

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
December 8, 2005

MEMBERS PRESENT: Peter Anderson, Doug Andrews, John Brewer, Gary Brown, Ida Fast Wolf, Thomas Hennies, Dennis Landguth, Mike LeMay and Ethan Schmidt. Deb Hadcock, Council Liaison was also present.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Mike Maxwell, Michelle Horkey, Bob Dominicak, Emily Fisher, Bill Knight, Joel Landeen, and Carol Bjornstad.

Andrews called the meeting to order at 7:00 a.m.

Andrews 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.

Motion by Brown, Seconded by Anderson and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 thru 7 in accordance with the staff recommendations. (8 to 0 with Anderson, Andrews, Brewer, Brown, Hennies, Landguth, LeMay and Schmidt voting yes and none voting no)

---NON HEARING ITEMS CONSENT CALENDAR---

1. Approval of the November 23, 2005 Planning Commission Meeting Minutes.
2. 05TP015 – 2006 Unified Planning Work Program – Final Report

Planning Commission recommended approval of the Final 2006 Unified Planning Work Program.

3. 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 January 5, 2006 Planning Commission meeting at the applicant's request.

4. 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 January 5, 2006 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 January 5, 2006 Planning Commission meeting at the applicant's request.

6. No. 05PL129 - Section 35, T1N, R7E (Wal-Mart 2nd Addition)

A request by Buescher Frankenberg Associates, Inc. for Wal-Mart Stores, Inc. to consider an application for a **Layout Plat** on Lots 1 through 6, Wal-Mart Second Addition Subdivision, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the W1/2 of the NW1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. More fully described as follows: Commencing at the W 1/16th corner of Sections 26 and 35, T1N, R7E, BHM, Thence S00°00'22"W, along the west 1/16th line of Section 35, a distance of 868.95 feet to the point of beginning; Thence, first course; S00°00'22"W, along the west 1/16th line of Section 35, a distance of 467.76 feet to the NW1/16th corner of Section 35; Thence second course: S00°00'00"W, along the west 1/16th line of Section 35, a distance of 1331.21 feet; Thence, third course: N89°25'54"W, along the north right-of-way line of Sammis Trail, a distance of 1430.94 feet; Thence, fourth course: N17°10'59"E, along the east right-of-way line of S.D. Highway 16, a distance of 518.88 feet; Thence, fifth course: N64°24'55"W, along said east line, a distance of 35.03 feet; Thence, sixth course; N06°41'13"E, along said east line, a distance of 820.33 feet, to a point on the N 1/16th line of Section 35; Thence seventh course: N06°40'10"E, along said east line, a distance of 598.55 feet; Thence eighth course: S83°15'19"E, a distance of 1152.16 feet, to the point of beginning. Said Parcel contains 2,352,215 square feet or 54.00 acres more or less, more generally described as being located east of U.S. Highway 16 and north of Sammis Trail.

Planning Commission recommended that the Layout Plat be continued to the January 5, 2006 Planning Commission meeting to allow the applicant to submit additional information.

7. No. 05PL201 - Strato Rim Estates Subdivision

A request by Russell Johnson for Sandra Kadis to consider an application for a **Preliminary Plat** on Lots 5R and 7R, Strato Rim Estates Subdivision, located in Government Lots 3 and 4 of Section 7, T1S, R7E, BHM, Pennington County,



South Dakota, legally described as Lots 5 and 7, Strato Rim Estates Subdivision, located in Government Lots 3 and 4 of Section 7, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at the western terminus of Strato Rim Drive.

Planning Commission recommended that the Preliminary Plat be continued to January 5, 2006 Planning Commission meeting to allow the applicant time to submit additional required information and possible subdivision variances.

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

Andrews announced that the Public Hearings on Items 8 through 28 were opened.

Staff requested that Items 15, 18, and 28 be removed from the Hearing Consent Agenda for separate consideration.

Brown requested that Items 9 and 16 be removed from the Hearing Consent Agenda for separate consideration.

LeMay moved, Anderson seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 8 through 28 in accordance with the staff recommendations with the exception of Items 9, 15, 16, 18 and 28. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

The Public Hearings for Items 8 through 28 were closed.

---HEARING ITEMS CONSENT CALENDAR---

Fast Wolf arrived at this time.

8. 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 January 5, 2006 Planning Commission meeting at the applicant's request.

10. No. 05CA037 - Rapid City Area 2030 Long Range Transportation Plan
A request by City of Rapid City for a **Summary of Adoption action for an Amendment to the Comprehensive Plan to adopt the Rapid City Area 2030 Long Range Transportation Plan.**



Planning Commission approved the summary and authorized publication in the Rapid City Journal.

