



MINUTES OF THE
RAPID CITY PLANNING COMMISSION
July 21, 2005

MEMBERS PRESENT: Peter Anderson, Doug Andrews, Gary Brown, Scott Nash, Mel Prairie Chicken and Ethan Schmidt. Deb Hadcock, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Michelle Horkey, Bob Dominicak, Dave Johnson, Linda Foster, Bill Knight, Joel Landeen, and Carol Bjornstad.

Nash called the meeting to order at 7:03 a.m.

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.

Staff requested that Items 18 be removed from the Non-Hearing Consent Agenda for separate consideration.

Planning Commission Anderson requested that Items 19 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 20 in accordance with the staff recommendations with the exception of Items 18 and 19.

(6 to 0 with Anderson, Andrews, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the July 7, 2005 Planning Commission Meeting Minutes.
2. Rapid City Area Long Range Transportation Plan Update – Draft Report

Planning Commission recommended that the Rapid City Area Long Range Transportation Plant Update – Draft Report be approved.

3. Capital Improvements Program - Jim Preston

Planning Commission recommended that the Capital Improvements Program be approved.

4. 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 August 4, 2005 Planning Commission meeting at the applicant's request.

5. 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 August 4, 2005 Planning Commission meeting to allow the applicant to submit additional information.

6. 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 August 4, 2005 Planning Commission meeting at the applicant's request.

7. No. 05AN006 - Freeland Meadow Subdivision

A request by Dream Design International to consider an application for a **Petition for Annexation** on the 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 approved contingent on any payment due to the North Elk Fire Protection District being paid by the City of Rapid City.

8. No. 05AN007 - Section 13, T2N, R7E

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for a **Petition for Annexation** on the NE1/4 SE1/4, Section 13, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 5230 Haines Avenue.

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



9. No. 05AN008 - Section 14, T2N, R7E

A request by H-H Ranch LLC to consider an application for a **Petition for Annexation** on a portion of the E1/2 E1/2, more particularly described as follows: a 33 foot wide strip of land adjacent to the easterly boundary of, N1/2 SE1/4 SE1/4, the NE1/4 SE1/4, and SE1/4 NE1/4, all located in Section 14, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the western terminus of Auburn Drive.

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

10. No. 05AN009 - Mailloux Subdivision

A request by Dream Design International to consider an application for a **Petition for Annexation** on Lot 1, Mailloux Subdivision, Section 18, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 1030 Country Road.

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

11. 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 August 4, 2005 Planning Commission meeting as requested by the applicant.

12. 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 August 4, 2005 Planning Commission meeting.

13. No. 05PL113 – Elks Meadows Subdivision

A request by Dream Design International, Inc. to consider an application for a



Layout Plat on the E1/2 NE1/4, Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the E1/2 NE1/4, Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4511 Jolly Lane.

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

1. **Prior to Layout Plat approval by the City Council, a Comprehensive Plan Amendment to the Major Street Plan relocating the minor arterial street and the collector street as they abut and extend through the subject property, respectively, shall be approved as proposed or the plat document shall be revised accordingly;**
2. **Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;**
3. **Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;**
4. **Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Drainage Criteria Manual 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 drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. In addition, the plat document shall be revised to provide drainage easements as necessary;**
5. **Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval;**
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. In addition, the sewer plans shall demonstrate adequate capacity of the downstream wastewater system. The plat document shall also be revised to provide utility easements as needed;**
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. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed;**
8. **Upon submittal of a Preliminary Plat application, road construction plans for the section line highway located along the north 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 highway 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, a Comprehensive Plan Amendment to the Major Street Plan shall be obtained relocating and/or eliminating the proposed minor arterial street;
9. 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 76 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;
 10. Upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac streets 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;
 11. Upon submittal of a Preliminary Plat application, road construction plans for the sub-collector streets, or those streets serving more than twenty lots, shall be submitted for review and approval. In particular, the streets shall be located in a minimum 52 foot 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;
 12. Upon submittal of a Preliminary Plat, road construction plans for the lane place streets, or those street serving not more than twenty lots, shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 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. Upon submittal of a Preliminary Plat application, 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 second street connection to the subject property 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 624 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 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;
18. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits of Rapid City;
19. 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 located along the north lot line, which is a minor arterial street, or a Variance to the Subdivision Regulations shall be obtained;
20. 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;
21. Prior to submittal of a Final Plat application, the applicant shall submit street names to the Emergency Services Communication Center for review and approval. In addition, Castle Pines Drive and Grey Hawk Court shall share a single name. In addition, the plat document shall be revised to show the approved street names;
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.

14. No. 05PL120 – Wildwood Subdivision

A request by Peter Hendricksen to consider an application for a **Preliminary Plat** on Lot 13AR and Lot 14AR, Block 3, Wildwood Subdivision, Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 13R and Lot 14R, Block 3, Wildwood Subdivision, located in the W1/2 SE1/4, E1/2 SW1/4, Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5775 and 5827 Wildwood Drive.

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

1. **Prior to Preliminary Plat approval by the City Council, road**



construction plans showing the installation of curb and gutter on the east side of the street with sidewalk, street light conduit and sewer along both sides of Wildwood Drive as it abuts the subject property shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;

2. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval; and,
3. 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.

15. No. 05PL121 – MJK Subdivision

A request by FMG, Inc. for Harold and Judith Bies and Lyle and Audrey Petersen to consider an application for a **Preliminary Plat** on Lots 3 through 9, Parcel A, MJK Subdivision, located in the NE1/4 SE1/4 and the SE1/4 SE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, a portion of Parcel A, MJK Subdivision, located in the NE1/4 SE1/4 and the SE1/4 SE1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Heartland Drive and adjacent to the east side of South Campbell Street.

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 the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;
2. Prior to Preliminary Plat approval by the City Council, a private utility distribution plan shall be submitted for review and approval;
3. Prior to Preliminary Plat approval by the City Council, a revised drainage plan shall be submitted for review and approval. In particular, the drainage plan shall provide drainage calculations for the over lot drainage. In addition, the drainage plan shall provide storm sewer, inlet, pipe size and street drainage calculations. The drainage plan shall also provide information to determine whether or not rip rap is required at the outlets of all inlets. In addition, the plat document shall be revised to provide additional drainage easements as needed;
4. Prior to Preliminary Plat approval by the City Council, construction plans showing the installation of street light conduit along Heartland Drive shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the construction plans shall be revised to provide a temporary turnaround at the end of Heartland Drive;
5. Prior to Preliminary Plat approval by the City Council, the shared approaches shall be revised to be a maximum size of 40 feet by 40 feet or construction plans shall be submitted for review and approval showing the shared approaches constructed with a



- minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
6. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the actual location of the 60 foot wide easement for water line and sanitary sewer line proposed to be vacated;
 7. Prior to Preliminary Plat approval by the City Council, Approach Permit(s) shall be obtained from the South Dakota Department of Transportation for the proposed approaches along Heartland Drive;
 8. Prior to the start of any construction on Heartland Drive, a Right-of-way Permit shall be obtained from the South Dakota Department of Transportation;
 9. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 10. Prior to submittal of a Final Plat application, a Road Name Change shall be submitted for review and approval to change the name of "Heartland Drive". In addition, the plat document shall be revised to show the approved road name;
 11. Prior to submittal of a Final Plat application, the plat heading shall be revised to add "Heartland Drive (formerly a portion of Parcel A of MJK Subdivision) located in ..."; and,
 12. 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.
16. No. 05PL122 – Paul Subdivision
A request by D.C. Scott Co. Land Surveyors for West River Electric to consider an application for a **Preliminary Plat** on Lot AR, Tract 1, Paul Subdivision; Lot WR located in the NE1/4 NE1/4, Section 15, T1N, R8E, BHM, Pennington County, South Dakota, legally described as Lot A, Tract 1, Paul Subdivision; Lot W located in the NE1/4 NE1/4, Section 15, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 3575 Reservoir Road 3383 Reservoir Road.

