek South Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota,.
47. No. 05TI007 - Stoney Creek South Subdivision
A request by Centerline to consider an application for a **Tax Increment District**

No. 53 Project Plan on Lots 1 through 4, Block 1 and Lots 3 through 7, Block 2, all located in Stoney Creek South Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

Bulman presented the Resolution creating the Tax Increment District No. 53 and the associated Project Plan. Bulman stated that the Tax Increment Finance Committee recommended approval of Tax Increment District No. 53.

In response to Schmidt's question regarding new development, Bulman stated that new development would occur on the site.

Schmidt requested documentation supporting the need for Tax Increment District funding. Schmidt expressed concerns with commercial competition on the proposed development site.

Brown stated that he would abstain from comment and not vote on the item due to conflict of interest.

In response to Prairie Chicken's question regarding the requirement for a blighted area, Elkins stated that the Tax Increment Committee felt that the proposed development site met the requirement.

Lawrence Kostaneski commented that the application was similar to prior Tax Increment Financing application requests. Kostaneski reiterated that the Tax Increment Financing Committee unanimously supported this application. Discussion followed.

Landeen stated that the City Attorney's Office did not support Tax Increment District #53 because it did not meet the blighted area criteria. Discussion followed.

Hadcock moved and Andrews seconded to recommend approval of the Resolution creating Tax Increment District #53 and The Project Plan for Tax Increment District #53. The motion failed on a roll call vote (3 to 5 to 1 with Andrews, Hadcock and Prairie Chicken voting yes and Anderson, Fast Wolf, LeMay, Nash and Schmidt voting no and Brown abstaining)

LeMay moved to recommend denial of Resolution creating Tax Increment District #53 and The Project Plan for Tax Increment District #53. The motion died for lack of a second.

Schmidt requested documentation of financial feasibility information with regard to the request for Tax Increment District funding. Discussion followed.

Schmidt moved, Hadcock seconded and unanimously carried to continue the Resolution creating Tax Increment District #53 and The Project Plan for Tax Increment District #53 to the June 23, 2005 Planning Commission meeting.

(7 to 0 to 1 with Anderson, Andrews, Fast Wolf, Hadcock, LeMay, Nash, and Schmidt voting yes, none voting no and Brown abstaining)

*48. No. 05UR007 - Happy Hill Subdivision

A request by Clay Cline to consider an application for a **Conditional Use Permit to allow the Construction of a Garage in excess of 1500 square feet and in excess of the footprint of the dwelling** on Lot 1, Happy Hill Subdivision, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3350 Sunshine Trail.

Tucker recommended that the Conditional Use Permit request be continued to allow the construction of a garage in excess of 1500 square feet and in excess of the footprint of the dwelling to the June 23, 2005 Planning Commission meeting.

Prairie Chicken returned to the meeting at this time.

Brown moved, Andrews seconded and unanimously carried to recommend that the Conditional Use Permit to allow the construction of a garage in excess of 1,500 square feet and in excess of the footprint of the dwelling be continued to the June 23, 2005 Planning Commission meeting.

VOTE (9 to 0 with Anderson, Andrews, Brown, Fast Wolf, Hadcock, LeMay, Nash, and Schmidt voting yes and none voting no)

49. No. 05VE004 - Rushmore Regional Industrial Park

A request by Semmler Manufacturing for Carolyn Linn to consider an application for a **Vacation of Utility Easement** on Lot 1, Block 1 and Lot A of Lot 1, Block 5, Rushmore Regional Industrial Park, located in the SE 1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the west side of Concourse Drive.

Tucker requested that the Vacation of Utility Easement be tabled as Easement Vacations are not acted upon by the Planning Commission.

Schmidt moved, Andrews seconded and unanimously carried to table the Vacation of Utility Easement.

VOTE (9 to 0 with Anderson, Andrews, Brown, Fast Wolf, Hadcock, LeMay, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

52. Planning Commission Items

Elkins advised the Planning Commission to address Committee assignments and Tax Increment Finance representatives at the July 7, 2005 Planning Commission meeting.

There being no further business, Andrews moved, Prairie Chicken seconded and unanimously carried to adjourn the meeting at 8:50 a.m.

VOTE (9 to 0 with Anderson, Andrews, Brown, Fast Wolf, Hadcock, LeMay, Nash,

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Prairie Chicken and Schmidt voting yes and none voting no)