12. No. 05CA040 - McMahon Subdivision

A request by Dream Design International, Inc. for a **Summary of Adoption action for an Amendment to the Comprehensive Plan to change the future land use designation from Low Density Residential to Medium Density Residential** on a Tract of land located in the NE1/4 SW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: beginning at a point on the east/west 1/4 line of said Section 24 from which the center 1/4 corner of said Section 24 bears S89°48'44"E a distance of 506.81 feet; thence S00°10'09"W a distance of 399.73 feet; thence N89°49'51"W a distance of 230.30 feet; thence N00°10'09"E a distance of 399.80 feet; thence S89°48'44"E a distance of 230.30 feet to the point of beginning: said Tract containing 2.11 acres more or less, more generally described as being located at the northwest corner of the intersection of Kathryn Avenue and Haines Avenue.

Planning Commission approved the summary and authorized publication in the Rapid City Journal.

13. No. 05CA041 - Sections 5, 6, 7, 8, 17, 20, 29, 19, 30, 31, 29, T1N, R8E, and 25, 26, 27, 34, 35, 36, T1N, R7E

A request by Dion Lowe for the City of Rapid City for a **Summary of Adoption action for an Amendment to the Comprehensive Plan adopting the East Highway 79-Landfill Drainage Basin Design Plan** on the SW1/4, Section 5; the SE1/4, Section 6; NE1/4 NE1/4, Section 7; NE1/4 NW1/4, NW1/4 NE1/4, the SE1/4 SW1/4, SW1/4 SE1/4, Section 8; E1/2 W1/2, SW1/4 SW1/4, W1/2 E1/2, Section 17; less the NE1/4 NE1/4, Section 20; S1/2 SE1/4, NW1/4, Section 29, SE1/4 NE1/4, E1/2 SW1/4, SE1/4, Section 19, Section 30 less the NW1/4 NW1/4; S1/2 SE1/4, NW1/4 NW1/4, Section 31; NW1/4 SW1/4, SW1/4 NW1/4, Section 29, all located in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, and; the S1/2 N1/2, S1/2, Section 25; S1/2 SW1/4, SE1/4, Section 26; E1/2 SE1/4, Section 27, S1/2 NE1/4, NE1/4 NE1/4, Section 34; N1/2 less the SE1/4 SE1/4, Section 35; N1/2 N1/2, Section 36, all located in T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located from US Highway 16, South of Catron Boulevard, across SD Highway 79 to Elk Street and North of East St. Patrick.

Planning Commission approved the summary and authorized publication in the Rapid City Journal.

14. No. 04RZ037 - Hyland Park Subdivision

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



Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District be continued to the January 5, 2006 Planning Commission meeting at the applicant's request.

*17. No. 05PD077 - Section 35, T1N, R7E

A request by BFA, Inc. for Wal-Mart Stores, Inc. to consider an application for a **Planned Commercial Development - Intial Development Plan** on a portion of the W1/2 of the NW1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. More fully described as follows: Commencing at the W 1/16th corner of Sections 26 and 35, T1N, R7E, BHM, Thence S00°00'22"W, along the west 1/16th line of Section 35, a distance of 868.95 feet to the point of beginning; Thence, first course; S00°00'22"W, along the west 1/16th line of Section 35, a distance of 467.76 feet to the NW1/16th corner of Section 35; Thence second course: S00°00'00"W, along the west 1/16th line of Section 35, a distance of 1331.21 feet; Thence, third course: N89°25'54"W, along the north right-of-way line of Sammis Trail, a distance of 1430.94 feet; Thence, fourth course: N17°10'59"E, along the east right-of-way line of S.D. Highway 16, a distance of 518.88 feet; Thence, fifth course: N64°24'55"W, along said east line, a distance of 35.03 feet; Thence, sixth course; N06°41'13"E, along said east line, a distance of 820.33 feet, to a point on the N 1/16th line of Section 35; Thence seventh course: N06°40'10"E, along said east line, a distance of 598.55 feet; Thence eighth course: S83°15'19"E, a distance of 1152.16 feet, to the point of beginning. Said Parcel contains 2,352,215 square feet or 54.00 acres more or less, more generally described as being located east of U.S. Highway 16 and north of Sammis Trail.

Planning Commission continued the Planned Commercial Development - Intial Development Plan to the January 5, 2006 Planning Commission meeting to allow a correct legal description to be submitted.

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

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

Planning Commission recommended that the Rezoning from No Use District to General Commercial District be denied without prejudice.

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

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



Planning Commission recommended that the Rezoning from No Use District to Low Density Residential District be denied without prejudice.