Planning Commission recommended that the 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. In particular, the road construction plans shall show the street constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit and sewer 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 Long View Road. In particular, the road construction plans shall show the street constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk and street light conduit or a Variance



3. **to the Subdivision Regulations shall be obtained;**
 3. **Prior to Preliminary Plat approval by the City Council, water and sewer plans shall be submitted for review and approval. In particular, the construction plans shall show the construction of water service and sanitary sewer lines to the subject property;**
 4. **Prior to Preliminary Plat approval by the City Council, a drainage plan shall be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as needed;**
 5. **Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
 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 submittal of a Final Plat application, a lot size Variance shall be obtained from the Pennington County Board of Commissioners or the plat document shall be revised accordingly;**
 8. **Prior to submittal of a Final Plat application, the applicant shall submit a site plan identifying the location of the existing fence along Reservoir Road. In addition, any portion of the fence located in the right-of-way shall be removed;**
 9. **Prior to submittal of a Final Plat application, the plat title shall be revised to read "Lot AR of Tract 1 of Paul subdivision and Lot WR of the NE1/4 NE1/4 of Section 15, Township 1 North, Range 8 East (formerly Lot A of Tract 1 of Paul Subdivision and Lot W of the NE1/4 NE1/4 of Section 15, Township 1 North, Range 8 East) located in...";**
 10. **Prior to submittal of a Final Plat application, the plat document shall be revised to include "Lot WR" in Note #1;**
 11. **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. In addition, the planting screen easement shall not conflict with utility easement(s);**
 12. **Upon submittal of the Final Plat application, the plat document shall be revised to show the dedication of 12 additional feet of right-of-way along Long View Road or a Variance to the Subdivision Regulations shall be obtained; and,**
 13. **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.**
17. No. 05PL124 – Elks Country Estates
A request by Sperlich Consulting for Triple Z Real Estate Development LLP to consider an application for a **Preliminary Plat** on Lots 4 through 12, Block 11, Lots 1 through 4, Block 13, located in the NE1/4, SE1/4, Elks Country Estates, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota,



legally described as a portion of Tract 1, E1/2, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the eastern terminus of LaCosta 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 the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
 2. **Prior to Preliminary Plat approval by the City Council, geotechnical information for the pavement design shall be submitted for review and approval;**
 3. **Prior to Preliminary Plat approval by the City Council, the applicant shall submit water calculations demonstrating that adequate fire and domestic flows are being provided;**
 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 Preliminary Plat approval by the City Council, drainage information shall be submitted for review and approval providing drainage calculations for the street drainage flows and the outlet channels. The drainage information shall also identify drainage flows once they leave the project and that post development storm drainage shall not exceed predevelopment flows or on-site detention shall be provided. In addition, the plat document shall be revised to provide drainage easements as needed;**
 6. **An Exception to allow 326 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual is hereby granted with the stipulation that prior to submittal of a Final Plat application, a contract shall be awarded for the construction of a street connection to the Southeast Connector and surety posted for the improvement;**
 7. **Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along Jolly Lane, Padre Drive as it abuts Lot 5, Block 11 and Lot 3, Block 13 and along the first fifty feet of all corner lots; and,**
 8. **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.**
20. No. 05SR039 – Sheridan Lake Heights Subdivision
A request by Thurston Design Group, LLP for Pennington County Housing to consider an application for a **11-6-19 SDCL Review to expand public structures** on Lots 1 through 20 and 22 through 32, Block 1, Lots 1 through 18, Block 2, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of Cameron Drive and Sheridan Lake Road.



Planning Commission continued the 11-6-19 SDCL Review to expand public structures to the August 25, 2005 Planning Commission meeting.

18. No. 05SR031 – Section 19, T2N, R8E

A request by CETEC Engineering Services, Inc. for City of Rapid City to consider an application for a **11-6-19 SDCL Review to allow the construction of a public lift station** on the NE1/4 NW1/4, Section 19, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located adjacent to the south side of Country Road and east of West Nike Road.

Fisher presented the SDCL 11-6-19 Review to allow the construction of a public lift station. Fisher advised that additional information must be submitted for review and approval prior to Planning Commission approval. Fisher stated that a revised site plan had been submitted showing LaCrosse Street on the east side of the lift station and fence elevations. Fisher commented that the access point has not been changed from Country Road to La Crosse Street. Fisher advised that staff's recommendation is to continue the request until the August 04, 2005 Planning Commission meeting.

Andrews moved, Anderson seconded and unanimously carried to continued the 11-6-19 SDCL Review to the August 4, 2005 Planning Commission meeting.

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

19. No. 05SR038 – Robbinsdale Park Addition

A request by Jim Sullivan for Black Hills Pony League to consider an application for a **11-6-19 SDCL Review to allow construction on public property** on Robbinsdale Park, less Lot 1, Robbinsdale Park Addition, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 626 East Fairmont Boulevard.

In response to Anderson's question regarding lighting fixtures and dark skies in public areas, Elkins advised that the lighting was primarily for the field. Discussion followed.

Dave Johnson identified that six light poles are on the site plan.

Elkins advised that Planning Commission require a stipulation that lights not be turned on when the playing field is not in use.

Andrews moved, Anderson seconded and unanimously carried to approve the 11-6-19 SDCL Review to allow construction on public property with the following stipulations:

1. **Prior to installation of the new lighting fixtures, an Electrical Permit shall be obtained; and,**
2. **A Grading Permit shall be obtained prior to initiation of any dirt work. In addition, the applicant shall include a sediment and erosion control**



plan showing how sediment, including mud tracking into the street and dust from stockpiles, will be handled during the proposed work.

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

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

Nash announced that the Public Hearings on Items 21 through 41 were opened.

Staff requested that Items 31, 32 and 33 be removed from the Hearing Consent Agenda for separate consideration.

Planning Commission requested that Items 40 and 41 be removed from the Hearing Consent Agenda for separate consideration.

Andrews moved, Brown seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 21 through 41 in accordance with the staff recommendations with the exception of Items 31, 32, 33, 40 and 41.

(5 to 0 to 1 with, Andrews, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no and Anderson abstaining)

The Public Hearings for Items 21 through 41 were closed.

---HEARING ITEMS CONSENT CALENDAR---

21. 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 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 August 4, 2005 Planning Commission meeting.

22. 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 SE1/4 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 Rezoning from No Use District to Low Density Residential District be continued to the August 4,



2005 Planning Commission meeting at the applicant's request.

23. 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 August 4, 2005 Planning Commission meeting.

