

**Draft**

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
September 21, 2006

MEMBERS PRESENT: Peter Anderson, John Brewer, Ida Fast Wolf, Julie Gregg, Thomas Hennies, Dennis Landguth, Mike LeMay and Karen Waltman. Deb Hadcock, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Rodney Proffitt, Bob Dominicak, Vicki Fisher, Karen Bulman, Travis Tegethoff, Emily Fisher, Mary Bosworth, Todd Peckosh, Tim Behlings, Bill Knight, Kevin Lewis, Joel Landeen, and Carol Bjornstad.

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

**Brewer 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 LeMay, Seconded by Anderson and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 thru 12 in accordance with the staff recommendations. (8 to 0 with Anderson, Brewer, Fast Wolf, Gregg Hennies, Landguth, LeMay and Waltman voting yes and none voting no)**

**---NON HEARING ITEMS CONSENT CALENDAR---**

1. Approval of the September 7, 2006 Planning Commission Meeting Minutes.
2. No. 06PL108 - Madison's Subdivision  
A request by DGM Development to consider an application for a **Preliminary Plat** on Lots 1 thru 190, Madisons Subdivision, located in the SE1/4 SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 10 and 11, Madison's Subdivision, located in the SE1/4 SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4325 and 4385 Haines Avenue.  
  
**Planning Commission recommended that the Preliminary Plat be continued to the November 9, 2006 Planning Commission meeting to allow the applicant to submit additional information.**
3. No. 06PL114 - Barnhart Addition  
A request by Renner & Associates for ARC International to consider an application for a **Preliminary Plat** on Lot 3, Barnhart Addition, formerly the residual portion of Lots B and C, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the residual portion of Lots B and C, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2990 East Highway 44.

**Draft**

**Planning Commission recommended that the Preliminary Plat be continued to the October 5, 2006 Planning Commission meeting to allow the applicant to submit additional information.**

4. No. 06PL123 - Cambell Square Addition

A request by Renner Associates for Rande Robinson to consider an application for a **Layout Plat** on Lots 9R and 10R, formerly Lots 9 and 10, Cambell Square Addition, located in Government Lot 4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 9 and 10, Cambell Square Addition, located in Government Lot 4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1410 Centre Street.

**Planning Commission recommended that the Layout Plat be continued to the October 5, 2006 Planning Commission meeting to allow the applicant time to submit the required information.**

5. No. 06PL127 - Hills View Subdivision

A request by Renner & Associates for Royal Nielsen to consider an application for a **Preliminary Plat** on Lot A, formerly a portion of Lot 15 Revised, Hills View Subdivision, located in the NE1/4 SE1/4, Section 5, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of Lot 15 Revised, Hills View Subdivision, located in the NE1/4 SE1/4, Section 5, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located west of Hillside Drive and North of SD Highway 40.

**Planning Commission recommended that the Preliminary Plat be continued to the October 5, 2006 Planning Commission meeting to allow the applicant to submit additional information.**

6. No. 06PL135 - IGT Subdivision

A request by D. C. Scott Co. Land Surveyors for IGT to consider an application for a **Preliminary Plat** on Lots 1 and 2, IGT Subdivision, formerly Tract B of Tract 1 of the W1/2 SW1/4, Section 23, and Tract 2 of the SW1/4 NW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Tract B of Tract 1 of the W1/2 SW1/4, Section 23, and Tract 2 of the SW1/4 NW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of SD Highway 16 and south of Fox Road.

**Planning Commission recommended that the Preliminary Plat be continued to the October 5, 2006 Planning Commission meeting to allow the applicant time to submit the required information.**

7. No. 06PL142 - Rushmore Crossing

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** on Parcel 1 thru 15 and detention ponds, Rushmore Crossing, Sections, 29, 30, 32, T2N, R8E, BHM, Rapid City, Pennington County, South