21. No. 05RZ025 - Section 34, T2N, R8E and Section 3, T1N, R8E
A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to Medium Density Residential District** on the north 200 feet of Lot 1, Neffs Subdivision #3; the eastern most 440 feet and southern most 450 feet of the SW1/4 SW1/4; and the southern most 450 feet of the SE1/4 SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the north 670 feet of the NE1/4 NW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of East Anamosa Street and Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to Medium Density Residential District be denied without prejudice.

22. No. 05RZ026 - Sections 27 and 34, T2N, R8E and Section 3, T1N, R8E
A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** on the SW1/4 SW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; the west 130 feet of NW1/4 NW1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the west 130 feet lying adjacent to RR ROW and south of RR ROW, located in the SW1/4 SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the north 670 feet of the NW1/4 NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of East Anamosa Street and Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to General Commercial District be approved in conjunction with a Planned Development Designation.

23. No. 05RZ027 - Section 34, T2N, R8E
A request by the City of Rapid City to consider an application for a **Rezoning from No Use District to Office Commercial District** on the west 816 feet of the SW1/4 NW1/4; the W1/2 NW1/4 SW1/4; and the NW1/4 SW1/4 SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Interstate 90 and east of Elk Vale Road.

Planning Commission recommended that the Rezoning from No Use District to Office Commercial District be denied without prejudice.

24. No. 05RZ047 - Section 35, T1N, R7E (Wal-Mart 2nd Addition)
A request by Buescher Frankenberg Associates for Wal-Mart Stores, Inc. to consider an application for a **Rezoning from General Agriculture District to**



General Commercial District on a portion of the W1/2 of the NW1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. More fully described as follows: Commencing at the W 1/16th corner of Sections 26 and 35, T1N, R7E, BHM, Thence S00°00'22"W, along the west 1/16th line of Section 35, a distance of 868.95 feet to the point of beginning; Thence, first course; S00°00'22"W, along the west 1/16th line of Section 35, a distance of 467.76 feet to the NW1/16th corner of Section 35; Thence second course: S00°00'00"W, along the west 1/16th line of Section 35, a distance of 1331.21 feet; Thence, third course: N89°25'54"W, along the north right-of-way line of Sammis Trail, a distance of 1430.94 feet; Thence, fourth course: N17°10'59"E, along the east right-of-way line of S.D. Highway 16, a distance of 518.88 feet; Thence, fifth course: N64°24'55"W, along said east line, a distance of 35.03 feet; Thence, sixth course; N06°41'13"E, along said east line, a distance of 820.33 feet, to a point on the N 1/16th line of Section 35; Thence seventh course: N06°40'10"E, along said east line, a distance of 598.55 feet; Thence eighth course: S83°15'19"E, a distance of 1152.16 feet, to the point of beginning. Said Parcel contains 2,352,215 square feet or 54.00 acres more or less, more generally described as being located east of U.S. Highway 16 and north of Sammis Trail.

Planning Commission recommended that the Rezoning from General Agriculture District to General Commercial District be continued to the January 5, 2006 Planning Commission meeting to allow the applicant to submit a correct legal description.

25. No. 05SR063 - South Creek Industrial Park

A request by ARC International to consider an application for an **11-6-19 SDCL Review to allow a 600 foot addition to Department of Correction Trustee Building** on Lot 1, Block 1, South Creek Industrial Park, SW1/4 NW1/4, Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 2317 South Creek Drive.

Planning Commission approved the 11-6-19 SDCL Review to allow a 600 foot addition to Department of Correction Trustee Building with the following stipulations:

1. **Prior to Planning Commission approval, a Flood Plain Development Permit must be obtained for improvements and for the previously constructed improvements subject to the provisions of Section 15.32 of the Rapid City Municipal Code;**
2. **Prior to Planning Commission approval, all building plans including previously constructed improvements shall be stamped by a licensed architect as required by State statute;**
3. **Prior to Planning Commission approval, a revised site plan indicating the correct spacing for the parking stalls shall be submitted for review and approval;**
4. **The 600 square foot addition shall be fully fire sprinklered. All other requirements of the 2003 International Uniform Fire Code shall be continually met;**
5. **A Building Permit shall be obtained prior to construction and an Occupancy Permit obtained prior to occupying the structure to**



- include the previously constructed storage area;
6. All provisions of Section 17.50.270, the Parking Regulations of the Rapid City Municipal Code shall be continually met;
 7. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met and be maintained in a live vegetative state and replaced as necessary; and,
 8. All other requirements of the Rapid City Municipal Code shall be continually met.

26. 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 January 5, 2006 Planning Commission meeting at the applicant's request.