24. No. 05CA027 - Section 21 and 22, T1N, R8E

A request by Dream Design International, Inc. to consider an application for a **Amendment to the Comprehensive Plan to revise the Major Street Plan** on all of Section 21 and the SW1/4 of Section 22, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the east and west sides of Old Folsom Road and South of existing Jolly Lane.

Planning Commission recommended that the Amendment to the Comprehensive Plan to revise the Major Street Plan be approved.

25. No. 05CA028 - Auburn Hills Subdivision

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a parcel of land from Park Forest to Low Density Residential** on the SE1/4 NE1/4; E1/2 SE1/4, Section 14 and the NE1/4 NE1/4, Section 23, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the southern terminus of Chalkstone Drive.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a parcel of land from Park Forest to Low Density Residential be denied without prejudice.

26. No. 05CA029 - Auburn Hills Subdivision

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for an **Amendment to the Comprehensive Plan to revise the Major Street**



Plan to relocate a collector street on located in the E1/2 NE1/4; E1/2 SE1/4, Section 14, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the southern terminus of Chalkstone Drive.

Planning Commission recommended that the Amendment to the Comprehensive Plan to the Major Street Plan to relocate a collector street be approved.

27. No. 05CA030 - Sections 13 and 18, T2N, R7E

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for an **Amendment to the Comprehensive Plan to change an 8.523 acre parcel of land in the Northeast Neighborhood Future Land Use Plan from Public with an alternate land use designation of Planned Residential Development of 2.5 dwelling units per acre to Low Density Residential with a Planned Residential Development** on a portion of the NE1/4 SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the E1/4 Corner, Section 13, T2N, R7E, common with the W1/4 Corner of Section 18, T2N, R8E, at the point of beginning; Thence, first course: Southerly, along the Township/Section line common to said Section 13, T2N, R7E, and Section 18, T2N, R8E, a distance 990 feet; Thence, second course: N37°08'48"W, a distance of 1242.01 feet, to a point on the Center ¼ section line of said Section 13, T2N, R7E; Thence, third course: Easterly, along the Center ¼ section line of said Section 13, T2N, R7E, a distance of 750 feet to the East ¼ Corner of Section 13, T2N, R7E, common with the West ¼ Corner of Section 18, T2N, R8E, and the point of beginning;, more generally described as being located one half mile north of the intersection of West Nike Road and Country Road.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change an 8.523 acre parcel of land in the Northeast Neighborhood Future Land Use Plan from Public with an alternate land use designation of Planned Residential Development of 2.5 dwelling units per acre to Low Density Residential with a Planned Residential Development be approved.

28. No. 05CA031 - Sections 2, 3, 10, 11, 14 15, 19, T1N, R7E, Sections 34 and 35, T2N, R7E

A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan to adopt the Jackson Boulevard Drainage Basin Design Plan** on SE1/4 SE1/4, Section 34; S1/2, Section 35; T2N, R7E; and W1/2, Section 2; E1/2, Section 3; all of Section 10, W1/2, Section 11; NW1/4 NW1/4, Section 14; N1/2, Section 15, E1/2, Section 19 all located in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

Planning Commission recommended that the Amendment to the Comprehensive Plan to adopt the Jackson Boulevard Drainage Basin Design Plan be approved.

*29. No. 05PD031 – Harter Subdivision



A request by Johnny Sundby to consider an application for a **Planned Unit Development - Initial and Final Development Plan to allow the construction of a commercial building and a four plex in the Medium Density Residential Zoning District** on Lot 1 of Lot H Revised, Harter Subdivision, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Sheridan Lake Road and Canyon Lake Road.

Planning Commission continued the Planned Unit Development - Initial and Final Development Plan to allow the construction of a commercial building and a four plex in the Medium Density Residential Zoning District to the August 4, 2005 Planning Commission meeting.

*30. No. 05PD041 - Eastridge Estates Subdivision

A request by Centerline for PLM Land Development, LLC to consider an application for a **Planned Residential Development - Initial and Final Planned Residential Development** on Lots 1 through 15, Block 1 and Lot 19, Block 2; Eastridge Estates Subdivision; Lots 1 through 15, Block 2, PLM Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Commencing from the Point of Beginning, the North Quarter Corner of Section 24, T1N, R7E a rebar with cap marked "Davis #3095", thence S00°05'52"W - 623.22' to a point, thence N89°31'32"W - 68.00' to a point, thence S00°04'11"W - 6.78' to a point, thence S39°31'16"W - 15.73' to a point, thence S00 02'20"W - 52.00' to a point, thence S32°11'27"E - 18.62' to a point, thence S00°02'20"W - 107.70' to the northeast corner of Lot 18B in Block 2 of Eastridge Estates, a rebar with cap marked "RLS 3977", thence N89°58'01"W - 100.04' to a rebar with cap marked "RLS 3977", thence S00°02'20"W - 298.38' to a rebar with cap marked "RLS 3977", thence S03 33'57"W - 19.48' to a rebar with cap marked "RLS 3977", thence S13°29'25"W - 37.14' to a rebar with cap marked "RLS 3977", thence S26°43'09"W - 37.18' to a rebar with cap marked "RLS 3977", thence S39°53'41"W - 37.21' to a rebar with cap marked "RLS 3977", thence S50°26'32"W - 22.38' to a rebar with cap marked "RLS 3977", thence S54°24'38"W - 133.93' to a rebar with cap marked "RLS 3977", thence N35°35'14"W - 98.48' to a rebar with cap marked "RLS 3977", thence N44°27'27"W - 245.69' to a rebar with cap marked "RLS 3977", thence N79°44'48"W - 240.37' to a rebar with cap marked "RLS 3977", thence N16°51'47"E - 1075.77' to a point, thence S89°40'08"E - 500.00' to the Point of Beginning. Said parcel containing 16.24 acres more or less, more generally described as being located adjacent to the south side of Enchanted Pines Drive and the east and west sides of Luminosity Lane.

Planning Commission continued the Planned Residential Development - Initial and Final Planned Residential Development to the August 4, 2005 Planning Commission meeting to be heard in conjunction with a Rezoning request.

*34. No. 05PD046 – South Boulevard Addition

A request by FMG, Inc. for McDonald's USA, LLC to consider an application for a **Planned Commercial Development – Initial and Final Development Plan to**



allow the construction of a restaurant in the General Commercial Zoning District on Lot 17 through 26, Block 26, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 720 Cleveland Street.