**Draft**

Dakota, legally described as Description No. 1: Lot BR of Lot 2 of the SE1/4 SW1/4, Section 29 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 2: Lot C of Lot 2 of the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 3: Tract C of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 11, Page 68; Description No. 4: That portion of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, lying South of Lot H3 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 109 and lying South of Lot H1 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 113 and lying South of Lot H2 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 292 and lying South of Lot H4 of said SW1/4 as shown on the plat filed in Highway Plat Book 10, Page 150 (Interstate 90 right-of-way) and lying North of the Railroad right-of-way; excepting therefrom Lot A of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 10, Page 122; AND excepting therefrom Tract C of said SW1/4, as shown on the plat filed in Plat Book 11, Page 68; and excepting therefrom Lot IR, Lot BR of Lot 2 and Lot C of Lot 2 of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 15, Page 103; and excepting therefrom the W1/2 SW1/4 SW1/4 lying North of said Tract C; Description No. 5: That portion of the N1/2 SE1/4 lying South of Lots H1 and H2 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 3, Page 288 and lying South of Lot H3 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 148 (Interstate 90 right-of-way) and the N1/2 NE1/4 SE1/4 SE1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; excepting therefrom Lot D of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 70; and excepting therefrom Lots E and M of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 71; and excepting therefrom Lots C and L of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 8; Page 132; and excepting therefrom Tract 1 of Flack - Hendricksen Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 16, Page 205; and excepting therefrom Lots 1 and 2 in Block 2 of Rapps Addition of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 23, Page 166; and excepting therefrom Lots 1 and 2 of Bedco Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 26, Page 61; and excepting therefrom any dedicated streets, avenues or alleys lying within said plats; and excepting therefrom the Lot HI of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; and excepting therefrom that portion of the SE1/4 NW1/4 SE1/4 and that portion of the SW1/4 NE1/4 SE1/4 lying south of said Lot H1 of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; Description No. 6: Lot 1R, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 7: Lot 1 of the SW1/4 SE1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 8: Lot A of lot 2, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; and, Description No. 9: a portion of the unplatted portion of the SE1/4 NW1/4 SE1/4, Section 30, T2N, R8E, BHM, Pennington County, South Dakota; and, a portion of the unplatted portion of the SW1/4 SE1/4, Section 30, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of I-90 between North LaCrosse Street and East North Street.

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

- 1. Upon submittal of a Preliminary Plat application, a geotechnical report and soil resistivity test results 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 must provide the design for any proposed detention and storm sewer outfalls. The plat document shall also be revised to provide drainage easements as necessary. In addition, an agreement shall be in place with the South Dakota Department of Transportation to allow that portion of the detention pond to be located in the South Dakota Department of Transportation Right-of-way or the detention pond shall be removed from this area;**
- 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. In addition, a sewer report detailing the future extension of sewer downstream, across E. North Street, shall be submitted for review and approval. In addition, the report shall verify that the downstream system is adequate to handle the proposed 18 inch sewer main being proposed within the development. 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. In addition, a Right-of-way Permit shall be obtained from the South Dakota Department of Transportation to allow the portion of the water system located in the U.S. Highway I-90 Right-of-way or the water system shall be removed from the State right-of-way;**
- 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 Farnwood Avenue**

**Draft**

(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 or a Comprehensive Plan Amendment to the Major Street Plan shall be obtained. In addition, the South Dakota Department of Transportation shall review and approve that portion of Farnwood Avenue (Eglin Street) located in the U.S. Highway I-90 Right-of-way or the plat document shall be revised to remove that portion of the street from the State right-of-way;

8. Upon submittal of a Preliminary Plat application, construction plans for the eastern 1,000 feet of Farnwood Avenue as it extends into Parcel No. 3 and Parcel No. 16 shall be submitted for review and approval. In particular, the 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 or the right-of-way shall be vacated;
9. Upon submittal of a Preliminary Plat application, 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;
10. 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 or a Comprehensive Plan Amendment to the Major Street Plan shall be obtained;
11. 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

**Draft**

- highway shall be vacated;
12. 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;
  13. Upon submittal of a Preliminary Plat application, an updated Traffic Study shall be submitted for review and approval addressing the location and design of the street(s) as proposed on the Layout Plat. In addition, the applicant shall continue to work with staff to address traffic capacity issues specific to street and intersection design(s) and the level of service provided at controlled intersections. In addition, the applicant must address site distance issues along Farnwood Avenue between LaCrosse Street and the subject property;
  14. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  15. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide street intersection(s) along Farnwood Avenue (Eglin Street) in compliance with the Street Design Criteria Manual. In particular, the distance between intersections shall not be less than 125 feet and shall not be more than 1,200 feet or an Exception to the Street Design Criteria Manual;
  16. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show all existing easements;
  17. 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;
  18. Prior to submittal of a Final Plat application, the applicant shall submit surety for the construction of traffic signal(s) at the intersection of Farnwood Avenue and LaCrosse Street and the intersection of Eglin Street and E. North Street or the traffic signals shall be in place as per the updated Traffic Impact Study;
  19. Prior to submittal of a Final Plat application, the plat document shall be revised to show the detention pond lot(s) labeled as numeric lots in lieu of "detention pond"; and,
  20. 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.
8. No. 06PL144 - Silver Spur Estates  
A request by enVision Design, Inc. to consider an application for a **Preliminary Plat** on Lot 7, Block 1; and Lots 3 thru 18, Block 2, Silver Spur Estates, and dedicated Stirrup Court Right-of-Way, located in the E1/2 NE1/4, Section 36, T1N, R6E, BHM, Pennington County, South Dakota, legally described as the unplatted balance of the E1/2 NE1/4, Section 36, T1N, R6E, BHM, Pennington

**Draft**

County, South Dakota, more generally described as being located at the southern terminus of Stirrup Court.