27. No. 05SV078 - Section 35, T1N, R7E

A request by BFA, Inc. for Wal-Mart Stores, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer and water and additional pavement and to waive the requirement to dedicate additional Right-of-Way as per Chapter 16.16 of the Rapid City Municipal Code** on a portion of the W1/2 of the NW1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. More fully described as follows: Commencing at the W 1/16th corner of Sections 26 and 35, T1N, R7E, BHM, Thence S00°00'22"W, along the west 1/16th line of Section 35, a distance of 868.95 feet to the point of beginning; Thence, first course; S00°00'22"W, along the west 1/16th line of Section 35, a distance of 467.76 feet to the NW1/16th corner of Section 35; Thence second course: S00°00'00"W, along the west 1/16th line of Section 35, a distance of 1331.21 feet; Thence, third course: N89°25'54"W, along the north right-of-way line of Sammis Trail, a distance of 1430.94 feet; Thence, fourth course: N17°10'59"E, along the east right-of-way line of S.D. Highway 16, a distance of 518.88 feet; Thence, fifth course: N64°24'55"W, along said east line, a distance of 35.03 feet; Thence, sixth course; N06°41'13"E, along said east line, a distance of 820.33 feet, to a point on the N 1/16th line of Section 35; Thence seventh course: N06°40'10"E, along said east line, a distance of 598.55 feet; Thence eighth course: S83°15'19"E, a distance of 1152.16 feet, to the point of beginning.



Said Parcel contains 2,352,215 square feet or 54.00 acres more or less, more generally described as being located east of U.S. Highway 16 and north of Sammis Trail.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water and additional pavement and to waive the requirement to dedicate additional Right-of-Way as per Chapter 16.16 of the Rapid City Municipal Code be continued to the January 5, 2006 Planning Commission meeting to allow a correct legal description to be submitted.

---END OF HEARING CONSENT CALENDAR---

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

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

Brewer stated that he would be abstaining from discussion and voting on this item due to a conflict of interest.

Schmidt moved, Anderson seconded and unanimously carried to recommend that the Amendment to the Comprehensive Plan by amending the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation on an approximate 55.3 acre parcel from Light Industrial to General Commercial be denied without prejudice. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

*15. No. 05PD064 - Meridian Subdivision

A request by PNPA Pathways for Wal-Mart Facility Maintenance to consider an application for a **Major Amendment to a Planned Commercial Development** on Lot 5R, Meridian Subdivision, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1200 LaCrosse Street.

Bulman advised that the applicant has complied with the stipulations set forth by staff. Bulman stated that staff's recommendation is to approve the Major Amendment to a Planned Development with stipulations.

Brewer moved, LeMay seconded and unanimously carried to recommend that the Major Amendment to a Planned Commercial Development be approved with the following stipulations:

1. **A Building Permit shall be obtained prior to construction and an**



- Occupancy Permit shall be obtained prior to occupancy;
2. All provisions of Section 17.50.270, the Parking Regulations of the Rapid City Municipal Code shall be continually met;
 3. All requirements of the 2003 International Fire Code shall be continually met;
 4. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met and be maintained in a live vegetative state and replaced as necessary;
 5. With the approval of this Major Amendment to the Planned Commercial Development, an exception to the Parking Regulations to allow the reduction of six off-street parking spaces is hereby approved;
 6. With the approval of this Major Amendment to the Planned Commercial Development, an exception to the Parking Regulations is hereby granted to allow the reduction of the total off-street parking spaces from 1,133 off-street spaces to 1,123 off-street spaces;
 7. Prior to obtaining a Building Permit, surety shall be posted for the landscaping or the landscaping shall be planted in compliance with Chapter 17.50.300 of the Rapid City Municipal Code; and,
 8. All stipulations of the previous Major Amendment to a Planned Commercial Development (00PD032) shall be continually met. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, 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.

*16. No. 05PD076 - Sandstone Ridge Subdivision

A request by Charles Rooks to consider an application for a **Major Amendment to a Planned Residential Development to revise sign plan and landscaping plan** on Lot 5 Revised Sandstone Ridge Subdivision, Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of the intersection of Holiday Lane and Sheridan Lake Road.

In response to Brown's question, Elkins advised that staff has discussed the sign design and have reduced the distraction to a minimum. Discussion followed.

Brewer expressed concern with the lights on the sign and waterfall on the subject property. Discussion followed.

In response to Brewer's question with regard to the lighting on the proposed sign, Elkins advised that the Planning Commission could add a stipulation that would require that any lighting on the sign be directed away from adjacent properties and be retained on site.



In response to Schmidt's questions, Elkins advised that limitations can be placed on the type of signage proposed by an applicant through the Planned Development process. Discussion followed.