Planning Commission approved the Planned Commercial Development to allow the construction of a restaurant in the General Commercial Zoning District 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 structure;**
- 2. The uses allowed within the Planned Commercial Development shall be limited to a restaurant;**
- 3. The proposed structure shall conform architecturally to the plans and elevations submitted;**
- 4. A minimum 15 foot front yard setback shall be provided for the proposed structure;**
- 5. All side and rear setbacks shall be in compliance with the General Commercial Zoning District requirements;**
- 6. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;**
- 7. The signage shall comply with the submitted sign package or an amendment to the Planned Commercial Development shall be obtained;**
- 8. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance;**
- 9. The parking plan shall continually comply with all other requirements of the Zoning Ordinance;**
- 10. An exception to the Street Design Criteria Manual to allow three driveway approaches on the subject property is hereby granted;**
- 11. The proposed structure shall be fully fire sprinkled and alarmed as per the International Fire Code;**
- 12. All applicable provisions of the International Fire Code shall be continually met;**
- 13. Prior to Planning Commission approval, a revised grading and drainage plan shall be submitted for review and approval addressing the drainage, runoff and erosion of the alley;**
- 14. Prior to issuance of a Building Permit, a utility plan shall be submitted showing all utility lines including water and wastewater service lines. In addition, the utility plan shall also show the existing water and wastewater service lines abandoned at the tap as per City specifications. The utility plan shall also show the post indicator valve in accordance with Standard Detail 8-5 of the Standard Specifications for Public Works Construction 2004 Edition; and,**
- 15. 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.**



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.

35. No. 05RZ020 – Kensington Heights Subdivision

A request by Sperlich Consulting for Kensington Heights LLC to consider an application for a **Rezoning from Low Density Residential District to Low Density Residential – II District** on Lots 1 through 5, Block 3, Kensington Heights Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of the intersection of Davin Drive and Field View Drive.

Planning Commission recommended that the Rezoning from Low Density Residential District to Low Density Residential - II District be denied without prejudice.

36. No. 05RZ042 – Section 13, T2N, R7E

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for a **Rezoning from No Use District to Low Density Residential District** on the NE1/4 SE1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5230 Haines Avenue.

Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District be approved in conjunction with the associated Planned Development Designation and the Amendment to the Comprehensive Plan.

37. No. 05RZ043 – Fifth Street Office Plaza

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Agriculture District to Office Commercial District** on Lot 3, Block 1, Fifth Street Office Plaza, legally described as a tract of land located in the S1/2 N1/2 NE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: beginning at a point from which the northeast corner of said Section 24, bears N31°57'16"E, a distance of 1105.84 feet; thence N61°16'15"W, a distance of 192.54 feet; thence S27°33'31"W, a distance of 286.44 feet; thence S62°26'29"E, a distance of 192.50 feet; thence N27°33'31"E, a distance of 282.51 feet, to the point of beginning; said tract containing 1.26 acres more or less, more generally described as being located on the north side of 5th Street approximately 1000 feet north of the intersection of Catron Boulevard and 5th Street.

Planning Commission recommended that the Rezoning from General Agriculture District to Office Commercial District be approved with the condition that a Planned Development Designation be approved prior to Planning Commission approval.



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 August 4, 2005 Planning Commission meeting.

39. No. 05SV046 – Wildwood Subdivision

A request by Peter Hendricksen 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 on Wildwood Drive as per Chapter 16.16 of the Rapid City Municipal Code** on Lot 13AR and Lot 14AR, Block 3, Wildwood Subdivision, Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 13R and Lot 14R, Block 3, Wildwood Subdivision, located in the W1/2 SE1/4, E1/2 SW1/4, Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5775 and 5827 Wildwood Drive.

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 on Wildwood Drive 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.**

*31. No. 05PD043 – Northern Heights Subdivision

A request by TSP, Inc. for Mercy Housing South Dakota II, LLC to consider an application for a **Planned Residential Development – Initial and Final Plan** on Lot 2, Tract B and Lot 9, Block 16, Northern Heights Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1607 Space Avenue.

Elkins presented the request for a Planned Residential Development. Elkins stated that the staff report had been distributed indicating that stipulations 11, 12



and 14 were required to be met prior to Planning Commission approval. She stated that the request is for the construction of porch additions to the existing structures. Elkins advised that the request may be continued to the August 4, Planning Commission meeting or modifications to the conditions of approval could be made that would require the conditions be met prior to building permit approval. Elkins advised that the required changes pertain to the water main lateral line, curb stop, sprinkler and construction drawings red lines. She stated that staff would not object to modifying the conditions to require compliance prior to issuance of a building permit.

Holly Brenneise, representing TSP, Inc. stated agreement with the proposal to modify the stipulations of approval so they would be met prior to the building permit approval.

Anderson moved, Brown seconded and unanimously carried to approve the Planned Residential Development - Initial and Final Plan with the following stipulations:

- 1. Prior to any construction, a Building Permit shall be obtained;**
- 2. The uses allowed within the Planned Residential Development shall be limited to a maximum of 48 dwelling units;**
- 3. All structural setbacks shall comply with Section 17.12.050 of the Rapid City Municipal Code;**
- 4. The minimum number of off-street parking stalls is hereby reduced from 72 stalls to 42 stalls;**
- 5. The parking plan shall continually comply with the approved parking plan;**
- 6. The required number of landscaping points located either in or within 20 feet of the parking lot is hereby reduced from 58,317 points to 25,980 points;**
- 7. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;**
- 8. The existing structures shall be fully fire sprinkled and fire alarmed as per the International Fire Code;**
- 9. If an on-site hydrant is required, the location of the hydrant shall be coordinated with the Fire Department staff and installed as required by the International Fire Code;**
- 10. All applicable provisions of the International Fire Code shall be continually met;**
- 11. Prior to issuance of a Building Permit, information regarding the sizes and construction materials of the water main and lateral line shall be submitted for review and approval. In addition, an easement shall be provided for the water main and lateral line including all curb stops;**
- 12. Prior to issuance of a Building Permit, the applicant shall provide information showing that the existing water system can provide the required flows for the proposed sprinkler system;**
- 13. Prior to issuance of a Building Permit, the applicant shall provide information regarding the condition of the outfalls and any necessary improvements required to make the drainage structures**



- function properly;
14. Prior to issuance of a Building Permit, the comments on the construction drawings shall be addressed and the red lined drawings shall be returned; and,
 15. 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 Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt 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.

*32. No. 05PD045 – Northern Heights Subdivision

A request by TSP, Inc. for Mercy Housing South Dakota II, LLC to consider an application for a **Planned Residential Development – Initial and Final Plan** on Lot 1, Tract B, Northern Heights Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 906 Explorer Street.

Elkins presented the request for a Planned Residential Development and advised that covered porches were being added to the existing structures and the applicant was proposing the construction of a community facility. Elkins commented that revised elevations had been submitted. Elkins advised that stipulations 3, 5, 13, 14, 16 and 18 have not been met and that color information has not been submitted by the applicant's agent. Elkins advised that the request could be continued to the August 4, 2005 Planning Commission or the application could be approved with the requirement that the stipulations be met prior to building permit approval and with staff's review of the color palette, if the Planning Commission was comfortable with staff reviewing and approving the color palette. Discussion followed.