**Planning Commission recommended that the Preliminary Plat be continued to the October 5, 2006 Planning Commission meeting to allow the applicant to submit additional information.**

9. No. 06SR052 - Elks Meadows Subdivision

A request by Dream Design International to consider an application for a **SDCL 11-6-19 Review to allow the construction of a city park** on the unplatted portion of the E1/2 NE1/4, Section 21, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4511 Jolly Lane.

**Planning Commission continued the SDCL 11-6-19 Review to allow for construction of a city park to the October 5, 2006 Planning Commission Meeting to allow the applicant time to submit the required information.**

10. No. 06SR060 - Section 27, T2N, R8E

A request by Dream Design International, Inc. to consider an application for an **SDCL 11-6-19 Review to allow the construction of Cheyenne Boulevard** on a Tract of land located in the N1/2, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: beginning at a found section corner of Section 27; Thence S89°51'35"E a distance of 878.47 feet along the Section line to a point; Thence S00°18'55"W a distance of 44.48 feet to the true point of beginning; Beginning at a found rebar and cap stamped "Arleth and Associates LS 3977" this being the true point of beginning; Thence S89°51'35"E a distance of 1771.76 feet to a angle point; Thence S00°01'50"W a distance of 100.00 feet to a angle point; Thence N89°51'35"W a distance of 1771.47 feet to a found rebar and cap stamped "Arleth and Associates LS 3977"; Thence N00°08'25"W a distance of 100.00 feet to the true point of beginning, more generally described as being located at the eastern terminus of Cheyenne Boulevard.

**Planning Commission continued the SDCL 11-6-19 Review to allow the construction of Cheyenne Boulevard to the October 5, 2006 Planning Commission meeting to allow the applicant time to submit the required information.**

11. No. 06SR063 - Rapid City Greenway Tract

A request by Kari Bortnem for the Humane Society of the Black Hills to consider an application for an **SDCL 11-6-19 Review to allow an event in a public park** on Tract 1 thru 3 and Lots A and B of Tract 3, Rapid City Greenway Tracts, Sections 8 and 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2902 Park Drive.

**Planning Commission approved the 11-6-19 SDCL Review request to allow a temporary use on public property with the following stipulations:**

1. **All requirements of Section 17.28 of the Zoning Ordinance regarding the Flood Hazard Zoning District shall be continually met including**

**Draft**

- the requirements for temporary structures set forth in Section 17.28.040;
2. All requirements of the Floodplain Development Ordinance shall be met at all times;
  3. Prior to initiation of the event, the applicant shall submit all applicable plans to the Fire Department for approval and shall have received approval of an inspection for all tents and other facilities as required by the Fire Code and adequate access for Fire Department apparatus must be continually maintained for the duration of the special event;
  4. Signs shall be on-premise signs only as per Section 15.28 of the Rapid City Municipal Code and a sign permit shall be obtained prior to installation of any signage;
  5. No banners shall be allowed within the public rights-of-way or on fences;
  6. A Temporary Use Permit shall be obtained prior to initiation of the event; and,
  7. The SDCL 11-6-19 Review to allow temporary structures in association with the Humane Society Event shall be valid for one year.
12. No. 06VE021 - Eisenbraun Subdivision  
A request by Fisk Land Surveying & Consulting Engineers for Robert P. Johns to consider an application for a **Vacation of a Note on a Plat** on Lot 8, Eisenbraun Subdivision, located in Section 26, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 6701 Southside Drive.

**Planning Commission recommended that the Vacation of a Note on a Plat be approved.**

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

Brewer announced that the Public Hearings on Items 13 through 32 were opened.

Staff requested that Items 23 be removed from the Hearing Consent Agenda for separate consideration.

A member of the audience requested that Item 13, 14, 19, 24, 25 be removed from the Hearing Consent Agenda for separate consideration.