Brewer moved, LeMay seconded and carried to recommend that the Major Amendment to a Planned Residential Development to revise the sign plan and landscaping plan with the following stipulations:

- 1. A Sign Permit shall be obtained prior to construction of any signage;**
- 2. The signs shall be constructed as per the submitted elevations and the locations shall be as per submitted plans;**
- 3. Any additional signage shall be approved through a Major Amendment to the Planned Residential Development;**
- 4. The waterfall feature on the southwest corner of the property shall be as per the elevation and plan submitted;**
- 5. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met and be maintained in a live vegetative state and replaced as necessary;**
- 6. All stipulations of the previous Major Amendment to a Planned Residential Development (04PD057) shall be continually met; and,**
- 7. All site lighting, including the light of the sign shall be directed away from adjacent properties and the light retained on the site. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, 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.

*18. No. 05PD078 - Section 26, T2N, R7E

A request by Thurston Design Group, LLP for Vaughn Bay Construction to consider an application for a **Planned Residential Development - Final Development Plan** on the west 932 feet of the south 377 feet of the SE1/4 SE1/4, less the North 35 feet dedicated as Thrush Drive, all located in the SE1/4, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of West Boulevard North between Thrush Drive and Anamosa Street.

Fisher presented the Planned Residential Development – Final Development Plan. Fisher advised that staff recommends that the Planned Residential Development – Final Development Plan be approved with stipulations including revisions to stipulation 15.

Brown moved, Anderson seconded and unanimously carried to approve the Planned Residential Development - 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. An Air Quality Permit shall be obtained prior to any disturbance of the soil(s) in excess of one acre;
3. Prior to issuance of a building permit, a revised erosion control plan shall be submitted for review and approval. In particular, the plan shall be revised to show the stabilized construction entrance;
4. Prior to issuance of a building permit, the grading plan shall be revised to show drainage flow arrows indicating the direction of drainage;
5. Prior to issuance of a building permit, design calculations and details for retaining walls in excess of four feet high shall be submitted for review and approval. In addition, the plans shall be stamped by a Professional Engineer;
6. Prior to issuance of a building permit, revised water and sewer plans shall be submitted for review and approval;
7. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Growth Management Department;
8. A minimum of 103,995 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
9. A minimum of 81 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;
10. 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. All of the residential dwelling units or structures shall be sprinklered;
11. The air handling equipment located on the west side of the commons building shall be screened with an opaque screening fence;
12. The dumpster(s) shall be screened with an opaque screening fence;
13. All signage shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Residential Development. In addition, a sign permit shall be obtained for each individual sign;
14. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Final Planned Residential Development;
15. The minimum required setbacks are hereby reduced from 25 feet to 20 feet along the east lot line for the proposed apartment building and from 25 feet to 15 feet 7 inches between the proposed apartment building and the future dedicated right-of-way for Anamosa Street. All other provisions of the Zoning Ordinance shall be met unless otherwise specifically authorized as a Major Amendment to the



Planned Residential Development;

16. **The existing single family residence shall be removed at such time as the property is platted and additional right-of-way for Anamosa Street is dedicated or at such time as the City acquires the right-of-way by some other means; and,**
17. **The Planned Residential Development shall allow for the construction of a 54 unit apartment complex with a leasing/administration office within a commons building and accessory garages on the property. However, the Planned Residential Development shall expire if no work has commenced within two years of the date of approval by the Planning Commission. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, 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.

28. No. 05VR014 - Sletten Addition

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for a **Vacation of Section Line Highway** on that portion of the statutory Section Line Right-of-Way lying in the NE1/4, SE1/4, Section 13, T2N, R7E, and that portion of the statutory Section Line Right-of-Way, lying in Tract 5, Sletten Addition, located in the NW1/4, SW1/4, Section 18, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of the north to east curve of West Nike Road.

Elkins requested that the Vacation of Section Line Highway be continued to the January 26, 2006 Planning Commission meeting at the applicant's request.

Brown moved, Hennies seconded and unanimously carried to recommend that the Vacation of Section Line Highway be continued to the January 26, 2006 Planning Commission meeting at the applicant's request. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

Schmidt moved, Brown seconded and unanimously carried to reconsider Item number 11. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

11. No. 05CA039 - McMahon Subdivision

A request by Dream Design International, Inc. for a **Summary of Adoption action for an Amendment to the Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial** on a Tract of land located in the NE1/4 SW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: beginning at a point on the east/west 1/4 line of said Section 24 from



which the center 1/4 corner of said Section 24 bears S89°48'44"E, a distance of 55.80 feet; thence N89°48'44"W a distance of 451.01 feet; thence S00°10'09"W a distance of 399.73 feet; thence S89°49'51"E a distance of 449.00 feet; thence N00°27'22"E a distance of 399.59 feet to the point of beginning: said Tract containing 4.13 acres more or less, more generally described as being located northwest corner of Kathryn Avenue and Chief Drive and west of Haines Avenue.

Hadcock expressed concern with proximity of the General Commercial zoned property to the Low Density Residential zoned property.