Anderson moved, Andrews seconded and unanimously carried to approve the Planned Residential Development - Initial and Final Plan with the following stipulations:

1. Prior to any construction, a Building Permit shall be obtained, and a Certificate of Occupancy shall be obtained prior to occupancy of the proposed community building;
2. The uses allowed within the Planned Residential Development shall be limited to a maximum of 48 dwelling units and a community building. In addition, the use of the community building shall be limited to the residents of the Planned Residential Development;
3. Prior to issuance of a Building Permit, the applicant shall submit color elevation drawings of the proposed community building with an



exterior materials list;

4. All structural setbacks shall comply with Section 17.12.050 of the Rapid City Municipal Code;
5. Prior to issuance of a Building Permit, a revised site plan shall be submitted for review and approval showing that all of the parking stalls on site are in compliance with the minimum standards of the Parking Ordinance for stall width, length and access;
6. The minimum number of off-street parking stalls is hereby reduced from 72 stalls to 55 stalls;
7. The parking plan shall continually comply with the approved parking plan;
8. The minimum number of landscaping points required within 20 feet of the parking lot is hereby reduced from 57,257 points to 43,750 points;
9. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;
10. The existing structures shall be fully fire sprinkled and fire alarmed as per the International Fire Code;
11. If an on-site hydrant is required, the location of the hydrant shall be coordinated with the Fire Department staff and installed as required by the International Fire Code;
12. All applicable provisions of the International Fire Code shall be continually met;
13. Prior to issuance of a Building Permit, information regarding the sizes and construction materials of the water main and lateral line shall be submitted for review and approval. In addition, an easement shall be provided for the water main and lateral line including all curb stops;
14. Prior to issuance of a Building Permit, the applicant shall provide information showing that the existing water system can provide the required flows for the proposed sprinkler system;
15. If a new fire hydrant is required, then a plan and profile of the service line shall be submitted for review and approval prior to Planning Commission approval;
16. Prior to issuance of a Building Permit, the applicant shall submit drainage calculations for the subject property and demonstrate the ability of the downstream drainage elements to accommodate the additional runoff created by the new structure;
17. The Morningside Drainage Basin fees shall be paid at the time a Building Permit is issued for the proposed new structure;
18. Prior to issuance of a Building Permit, the comments on the construction drawings shall be addressed and the red lined drawings shall be returned; and,
19. 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 Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt 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.

*33. No. 05PD044 – Robbinsdale Addition No. 2

A request by TSP, Inc. for Mercy Housing South Dakota I, LLC to consider an application for a **Planned Residential Development – Initial and Final Plan** on Lots 14 through 28, Block 7, Robbinsdale Addition No. 2, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 408 E. Fairlane Drive.

Elkins presented the request for a Planned Residential Development. Elkins commented on similarity with the prior requests from the applicant. She noted that the improvements would be made to improve the existing structures in an affordable housing development. She stated that color is the only outstanding issue in relative to the stipulations for elevations. Elkins advised that the request could be continued to the August 4, 2005 Planning Commission or approved requirement that the stipulations of approval be met prior to building permit approval and with staff's review and approval of the color palette.

Brown moved, Andrews seconded and unanimously carried to approve the Planned Residential Development - Initial and Final Plan with the following stipulations:

- 1. Prior to any construction, a Building Permit shall be obtained, and a Certificate of Occupancy shall be obtained prior to occupancy of the proposed community building;**
- 2. The uses allowed within the Planned Residential Development shall be limited to a maximum of 60 dwelling units and a community building. In addition, the use of the community building shall be limited to the residents of the Planned Residential Development;**
- 3. Prior to issuance of a Building Permit, the applicant shall submit color elevation drawings of the proposed community building with an exterior materials list;**
- 4. All structural setbacks shall comply with Section 17.12.050 of the Rapid City Municipal Code;**
- 5. Prior to issuance of a Building Permit, a revised site plan shall be submitted showing a minimum of four handicapped parking stalls with one being a van accessible handicapped stall;**
- 6. The minimum required access aisle for the 79 parking stalls located adjacent to the alley right-of-way is hereby reduced from 26 feet to 20 feet. In addition, the requirement precluding vehicles from backing into the right-of-way is hereby waived;**
- 7. The parking plan shall continually comply with the approved parking plan;**
- 8. Prior to issuance of a Building Permit, a revised site plan shall be submitted for review and approval showing an additional 8,000**



- landscaping points located either in or within 20 feet of the parking lot;
9. The minimum required number of landscaping points to be provided within 20 feet of the parking lot is hereby reduced from 41,257 points to 18,000 points;
 10. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;
 11. The existing structures shall be fully fire sprinklered and fire alarmed as per the International Fire Code;
 12. All applicable provisions of the International Fire Code shall be continually met;
 13. Prior to issuance of a Building Permit, information regarding the sizes and construction materials of the water main and lateral line shall be submitted for review and approval. In addition, an easement shall be provided for the water main and lateral line including all curb stops;
 14. Prior to issuance of a Building Permit, the applicant shall provide information showing that the existing water system can provide the required flows for the proposed sprinkler system;
 15. Prior to issuance of a Building Permit, the applicant shall submit drainage calculations for the subject property and demonstrate the ability of the downstream drainage elements to accommodate the additional runoff created by the new structure;
 16. The Meade-Hawthorne Drainage Basin fees shall be paid at the time a Building Permit is issued for the proposed new structure;
 17. Prior to issuance of a Building Permit, the comments on the construction drawings shall be addressed and the red lined drawings shall be returned; and,
 18. 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 Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt 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.

40. No. 05SV047 – Paul Subdivision
A request by D.C. Scott Co. Land Surveyors for West River Electric to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code** on Lot AR, Tract 1, Paul Subdivision; Lot WR located in the NE1/4 NE1/4, Section 15, T1N, R8E, BHM, Pennington County, South Dakota,



legally described as Lot A, Tract 1, Paul Subdivision; Lot W located in the NE1/4 NE1/4, Section 15, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 3383 and 3575 Reservoir Road.

Fisher presented the request for a Variance to the Subdivision Regulations. Fisher stated that West River Electric's proposal to reconfigure two lots with a facility currently on the subject property. She stated that future development by West River Electric will require a lot line shift. Fisher commented that the applicant requested variances to improve Long View Road and Reservoir Road. Fisher stated that water and sewer is currently present in Long View Road and water is present in Reservoir Road. Fisher advised that the applicant is requesting variances to waive the curb, gutter, sidewalk and sewer improvements. Fisher advised that the staff supports the Variance requests and advised that the applicant has agreed to sign a waiver of right to protest. Fisher stated that the Pennington County Highway Department presented a stipulation requesting contribution to the Reservoir Road and Long View Road intersection construction by the applicant. Fisher stated that the request for a variance to waive the requirement for water and sewer along Long View Road and water along Reservoir Road be tabled as they are already in place.

Prairie Chicken moved, Andrews seconded and unanimously carried to recommended that the Variance to the Subdivision Regulations to waive the requirement to install water along Long View Road and Reservoir Road and to install sewer along Long Veiw Road be tabled;

That the Variance to the Subdivision Regulations to waive the requirement to install a minimum 40 foot wide paved surface, street light conduit, curb, gutter, sidewalk and sewer along Reservoir Road be approved with the following stipulations:

- 1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessments for the improvement; and,**
- 2. Prior to submittal of a Final Plat application, the applicant shall submit surety for a portion of the Reservoir Road/Long View Road intersection improvement project as shown on the Pennington County Highway 2006/2007 street improvement plan(s);**

That the Variance to the Subdivision Regulations to waive the requirement to install a minimum 40 foot wide paved surface, street light conduit, curb, gutter and sidewalk along Long View Road 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 improvement.**

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

41. No. 05VR008 – Section 13 and Section 14, T2N, R7E

A request by Sperlich Consulting for Doeck LLC to consider an application for a **Vacation of Section Line Highway** on SE1/4, NE1/4, NE1/4 SE1/4, N1/2 SE1/4 SE1/4, all in Section 14, T2N, R7E, BHM, Pennington County, South Dakota and the SW1/4 NW1/4, NW1/4 SW1/4, N1/2 SW1/4 SW1/4, Section 13, T2N, R7E,



BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of Cobalt Drive.