Landguth moved, Anderson seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 13 through 32 in accordance with the staff recommendations with the exception of Items 13, 14, 19, 23, 24, and 25. (8 to 0 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth, LeMay and Waltman voting yes and none voting no)

The Public Hearings for Items 13 through 32 were closed.

**---HEARING ITEMS CONSENT CALENDAR---**

**Draft**

15. No. 06CA027 - Medicine Ridge Subdivision

A request by Sperlich Consulting, Inc. for Schriener Investments, LLC to consider an application for an **Amendment to the Comprehensive Plan by revising the U.S. Highway 16 Neighborhood Future Land Use Plan to allow a Planned Residential Development with a maximum of 1.27 dwelling units per acre in lieu of a Planned Residential Development with a maximum of one dwelling unit per acre** on an unplatted parcel of land located in the SE1/4 NE1/4 NE1/4; NE1/4 SE1/4 NE1/4; excepting Tract B of Medicine Ridge, located in the NE1/4 NE1/4, SE1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of Stumer Road.

**Planning Commission recommended that the Amendment to the Comprehensive Plan by revising the U.S. Highway 16 Neighborhood Future Land Use Plan to allow a Planned Residential Development with a maximum of 1.27 dwelling units per acre in lieu of a Planned Residential Development with a maximum of one dwelling unit per acre be approved with the following stipulation:**

1. **Prior to approval by the City Council, a Planned Development Designation application shall be submitted and approved for the subject property.**

16. No. 06CA028 - Rushmore Crossing

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to amend the Major Street Plan to change an arterial street to a collector and eliminate a collector street** on Parcel 1 thru 15 and detention ponds, Rushmore Crossing, Sections, 29, 30, 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Description No. 1: Lot BR of Lot 2 of the SE1/4 SW1/4, Section 29 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 2: Lot C of Lot 2 of the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 3: Tract C of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 11, Page 68; Description No. 4: That portion of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, lying South of Lot H3 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 109 and lying South of Lot H1 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 113 and lying South of Lot H2 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 292 and lying South of Lot H4 of said SW1/4 as shown on the plat filed in Highway Plat Book 10, Page 150 (Interstate 90 right-of-way) and lying North of the Railroad right-of-way; excepting therefrom Lot A of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 10, Page 122; AND excepting therefrom Tract C of said SW1/4, as shown on the plat filed in Plat Book 11, Page 68; and excepting therefrom Lot IR, Lot BR of Lot 2 and Lot C of Lot 2 of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 15, Page 103; and excepting therefrom the W1/2 SW1/4 SW1/4 SW1/4 lying North of said Tract C; Description No. 5: That portion of the NE1/4 SE1/4 lying South of Lots H1

**Draft**

and H2 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 3, Page 288 and lying South of Lot H3 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 148 (Interstate 90 right-of-way) and the N1/2 NE1/4 SE1/4 SE1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; excepting therefrom Lot D of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 70; and excepting therefrom Lots E and M of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 71; and excepting therefrom Lots C and L of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 8; Page 132; and excepting therefrom Tract 1 of Flack - Hendricksen Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 16, Page 205; and excepting therefrom Lots 1 and 2 in Block 2 of Rapps Addition of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 23, Page 166; and excepting therefrom Lots 1 and 2 of Bedco Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 26, Page 61; and excepting therefrom any dedicated streets, avenues or alleys lying within said plats; and excepting therefrom the Lot H1 of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; and excepting therefrom that portion of the SE1/4 NW1/4 SE1/4 and that portion of the SW1/4 NE1/4 SE1/4 lying south of said Lot H1 of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; Description No. 6: Lot 1R, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 7: Lot 1 of the SW1/4 SE1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 8: Lot A of lot 2, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; and, Description No. 9: A portion of the unplatted portion of the SE1/4 NW1/4 SE1/4, Section 30, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of I-90 between North LaCrosse Street and East North Street.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to amend the Major Street Plan to change an arterial street to a collector and eliminate a collector street be continued to the October 5, 2006 Planning Commission meeting to allow the applicant to submit an updated Traffic Impact Study.**

17. No. 06CA029 - Section 30, T2N, R8E

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development** on a tract of land located in the NE1/4 SE1/4, SE1/4 SE1/4, Section 30, T2N, R8E, BHM, Pennington County, Rapid City, South Dakota. More particularly described as follows: Commencing at the Northwest corner of Highway Lot H1 as recorded on page 163 of Highway Plat Book 10, said point being consistent with the Northeast corner of Right-of-Way at the intersection of Spruce Street and Farnwood Avenue; Thence S89°45'36"E a distance of 395.85 feet to a point on the on the north line of said Lot H1, this point being the True Point of Beginning; Thence S89°45'36"E a distance of 475.49 feet to a point on the on the north line of said Lot H1; Thence S63°37'55"E a distance of 458.10

feet; Thence S00°14'19"W a distance of 301.48 feet; Thence N61 23'38"W a distance of 762.07 feet; Thence N15°06'13"W a distance of 63.41 feet; Thence N89 45'36"W a distance of 199.09 feet; Thence N00°00'42"W a distance of 80.00 feet to the point of beginning; Said tract of land containing 4.42 acres, more or less, more generally described as being located at the eastern terminus of Farnwood Avenue.