Elkins further advised that the Amendment to the Comprehensive Plan to change the future land use designation from Low Density Residential to General Commercial has been approved by the Planning Commission and the City Council. Elkins stated that the Summary of Adoption action is before the Planning Commission to approve the publication in the Rapid City Journal. Discussion followed.

Lemay moved, Landguth seconded and unanimously carried to approve the summary and authorize publication in the Rapid City Journal. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

---BEGINNING OF REGULAR AGENDA ITEMS---

29. No. 05RD007 - Section 13, and 24, T2N, R7E

A request by Doug Pavel, Director of Emergency Services, Pennington County to consider an application for a **Road Name change from Country Road to Country Road West** on the Country Road Right-of-Way, located in the SE1/4 SW1/4 of Section 13, and the NE1/4 NW1/4 of Section 24, all located in T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the Right-of-Way located west of Haines Avenue and north of Lion Drive.

Elkins advised that Emergency Services has requested that the Road Name Change from Country Road lying west of Haines Avenue to Country Road West be approved.

Schmidt moved, Anderson seconded and unanimously carried recommended that the Road Name change from Country Road to Country Road West be approved. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

30. No. 05SR060 - Section 9, T1N, R8E

A request by Alliance of Architects for Donald Smith to consider an application for an **11-6-19 SDCL Review to install sanitary and sewer improvements for South Valley Mobile Estates** on Lot 3, (South Valley Mobile Estates), located in the SW1/4 NW1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located north of Orchard Lane and



East of South Valley Drive.

Maxwell requested that the 11-6-19 SDCL Review to install sanitary and sewer improvements for South Valley Mobile Estates be continued to the January 5, 2006 Planning Commission meeting at the applicant's request.

In response to Andersons' question, Elkins advised that an 11-6-19 SDCL Review is required to allow the proposed public improvements on the subject property.

Brown moved, Hennies seconded and unanimously carried continue the 11-6-19 SDCL Review to install sanitary sewer and storm drainage improvements for South Valley Mobile Estates to the January 5, 2006 Planning Commission meeting to allow the applicant time to submit additional information. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

31. No. 01TI008 - Sections 21 and 22, T2N, R7E

A request by Black Hills Harley Davidson/Buell to consider an application for a **Resolution Dissolving Tax Increment District No. 34** on Lots 1, 2 and 3, R & L Subdivision, Lot Z, and the Lange Road right-of-way lying adjacent and parallel to the north side of US Interstate 90 and along Lot B of W1/2 SW1/4 and along R & L Subdivision Lots 1, 2, and 3, all located in Section 22, T2N, R7E, BHM, Rapid City, South Dakota, and Lot 1 of Lot A and Lot A of the SW1/4 SW1/4 of Section 22, T2N, R7E, BHM, Rapid City, South Dakota, and Lot H1 of the SW1/4, Lot H1 of Lot Y of Lot H2, Lot H1 of Lot X of Lot H2, all located in Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, and Lot H1 of the NE1/4 SE1/4, and Lot H1 of the SE1/4 SE1/4, all located in Section 21, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Lange Road and U.S. Interstate 90.

Elkins advised that staff's recommendation is to approve the Resolution Dissolving Tax Increment District No. 34.

Hennies moved, Brown seconded and unanimously carried to recommend that the proposed Resolution Dissolving Tax Increment District #34 be approved. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

Bulman requested that items 32, 33 and 33b be taken concurrently.

32. No. 05TI017 - Section 24, T1N, R7E

A request by Dream Design International to consider an application for a **Creation of Tax Increment District No. 58 Black Hills Center** on Lots 1, 13a, 13b, 14a, 14b, 15a, 15b, 16a, 16b, 17a, 17b, 18a, 18b of Block 2, Block 4, Block 5 and all adjacent rights-of-way all located in Eastridge Estates Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and the unplatted NW1/4 SW1/4 NE1/4 less Eastridge Estates Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and Block 1,



Fifth Street Office Plaza, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and Blocks 1, 2, 3 and 4 and all adjacent rights-of-way all located in South Pointe Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and Lot 2 including the Enchanted Pines Drive right-of-way lying adjacent to said Lot 2, Block 11, Robbinsdale Addition No. 10, located in Sections 13 and 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and that portion of the 5th Street right-of-way lying in the NE1/4 NW1/4 SE1/4 Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and the SW1/4 NE1/4 less NW1/4 SW1/4 NE1/4 and including the U.S. Highway 16B right-of-way lying adjacent to said SW1/4 NE1/4; SE1/4 NE1/4 and the U.S. Highway 16B right-of-way lying adjacent to said SE1/4 NE1/4; unplatted balance of N1/2 NE1/4 less NW1/4 NW1/4 NE1/4 and including the 5th Street, Enchanted Pines Drive and Parkview Drive rights-of-way lying adjacent to said unplatted balance of the N1/2 NE1/4; unplatted balance of SE1/4 NW1/4 and the U.S. Highway 16B right-of-way lying adjacent to said unplatted balance of SE1/4 NW1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota., more generally described as being located at the northwest corner of the intersection of Fifth Street and Catron Boulevard.