In response to Schmidt's questions, Fisher stated that the topographic constraints support that the road be located further west. Fisher advised that a Master Plan has been submitted that demonstrates roadway connectivity. Fisher stated at the Comprehensive Plan Amendment to the Major Street Plan submitted by the applicant has been recommended for approval by the Planning Commission. Fisher advised that the topography would support that the collector street be constructed further west of the previously proposed location.

Andrews moved, Brown seconded and unanimously carried to recommend that the Vacation of Section Line Highway be approved with the following stipulations:

1. **Prior to City Council approval, the west half of the section line highway shall be annexed into the City limits of Rapid City;**
2. **Prior to City Council approval, a Comprehensive Plan Amendment to the Major Street Plan shall be submitted for review and approval to relocate and/or eliminate the collector street identified in the section line highway; and,**
3. **Prior to City Council approval, documentation from all of the affected utility companies shall be submitted indicating no objection to the vacation.**

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

---END OF HEARING CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

42. 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 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.

Fisher presented slides for the Layout Plat request to subdivide the subject property into 17 commercial lots in various sizes. Fisher advised that the staff's recommendation is to approve the request with stipulations. Fisher presented slides indicating the proposed locations of internal street intersections requiring signalization. She stated that staff is recommending that the applicant continue to work with staff regarding street and intersection designs. Fisher advised that the applicant is in agreement with the staff's recommendation for continued review of the proposed development. She advised that staff's recommendation



is to approve the Layout Plat with stipulations.

In response to Schmidt's question regarding flood plain issues, Bob Dominak advised that the applicant would be required to submit a full drainage plan as part of the preliminary plat application indicating flow locations from the development.

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

- 1. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval;**
- 2. 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;**
- 3. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Drainage Criteria Manual shall be submitted for review and approval. In particular, the drainage plan shall demonstrate the existing dam's ability to accommodate the 500 year flood event and the impact of any overflow on property(s) downstream. In addition, the drainage plan must provide the design for any additional on-site detention and storm sewer outfalls. The plat document shall also be revised to provide drainage easements as necessary;**
- 4. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval;**
- 5. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. The plat document shall also be revised to provide utility easements as needed;**
- 6. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the water plans shall include a water distribution plan and system analysis which includes the source, fire and domestic flows, looping appurtenances, etc. The plat document shall also be revised to provide utility easements as needed;**
- 7. Upon submittal of a Preliminary Plat application, road construction plans for Farnwood Avenue (Eglin Street) shall be submitted for review and approval for the collector/arterial street. In particular, the road construction plans for the west 3,000 feet of Eglin Street as it abuts the subject property shall show the street located in a minimum 76 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the road construction plans for the east 2,000**



- feet of Farnwood Avenue (Eglin Street) as it abuts the subject property shall show the street 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 must be obtained;
8. Upon submittal of a Preliminary Plat, road construction plans for Luna Drive shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 9. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the two north-south collector streets in compliance with the Major Street Plan extending south from Farnwood Avenue (Eglin Street) to the south lot line of the subject property. In addition, the road construction plans for the two collector streets shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 10. Upon submittal of a Preliminary Plat application, road construction plans for the section line highway shall be submitted for review and approval. In particular, the road construction plans shall show the section line highway located in a minimum 60 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained or the section line highway shall be vacated;
 11. 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;
 12. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 13. Prior to submittal of a Preliminary Plat application, the applicant shall work with staff to address traffic capacity issues specific to street and intersection design(s) and level of service provided at controlled intersections as noted in the Traffic Impact Study. In addition, the applicant shall address site distance issues along Farnwood Avenue between LaCrosse Street and the subject property;
 14. Prior to Preliminary Plat approval by the City Council, the applicant shall enter into an agreement with the City regarding the funding for



the signalization of the intersection of Rapp Street and LaCrosse Street and the intersection of Eglin Street and E. North Street;

15. Prior to submittal of a Final Plat application, the applicant shall submit street names to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names;
16. 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 Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

43. No. 05SR035 – Section 32, T2N, R8E

A request by Buell Consulting for Cellular, Inc. Network Corporation d/b/a Verizon Wireless to consider an application for a **11-6-19 SDCL Review to allow the construction of an emergency generator for a public utility on private property** on Lot D of Lot 1, NW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of East Boulevard North and East of Campbell Street.

Elkins presented the SDCL 11-6-19 review for the construction of an emergency generator. Elkins advised that stipulations 1, 2 and 3 have been met and that item 5 relative to noise issues has not been met. Elkins reviewed the concern with the noise produced by the generator and the information that should be submitted for review and approval. Elkins advised that the Planning Commission has the option to continue the request to allow the applicant to submit the required information regarding DNL levels or that the request be approved with the stipulation that the applicant provide the information prior to the issuance of a building permit, or that on an ongoing basis the applicant would be required to meet the HUD standard and should complaints be received regarding the noise, the applicant would be responsible for documenting compliance with the 65 DNL noise level.

John Rowe, Buell Consulting stated that he would be research the day/night averaging. Rowe advised that the back up generator would only be turned on intermittently. Rowe stated that he agrees with an ongoing stipulation that would review the noise levels. Discussion followed regarding noise levels.

In response to Schmidt's question, Elkins advised that the location of the generator is within 200 feet of the nearest residence. Discussion followed.

Andrews moved, Brown seconded and unanimously carried to approve the 11-6-19 SDCL Review to allow the construction of an emergency generator for a public utility on private property with the following

1. **Prior to any construction, a Building Permit shall be obtained;**
2. **All structural setbacks for the generator shall comply with Section 17.18.050 of the Rapid City Municipal Code;**
3. **Prior to Planning Commission approval, a revised site plan shall be**



submitted showing the access to the subject property from Cambell Street removed from the plan;

4. The facility shall not exceed the 65 DNL sound levels at the property lines. The applicant shall be responsible for testing associated with confirming compliance with the 65 DNL noise levels should complaints be received; and,

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

44. No. 05SR037 – Rapid City Greenway Tracts

A request by City of Rapid City to consider an application for a **11-6-19 SDCL Review to allow temporary signs** on Tract 20, less Lot 1H, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 301 North Fifth Street.

Elkins presented the application that addresses the construction of a sign in the park that identifies future improvements to the park. Elkins advised that staff is recommending that the graphics be removed from the proposed sign; however, staff will defer to the Planning Commission.

In response to Nash's question, Elkins advised that the applicant requested that the graphics remain on the sign for visibility to pedestrians.

In response to Schmidt's question, Elkins stated that the staff's recommendation is that based on the fact that the graphic map would not be readable by passing motorists.

Schmidt moved to approve the 11-6-19 SDCL Review with stipulations including the removal of the graphic, motion died for the lack of a second.