**Planning Commission recommended that the Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development be approved.**

18. No. 06CA030 - Section 30, T2N, R8E

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation from Medium Density Residential to General Commercial with a Planned Commercial Development** on a tract of land located in the NE1/4 SE1/4, and the SE1/4 SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: Commencing at the Northwest corner of Highway Lot H1 as recorded on page 163 of Highway Plat Book 10, said point being consistent with the Northeast corner of Right-of-Way at the intersection of Spruce Street and Farnwood Avenue, this point being the True Point of Beginning; Thence S89°45'36"E a distance of 395.85 feet to a point on the north line of said Lot H1; Thence S00°00'42"E a distance of 80.00 feet to a point on the south line of said Lot H1; Thence N89°45'36"W a distance of 395.84 feet to the southwest corner of said Lot H1; Thence N00°01'26"W a distance of 80.00 feet to the point of beginning; Said tract of land containing 0.73 Acres, more or less, more generally described as being located at the eastern terminus of Farnwood Avenue.

**Planning Commission recommended that the Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation from Medium Density Residential to General Commercial with a Planned Commercial Development be approved.**

\*20. No. 06PD047 - Huffman Subdivision

A request by Britton Engineering for Century Development Co, Inc. to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot 2, Huffman Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of East North Street and North Cambell Street.

**Planning Commission denied the Planned Commercial Development – Initial and Final Development Plan without prejudice at the applicant's request.**

***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.***

\*21. No. 06PD063 - Stoney Creek South Subdivision

A request by Sperlich Consulting, Inc. for William Donhiser to consider an application for a **Major Amendment to a Planned Commercial Development** on Lots 2 and 3, Block 1, Stoney Creek South Subdivision, located in the NW1/4, SW1/4, SW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5622 and 5734 Sheridan Lake Road.

**Planning Commission approved the Major Amendment to a Planned Commercial Development with the following stipulations:**

- 1. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of the Planned Commercial Development Plan;**
- 2. All signage shall conform architecturally to the design plans and color palette submitted as a part of the Planned Commercial Development. In particular, an eight foot X 9.75 foot ground sign located on top of a two foot high brick base shall be allowed at the entrance of the development. The sign shall be limited to a campus sign with no off-premise advertising allowed. In addition, no electronic sign or reader sign shall be allowed. The sign(s) shall be constructed with similar building materials and color palette as the proposed structure. The lighting for the sign(s) shall be designed to preclude reflection on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;**
- 3. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 4. Prior to issuance of a building permit, 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 Development Service Center Division;**
- 5. Prior to issuance of a building permit, the plans shall be revised to show the four foot high landscaping wall designed and stamped by a Registered Professional Engineer;**
- 6. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;**
- 7. The proposed commercial structure shall be used for retail, office, banking, laundromat, restaurant and medial clinic(s) uses as allowed in the General Commercial District. In particular, no more than 7,363 square feet of restaurant area shall be allowed or additional parking shall be provided. In addition, no on-sale liquor use shall be allowed as a part of this Planned Commercial Development. The addition of the second building and/or any other use or change in use shall**

- require a Major Amendment to the Planned Commercial Development;
8. A minimum of 104,035 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 165 parking spaces shall be provided. Six of the spaces shall be handicap accessible with one of the handicap spaces being "van accessible". In addition, all provisions of the Off-Street Parking Ordinance shall be continually met;
  11. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
  11. The dumpster shall be located as shown on the site plan and screened on all four sides as proposed;
  12. 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 particular, on-site fire hydrants shall be provided as needed. In addition, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structure(s) shall be fully fire sprinkled and fire alarmed as per the 2003 International Fire Code;
  13. 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,
  14. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Commercial Development Plan or a subsequent Major Amendment.

*The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.*

\*22. No. 06PD064 - Auburn Hills Subdivision

A request by Boom Construction, Inc. to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Lot 4, Block 7, Auburn Hills, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 853 Auburn Drive.