33. No. 05TI018 - Section 24, T1N, R7E

A request by Dream Design International to consider an application for a **Project Plan for Tax Increment District No. 58 Black Hills Center** on Lots 1, 13a, 13b, 14a, 14b, 15a, 15b, 16a, 16b, 17a, 17b, 18a, 18b of Block 2, Block 4, Block 5 and all adjacent rights-of-way all located in Eastridge Estates Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and the unplatted NW1/4 SW1/4 NE1/4 less Eastridge Estates Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and Block 1, Fifth Street Office Plaza, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and Blocks 1, 2, 3 and 4 and all adjacent rights-of-way all located in South Pointe Subdivision, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and Lot 2 including the Enchanted Pines Drive right-of-way lying adjacent to said Lot 2, Block 11, Robbinsdale Addition No. 10, located in Sections 13 and 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and that portion of the 5th Street right-of-way lying in the NE1/4 NW1/4 SE1/4 Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and the SW1/4 NE1/4 less NW1/4 SW1/4 NE1/4 and including the U.S. Highway 16B right-of-way lying adjacent to said SW1/4 NE1/4; SE1/4 NE1/4 and the U.S. Highway 16B right-of-way lying adjacent to said SE1/4 NE1/4; unplatted balance of N1/2 NE1/4 less NW1/4 NW1/4 NE1/4 and including the 5th Street, Enchanted Pines Drive and Parkview Drive rights-of-way lying adjacent to said unplatted balance of the N1/2 NE1/4; unplatted balance of SE1/4 NW1/4 and the U.S. Highway 16B right-of-way lying adjacent to said unplatted balance of SE1/4 NW1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota., more generally described as being located at the northwest corner of the intersection of Fifth Street and Catron Boulevard.

Bulman presented the Tax Increment Financing District and options available for approval and review to the Planning Commission. Bulman reviewed the costs and savings associated with the Creation of Tax Increment District No. 58 Black Hills Center and the Second Revised Tax Increment District.



Discussion followed on the options presented regarding the Tax Increment Financing District funding.

In response to Anderson's question, Bulman commented on discussions with Public Works and the associated drainage issues. She stated that there was not adequate information available for review by the Public Works Department or the Growth Management Department.

Hani Shafi, Dream Design International, expressed his opinion that there are no definite cost estimate plans available for the drainage issue to be included in the Project Plan. Discussion followed.

LeMay expressed his opinion that the application does not meet the blighted criteria for Tax Increment Financing District funding. Discussion followed.

In response to Schmidt's questions, Landeen stated that the City Attorney's office position is that the proposed Tax Increment Financing District does not meet the statutory definition of blight. Landeen further stated that there is the blight definition that is defined as "open lack of infrastructure" that may be applied to the subject property. Discussion followed.

Hadcock expressed her opinion that development of the subject property utilizing Tax Increment Financing District is improper. Discussion followed.

Shafi reviewed the information for improvement costs addressed in a handout and distributed on the dais. Shafi expressed his opinion regarding the positive effects of development on subject property. Discussion followed.

Discussion followed regarding cost alternatives and interest on the Project Plan.

Andrews expressed his support of the Tax Increment District funding application for the 2nd Revised Tax Increment District #41 Project Plan.

Discussion followed on funding infrastructure improvements.

Brown moved, Hennies seconded and unanimously carried to recommend that the Creation of Tax Increment District No. 58 Black Hills Center and the Second Revised Tax Increment District #58 Project Plan be denied. (7 to 2 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, and Schmidt voting yes and Landguth, LeMay, voting no)

33B. **Second Revised Project Plan for Tax Increment District #41**

Brown moved, Hennies seconded and unanimously carried to recommend that the Second Revised Tax Increment District #41 Project Plan be approved. (7 to 2 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, and Schmidt voting yes and Landguth, LeMay, voting no)

36. Planning Commission Items



A. Introduction of Amendments to the By-Laws

Elkins presented the Introduction of Amendments to the By-Laws that would change the Ordinance to allow for alternates to the Planning Commission.

Schmidt expressed his opposition to the proposed use of alternate members on the Planning commission.

In response to Brewer's question, Elkins advised that the Ordinance requires that there be one Planning Commission member from each Ward. She further commented that one member of the Planning Commission is a three-mile representative and is separate from the Ward issue on the Ordinance. Discussion followed.