Andrews indicated that he is not opposed to the graphic on the sign.

Andrews moved to approve the 11-6-19 SDCL Review with revised stipulations allowing the graphic to remain. The motion died for lack of a second.

Discussion followed.

Elkins advised that the sign is a temporary sign at the current location. She stated that the City staff wanted public awareness of a project coming forward to improve the park area surrounding the sign.

In response to Brown's question, Elkins stated that based on the staff recommendation the "temporary" sign would be removed within one year of the completion of the improvements to the park. Discussion followed.

Anderson moved, Prairie Chicken seconded and unanimously carried to approve the 11-6-19 SDCL Review to allow the temporary signs be



approved with the following stipulations:

1. The proposed signs will conform to the design submitted with this application;
2. The proposed signs will not be located within any sight triangles;
3. The proposed signs will not be located within the federally designated 100 Year Flood Plain;
4. Prior to initiation of construction, the City Council shall approve of the proposed signage; and,
5. The proposed signage shall be removed by July 21, 2006.

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

Elkins requested that items 45 and 46 be taken concurrently.

45. No. 05OA006 – Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment – A request by City of Rapid City to consider an application for an An Ordinance allowing Wireless Communication Facilities in certain zoning Districts by amending Sections 17.08.030, 17.12.030, 17.14.030, 17.16.020, 17.16.030, 17.18.020, 17.18.030, 17.20.030, 17.22.020, 17.22.030, 17.24.020, 17.24.030, 17.30.030, 17.32.030, 17.34.020, 17.34.030, 17.36.020, 17.36.040, 17.40.030, 17.42.020, 17.46.020, 17.46.030, 17.48.020, 17.48.030, 17.56.020, 17.56.030 OF THE RAPID CITY MUNICIPAL CODE.**

46. No. 05OA007 – Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment – A request by City of Rapid City to consider an application for an an Ordinance amending the definition of Microcell Wireless Communication facilities by amending Section 17.04.483 Of The Rapid City Municipal Code.**

Elkins recommended that these items be continued to the August 25, 2005 Planning Commission meeting to allow for additional review by staff.

Elkins stated that the applicant and staff request direction from the Planning Commission for changes and clarification of prior directives.

Ralph Wyngarden, requested that the Planning Commission authorize use of new utility poles, allow an increased height for those poles, and allow antennas in street right-of-way and front yard setbacks. Wyngarden stated that concerns have been received from utility companies regarding the need for utility pole replacement. Wyngarden reviewed the height specifications required by utility companies and prior direction from the Planning Commission.

In response to Nash's comment, Elkins advised that the specific direction from Planning Commission was to limit the facilities to existing poles. Discussion continued.



In response to Andrew's question, Wyngarden stated that Western Wireless would participate in costs for pole replacements.

Wyngarden, requested clarification on the language regarding street right-of-way or front yard set backs. Wyngarden stated that Black Hills Power advised him that most poles are located in set backs and rights-of-ways. Wyngarden expressed concern with the language previously discussed. Wyngarden proposed that as part of a conditional use permit process, the applicant show a need for alternatives that would be reviewed by the Planning Commission. Discussion followed.

Hadcock requested that Wyngarden provide photographs for a visual review of the poles.

In response to Nash's comment, Wyngarden stated that street light poles would be an option. Discussion followed.

Andrews moved, Brown seconded and unanimously carried to recommend that the Ordinance Amendment - A request by City of Rapid City to consider an application for an An Ordinance allowing Wireless Communication Facilities in certain zoning Districts by amending Sections 17.08.030, 17.12.030, 17.14.030, 17.16.020, 17.16.030, 17.18.020, 17.18.030, 17.20.030, 17.22.020, 17.22.030, 17.24.020, 17.24.030, 17.30.030, 17.32.030, 17.34.020, 17.34.030, 17.36.020, 17.36.040, 17.40.030, 17.42.020, 17.46.020, 17.46.030, 17.48.020, 17.48.030, 17.56.020, 17.56.030 OF THE RAPID CITY MUNICIPAL CODE and the Ordinance Amendment - A request by City of Rapid City to consider an application for an Ordinance amending the definition of Microcell Wireless Communication facilities by amending Section 17.04.483 Of The Rapid City Municipal Code be continued to the August 25, 2005 Planning Commission meeting.

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

*47. No. 05PD039 – Big Sky Business Park

A request by Dream Design International, Inc. to consider an application for a **Planned Commercial Development – Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment** on Lot 2 and Lot 4, Block 1, Big Sky Business Park, Section 3, T1N, R8E, BHM, Pennington County, South Dakota, legally described as located in S1/2 NW1/4 S1/2, Government Lot 3, and the S1/2, Government Lot 4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Homestead Street between Elk Vale Road and Timmons Boulevard; northwest of the intersection of Berniece Street and Neel Street.

Brown stated that he would abstain from the discussion and vote on this issue due to a conflict of interest.



Elkins presented the Planned Commercial Development. Elkins advised that elevations have been submitted by the applicant and have been reviewed. She noted that staff recommends that additional landscaping be provided on the north and south sides of the building. Elkins stated that the additional landscaping would screen the loading dock from view of the traveling public on Elk Vale Road.

Andrews moved, Anderson seconded and unanimously carried to approve the Planned Commercial Development - Initial and Final Development Plan to allow the construction of a grocery store with an on-sale liquor establishment with the following stipulations:

- 1. Prior to any construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. An Air Quality Permit shall be obtained;**
- 3. The use allowed within the Planned Commercial Development shall be limited to a grocery store and an on-sale liquor establishment. Alternative uses may be approved through the Major Amendment processes;**
- 4. Prior to Planning Commission approval, the applicant shall submit revised color elevation drawings showing an increase in the architectural features of the structure;**
- 5. Prior to Planning Commission approval, a revised site plan showing a screening wall located between the mechanical equipment, dumpster and loading dock on the west side of the proposed structure and Elk Vale Road;**
- 6. Prior to Planning Commission approval, the applicant shall provide a revised site plan showing the location of the roof top mechanical equipment for review and approval;**
- 7. The proposed structure shall conform architecturally to the plans and elevations submitted;**
- 8. The proposed structure shall conform to all setback requirements of the General Commercial Zoning District;**
- 9. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;**
- 10. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;**
- 11. All site lighting shall be directed away from the adjacent rights-of-way and adjacent properties;**
- 12. The proposed structure shall be fully fire sprinklered and fire alarmed as per the International Fire Code;**
- 13. All applicable provisions of the International Fire Code shall be continually met;**
- 14. Prior to Planning Commission approval, the applicant shall submit a revised site plan showing the location of the gas, electricity and communication lines located within the public right-of-way;**
- 15. Prior to Planning Commission approval, the applicant shall submit a revised sheet showing the water main and all sanitary and storm sewer crossings. In addition, the applicant shall include any areas**



- requiring encasement in accordance with the Rapid City Standard Specifications for Public Works Construction Section 8.3;
16. Prior to Planning Commission approval, the applicant shall submit a profile of the water main to the fire hydrant;
 17. Prior to Planning Commission approval, the applicant shall submit a revised drainage plan showing the location of all existing drainage structures and indicate how the existing drainage structures will accommodate the proposed construction;
 18. Prior to Planning Commission approval, the comments on the construction drawings shall be addressed and the red lined drawings shall be returned; and,
 19. 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; and
 20. That the applicant provides additional landscaping along the south and north property boundaries to provide additional screening.