Planning Commission approved the Planned Residential Development-Initial and Final to allow the construction of a duplex with the following stipulations:

1. The uses allowed within the Planned Residential Development shall be limited to a maximum of two dwelling units;

**Draft**

2. Prior to initiation of construction, a Building Permit shall be obtained and a Certificate of Occupancy shall be obtained prior to occupancy of the new structure;
3. If any on-site signage is proposed, a sign package shall be submitted for review and approval prior to Planning Commission approval;
4. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;
5. Prior to issuance of a Building Permit, the applicant shall submit a revised plan showing the size and location of water and sanitary services.
6. A minimum front yard setback of 18 feet shall be provided in front of the structure, a minimum side yard of 8 feet shall be provided for a single story structure, and a minimum rear yard setback of 25 feet shall be provided for the structure located on the subject property. Any additional reductions in the minimum required setbacks shall require a Major Amendment to the Planned Residential Development;
7. All applicable provisions of the International Fire Code shall be continually met;
8. The proposed structures shall conform architecturally to the plans and elevations submitted; and,
9. 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.

*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.*

26. No. 06RZ031 - Fox Run Subdivision  
A request by Lund Associates, Ltd. For Rapid City Regional Hospital to consider an application for a **Rezoning from Medium Density Residential District to Office Commercial District** on Lot 1, Block 1, Fox Run Subdivision, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 301 Fox Run Drive.

**Planning Commission recommended that the Rezoning from Medium Density Residential District to Office Commercial District be approved.**

27. No. 06RZ032 - Medicine Ridge Subdivision  
A request by Sperlich Consulting, Inc. for Schrinier Investments, LLC to consider an application for a **Rezoning from General Agriculture District to Low Density Residential District** on an unplatted parcel of land located in the SE1/4 NE1/4 NE1/4; NE1/4 SE1/4 NE1/4; excepting Tract B of Medicine Ridge, located in the NE1/4 NE1/4, SE1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at

the western terminus of Stumer Road.

**Planning Commission recommended that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with the Comprehensive Plan Amendment and the following stipulation:**

- 1. Prior to approval by the City Council, a Planned Development Designation application shall be submitted and approved for the subject property.**

28. No. 06RZ033 - Section 30, T2N, R8E

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Agriculture District to General Commercial District** on a tract of land located in the NW1/4 SE1/4, NE1/4 SE1/4, and the SE1/4 SE1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: Commencing at the Northwest corner of Highway Lot H1 as recorded on page 163 of Highway Plat Book 10, said point being consistent with the Northeast corner of Right of Way at the intersection of Spruce Street and Farnwood Avenue; Thence S89°45'36"E a distance of 395.85 feet to a point on the north line of said Lot H1, this point being the True Point of Beginning; Thence S89°45'36"E a distance of 665.22 feet to the Northeast corner of said Lot H1; Thence N89°59'58"E a distance of 221.59 feet; Thence S00°14'32"W a distance of 504.15 feet; Thence 61°23'38"W a distance of 711.10 feet; Thence S82°00'57"W a distance of 80.00 feet; Thence along the arc of a curve to the left whose chord bears N14°13'23"W with a length of 99.98 feet, having a radius of 460.00 feet, a central angle of 12°28'41" and an arc length of 100.18 feet, to a point on the south line of said Lot H1; Thence 89°45'36"W a distance of 156.57 feet, to the Southwest corner of said Lot H1; Thence N00°00'42"W a distance of 80.00 feet to the point of beginning, more generally described as being located at the eastern terminus of Farnwood Avenue.

**Planning Commission recommended that the Rezoning from General Agriculture District to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment and the Planned Development Designation.**

29. No. 06RZ035 - Section 30, T2N, R8E

A request by Dream Design International, Inc. to consider an application for a **Rezoning from Medium Density Residential District to General Commercial District** on a tract of land located in the NE1/4 SE1/4, and the SE1/4 SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: Commencing at the Northwest corner of Highway Lot H1 as recorded on page 163 of Highway Plat Book 10, said point being consistent with the Northeast corner of Right-of-Way at the intersection of Spruce Street and Farnwood Avenue, this point being the True Point of Beginning; Thence S89°45'36"E a distance of 395.85 feet to a point on the north line of said Lot H1; Thence S00°00'42"E a distance of 80.00 feet to a point on the south line of said Lot H1; Thence N89°45'36"W a distance of 395.84 feet to the

southwest corner of said Lot H1; Thence N00°01'26"W a distance of 80.00 feet to the point of beginning; Said tract of land containing 0.73 Acres, more or less, more generally described as being located at the eastern terminus of Farnwood Avenue.