Brewer expressed his opposition to alternate members on the Planning Commission.

Elkins reviewed the options presented by the Planning Commission at a previous Planning Commission meeting. Elkins stated that the changes are being incorporated into the Planning Commission By-Laws that have already been adopted by the Ordinance. Discussion followed.

Karen Olsen, City Council Member, stated that the amendment proposal approved by the City Council was recommended by the Planning Commission.

Brown moved, Anderson seconded and carried to recommend that the Introduction of Amendments to the By-Laws be approved. (7 to 2 with Anderson, Andrews, Brown, Fast Wolf, Hennies, Landguth, and LeMay voting yes and Schmidt and Brewer voting no)

Schmidt requested that the vote be reconsidered.

Schmidt moved, Brown seconded and unanimously carried to reconsider the Introduction of Amendments to the By-Laws. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

Brown moved, Anderson seconded and carried to recommend that the Introduction of Amendments to the By-Laws be approved. (5 to 4 with Anderson, Andrews, Brown, Hennies, and Landguth voting yes and Brewer, Fast Wolf, LeMay and Schmidt voting no)

B. Proposed Revisions to the Tax Increment Financing Policy.

Elkins presented the Tax Increment Financing Policy. Elkins advised that the recommendations come forward from the Tax Increment Financing Committee and she reviewed the proposed changes. Discussion followed.



Brown moved, Anderson seconded and unanimously carried to recommend that the proposed Revisions to the Tax Increment Financing Policy be approved. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

Elkins requested a motion to reconsider Item 18.

Schmidt moved, Anderson seconded and unanimously carried to Reconsider the Planned Residential Development - Final Development Plan for Item No. 18. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)

*18. No. 05PD078 - Section 26, T2N, R7E

A request by Thurston Design Group, LLP for Vaughn Bay Construction to consider an application for a **Planned Residential Development - Final Development Plan** on the west 932 feet of the south 377 feet of the SE1/4 SE1/4, less the North 35 feet dedicated as Thrush Drive, all located in the SE1/4, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of West Boulevard North between Thrush Drive and Anamosa Street.

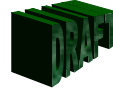
Elkins requested that stipulation 15 be approved to reflect the change of "15 feet".

Brown moved, Anderson seconded and unanimously carried to approve the Amended Planned Residential Development - 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. An Air Quality Permit shall be obtained prior to any disturbance of the soil(s) in excess of one acre;**
- 3. Prior to issuance of a building permit, a revised erosion control plan shall be submitted for review and approval. In particular, the plan shall be revised to show the stabilized construction entrance;**
- 4. Prior to issuance of a building permit, the grading plan shall be revised to show drainage flow arrows indicating the direction of drainage;**
- 5. Prior to issuance of a building permit, design calculations and details for retaining walls in excess of four feet high shall be submitted for review and approval. In addition, the plans shall be stamped by a Professional Engineer;**
- 6. Prior to issuance of a building permit, revised water and sewer plans shall be submitted for review and approval;**
- 7. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Growth Management Department;**



8. A minimum of 103,995 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
9. A minimum of 81 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;
10. 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. All of the residential dwelling units or structures shall be sprinklered;
11. The air handling equipment located on the west side of the commons building shall be screened with an opaque screening fence;
12. The dumpster(s) shall be screened with an opaque screening fence;
13. All signage shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Residential Development. In addition, a sign permit shall be obtained for each individual sign;
14. The proposed structures shall conform architecturally to the proposed elevations, design plans and color palette submitted as part of this Final Planned Residential Development;
15. The minimum required setbacks are hereby reduced from 25 feet to 20 feet along the east lot line for the proposed apartment building and from 25 feet to 15 feet between the proposed apartment building and the future dedicated right-of-way for Anamosa Street. All other provisions of the Zoning Ordinance shall be met unless otherwise specifically authorized as a Major Amendment to the Planned Residential Development;
16. The existing single family residence shall be removed at such time as the property is platted and additional right-of-way for Anamosa Street is dedicated or at such time as the City acquires the right-of-way by some other means; and,
17. The Planned Residential Development shall allow for the construction of a 54 unit apartment complex with a leasing/administration office within a commons building and accessory garages on the property. However, the Planned Residential Development shall expire if no work has commenced within two years of the date of approval by the Planning Commission. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, 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.

Elkins expressed appreciation to the Planning Commission members and Staff for service and dedication to the Community.

Brown requested a discussion on the 40 Unit Rule after the first of the year.

There being no further business, Brown moved, Anderson seconded and unanimously carried to adjourn the meeting at 8:43 a.m. (9 to 0 with Anderson, Andrews, Brewer, Brown, Fast Wolf, Hennies, Landguth, LeMay, and Schmidt voting yes and none voting no)