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt 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.

*48. No. 05PD040 – Big Sky Subdivision

A request by Dream Design International, Inc. to consider an application for a **Planned Residential Development – Initial and Final Plan to allow the construction of eight duplexes and one four plex** on tract J, a subdivision of tract BD, Big Sky Subdivision, located in the SE1/4 NW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the east 105 feet of Tract BD, Big Sky Subdivision, located in the SE1/4 NW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the west side of Degeest Street, between Homestead Street and Bernice Street.

Elkins presented the staff's recommendation to continue the Planned Residential Development to the August 25, 2005 Planning Commission meeting to allow the applicant time to submit modifications and revisions.

Brown moved, Andrews seconded and unanimously carried to continue the Planned Residential Development - Initial and Final Plan to allow the construction of eight duplexes and one four plex to the August 25, 2005 Planning Commission meeting.

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)



49. No. 05SV045 – Eastridge Estates Subdivision

A request by Centerline for PLM Land Development, LLC to consider an application for a **Variance to the Subdivision Regulations to install curb, gutter, sidewalk, street light conduit, sewer, water and to reduce easement width from 49 feet to 26 feet and to allow a lot twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 through 15, Block 1 and Lot 19, Block 2; Eastridge Estates Subdivision; Lots 1 through 15, Block 2, PLM Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as N1/2 NW1/4, Less Eastridge Estates Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the south side of Enchanted Pines Drive and the east and west sides of Luminosity Lane.

Fisher presented the request for a Variance to the Subdivision Regulations and identified a handout from the applicant. Fisher commented that the applicant has submitted a planned development to subdivide the subject property into six lots that would require a street design section. Fisher commented that the applicant has proposed to utilize an easement and requested an exception to allow the easement to serve six properties in lieu of four. Fisher stated that staff supports the easement request with the stipulation that maintenance be provided for the easement and also be identified as a utility easement since water and sewer must be extended to serve the six units. Fisher commented that an access must be constructed as a street and not a driveway. Fisher identified that the street must be located in a minimum 49 foot wide easement and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Fisher advised that staff recommends that the easement be developed in compliance with the City's standards.

In response to Andrew's question, Fisher stated that the applicant originally proposed one large lot and then through the Planned Development application identified that the property will be subdivided into six lots.

Fisher presented slides of the plan showing the proposed access easement.

In response to Nash's question regarding setback and property lines, Fisher confirmed the location of the property line set back line.

Andrews expressed his opinion in support of the extension and construction of the common easement access in compliance with the City Street Design Criteria.

Andrews moved, Anderson seconded and unanimously carried to recommend that the Variance to the Subdivision Regulations to allow a lot twice as long as wide be approved;
That the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and to reduce the easement width from 49 feet to 26 feet be denied;
That the Exception to allow the access easement to serve six lots in lieu of four lots as per the Street Design Criteria Manual be approved with the



following stipulations:

- 1. Prior to City Council approval, the applicant shall submit documentation demonstrating maintenance of the access easement; and**
- 2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the "common drive access easement" as an "access and utility easement".**

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

Fisher requested that Items 50 and 51 be taken concurrently.

*50. No. 05PD042 – Pine Crest Village Addition

A request by Kadrmaz, Lee and Jackson for Pine Crest Village Limited Partnership to consider an application for a **Planned Residential Development – Initial and Final 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 terminus of Chalkstone Drive.

Fisher advised that the staff's recommendation is to approve the Preliminary Plat and the Planned Residential Development application. Fisher commented that landscaping and elevation requirements have been submitted and reviewed. She noted that staff recommends approval of the Planned Residential Development with stipulations as identified in the staff report.

Andrews moved, Brown seconded and unanimously carried to approve the Planned Residential Development - Initial and Final Development Plan with



the following stipulations:

- 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. Prior to issuance of a building permit, a Final Plat shall be approved;**
- 3. Prior to Planning Commission approval, a complete landscaping plan showing the location of the plant material shall be submitted for review and approval;**
- 4. Prior to Planning Commission approval, the site plan shall be amended to provide a minimum 20 foot wide ingress and egress lane on either side of the island and ground mounted sign located in the middle of the approach or the island and ground mounted sign shall be removed from the approach;**
- 5. All signage shall comply with Section 15.28 of the Rapid City Municipal Code. In addition, the proposed sign shall conform architecturally to the proposed elevations and design plans submitted as part of this Final Planned Residential Development;**
- 6. Prior to Planning Commission approval, elevations of the screening fence to be located around the dumpsters shall be submitted for review and approval;**
- 7. Prior to Planning Commission approval, elevations of the accessory structure labeled "13C" shall be submitted for review and approval;**
- 8. Prior to Planning Commission approval, elevations of the proposed mailboxes shall be submitted for review and approval. In addition, the applicant shall demonstrate that the mailboxes do not encroach into any site triangles;**
- 9. Prior to Planning Commission approval, 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 minimum of 72 parking spaces shall be provided with four of the spaces being handicap accessible. In addition, one of the handicap spaces shall be "Van" accessible. All provisions of the Off-Street Parking Ordinance shall be continually met.**
- 11. 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;**
- 12. An Air Quality Permit shall be obtained prior to any disturbance of the soil(s) in excess of one acre;**
- 13. 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.**
- 14. The proposed structures shall conform architecturally to the proposed elevations and design plans submitted as part of this Final Planned Residential Development; and,**
- 15. The Planned Residential Development shall allow for the construction of twelve four-plexes, a community center and a storage unit on the**



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

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt 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. 05PL123 – Pine Crest Village Addition

A request by Kadrmas for Pine Crest Village Ltd. Ptnshp. To consider an application for a **Preliminary 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 terminus of Chalkstone Drive.

Andrews moved, Brown seconded 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 red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
- 2. Prior to Preliminary Plat approval by the City Council, additional water information shall be submitted for review and approval demonstrating**



that sufficient domestic and fire flows are being provided during peak day use conditions;

3. Prior to Preliminary Plat approval by the City Council, additional grading and drainage information shall be submitted for review and approval. In particular, the drainage plan shall include calculations demonstrating that discharge from any regional facilities will result in net drainage basin run-off not exceeding pre-development flow rates or local detention facilities shall be provided. In addition, the plat document must be revised to provide drainage easements as needed;
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 a Final Plat application, the plat title shall be revised to eliminate "Subdivision" and to add "a portion of the SW1/4 SW1/4, Section 13, T2N, R7E";
6. Prior to submittal of a Final Plat application, the plat document shall be revised removing the existing structure locations and landscaping from the plat document; and,
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.

(6 to 0 with Andrews, Anderson, Brown, Nash, Prairie Chicken and Schmidt voting yes and none voting no)

There being no further business, Prairie Chicken moved, Brown seconded and unanimously carried to adjourn the meeting at 8:33 a.m. (6 to 0 with Anderson, Andrews, Brown, Fast Wolf, Nash and Prairie Chicken voting yes, and with none voting no)