**Planning Commission recommended that the Rezoning from Medium Density Residential District to General Commercial District be approved in conjunction with the associated Comprehensive Plan Amendment and the Planned Development Designation.**

30. No. 06SV049 - Hills View Subdivision

A request by Renner & Associates for Royal Nielsen to consider an application for a **Variance to the Subdivision Regulations to reduce the right-of-way from 49 feet to 25 feet along an access easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along an access easement as per Chapter 16.16 of the Rapid City Municipal Code** on Lot A, formerly a portion of Lot 15 Revised, Hills View Subdivision, located in the NE1/4 SE1/4, Section 5, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of Lot 15 Revised, Hills View Subdivision, located in the NE1/4 SE1/4, Section 5, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located west of Hillside Drive and North of SD Highway 44.

**Planning Commission recommended that the Variance to the Subdivision Regulations to reduce the right-of-way from 49 feet to 25 feet along an access easement and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along an access easement as per Chapter 16.16 of the Rapid City Municipal Code be continued to the October 5, 2006 Planning Commission meeting to allow the applicant to submit additional information.**

31. No. 06SV052 - IGT Subdivision

A request by D. C. Scott Co. Land Surveyors for IGT to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to develop the section line roadway; to dedicate additional public right-of-way; and waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water, additional pavement and planting screen easement** on Lots 1 and 2, IGT Subdivision, formerly Tract B of Tract 1 of the W1/2 SW1/4, Section 23, and Tract 2 of the SW1/4 NW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Tract B of Tract 1 of the W1/2 SW1/4, Section 23, and Tract 2 of the SW1/4 NW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of SD Highway 16 and south of Fox Road.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to develop the section line highway; to dedicate additional public right-of-way; and waive the requirement to install curb, gutter, sidewalk, street light conduit, sewer, water, additional pavement and planting screen easement as per Chapter 16 of the Rapid City**

**Draft**

**Municipal Code be continued to the October 5, 2006 Planning Commission meeting to allow the applicant time to submit the required information.**

32. No. 06SV055 - Barnhart Addition

A request by Renner & Associates for ARC International to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement; and to waive the requirement to install sidewalk along SD Highway 44 as per Chapter 16.16 of the Rapid City Municipal Code** on Lot 3 of Barnhart Addition, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the balance of the residual portion of Lots B and C, located in the SW1/4 SW1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2990 East Highway 44.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the access easement; and to waive the requirement to install sidewalk along South Dakota Highway 44 as per Chapter 16.16 of the Rapid City Municipal Code be continued to the October 5, 2006 Planning Commission meeting.**

**---END OF HEARING CONSENT CALENDAR---**

Fisher requested that items 13, 14, 24 and 25 be taken concurrently.

13. No. 06CA025 - Tower Ridge 2 Subdivision

A request by Dan Wilson for Site Work Specialists to consider an application for an **Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to a General Commercial with a Planned Commercial Development** on Parcel "A" located in the NE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning for said parcel bears N00°00'39"E a distance of 712.38 feet from the former southeast corner of Aladdin Heights Subdivision, said point of beginning also bears S00°00'39"W a distance of 30.01 feet from the southeast corner of Lot 3 of Block 3 of the Aladdin Heights Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 1019", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S89°59'21"E and a distance of 175.00; Thence Second Course: along a line with a bearing of S00°00'39"W and a distance of 475.19 feet; to an intersection with the northerly line of Lot 4 of Block 1 of Tower Ridge 2 Subdivision; Thence Third Course: along said Lot 4 with a bearing of N25°59'34"W and a distance of 55.28 feet; to the northeast corner of Lot 3 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117"; Thence Fourth Course: along the north line of said

Lot 3 with a bearing of N71°06'44"W and a distance of 159.33 feet; to an intersection with easterly line of Aladdin Heights Subdivision; Thence Fifth Course: along the easterly line of Aladdin Heights Subdivision with a bearing of N00°00'39"E and a distance of 373.95 feet to the point of beginning, more generally described as being located northeast of the intersection of Promise Road and South Highway 16.

14. No. 06CA026 - Tower Ridge 2 Subdivision

A request by Dan Wilson for Site Work Specialists to consider an application for an **Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to a General Commercial with a Planned Commercial Development** on Parcel "B" located in the SE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning being coincident of the southeasterly angle point corner of Lot 6, Block 1, Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117", said point of beginning bears N14°47'32"E a distance of 83.36 feet from the northeasterly angle point corner of Lot 6 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S14°47'32"W and a distance of 462.12; Thence Second Course: along a line with a bearing of N47°07'10"W and a distance of 473.75 feet; Thence Third Course: along a line with a bearing of N51°24'18"W and a distance of 360.81 feet; to an intersection with southerly line of Lot 9 of Block 1 of Tower Ridge 2 Subdivision; Thence Fourth Course: along southerly line of Tower Ridge 2 Subdivision with a bearing of S62°12'23"E and a distance of 498.86 feet; to the southeast corner of Lot 7 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117"; Thence Fifth Course: along the southerly line of Lot 6 Block 1 of Tower Ridge 2 Subdivision with a bearing N66°39'36"E and a distance of 333.09 feet to the point of beginning, more generally described as being located northeast of the intersection of Promise Road and South Highway 16.

24. No. 06RZ029 - Tower Ridge 2 Subdivision

A request by Dan Wilson for Site Work Specialists to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on Parcel "A" located in the NE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning for said parcel bears N00°00'39"E a distance of 712.38 feet from the former southeast corner of Aladdin Heights Subdivision, said point of beginning also bears S00°00'39"W a distance of 30.01 feet from the southeast corner of Lot 3 of Block 3 of the Aladdin Heights Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 1019", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S89°59'21"E and a distance of 175.00; Thence Second Course: along a line with a bearing of S00°00'39"W and a distance of 475.19 feet; to an intersection with the northerly line of Lot 4 of Block 1 of Tower Ridge 2 Subdivision; Thence Third Course: along said Lot 4 with a

bearing of N25°59'34"W and a distance of 55.28 feet; to the northeast corner of Lot 3 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117"; Thence Fourth Course: along the north line of said Lot 3 with a bearing of N71°06'44"W and a distance of 159.33 feet; to an intersection with easterly line of Aladdin Heights Subdivision; Thence Fifth Course: along the easterly line of Aladdin Heights Subdivision with a bearing of N00°00'39"E and a distance of 373.95 feet to the point of beginning., more generally described as being located northeast of the intersection of Promise Road and South Highway 16.

25. No. 06RZ030 - Tower Ridge 2 Subdivision

A request by Dan Wilson for Site Work Specialists to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on Parcel "B" located in the SE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning being coincident of the southeasterly angle point corner of Lot 6, Block 1, Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117", said point of beginning bears N14°47'32"E a distance of 83.36 feet from the northeasterly angle point corner of Lot 6 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S14°47'32"W and a distance of 462.12; Thence Second Course: along a line with a bearing of N47°07'10"W and a distance of 473.75 feet; Thence Third Course: along a line with a bearing of N51°24'18"W and a distance of 360.81 feet; to an intersection with southerly line of Lot 9 of Block 1 of Tower Ridge 2 Subdivision; Thence Fourth Course: along southerly line of Tower Ridge 2 Subdivision with a bearing of S62°12'23"E and a distance of 498.86 feet; to the southeast corner of Lot 7 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117"; Thence Fifth Course: along the southerly line of Lot 6 Block 1 of Tower Ridge 2 Subdivision with a bearing N66°39'36"E and a distance of 333.09 feet to the point of beginning, more generally described as being located northeast of the intersection of Promise Road and South Highway 16.

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

Fisher presented the Comprehensive Plan Amendment and Rezone requests. Fisher identified the separate parcels stated in the requests. Fisher further commented on the current zoning of the parcels of land on the subject properties and the zoning of the adjacent parcels. Fisher reviewed the topographic characteristics of the subject properties and adjacent properties. Fisher stated that staff recommends that the Comprehensive Plan Amendment and Rezoning request be approved with stipulations.

David Kappenmann, area resident, stated his opinion that increased noise from the commercial zoning of the subject property would have a negative effect on the adjacent properties. Kappenmann expressed his concern with possible commercial development on the subject property. Kappenman requested that the

**Draft**

Planning Commission deny the Comprehensive Plan Amendments and Rezoning requests.

Dr. M. S. Dirks, area resident, expressed concerns with the Comprehensive Plan Amendments and Rezoning requests. Dirks requested that the Planning Commission deny the Comprehensive Plan Amendments and Rezoning requests.

Tim Rogers, area resident, stated his objections to the Comprehensive Plan Amendment and Rezoning requests. Rogers expressed his opinion against existing procedures for filing development applications to Growth Management and public and sign notification to adjacent property owners. Rogers expressed concern with staff's review of the Comprehensive Plan Amendments and Rezoning applications. Rogers requested that the Planning Commission deny the Comprehensive Plan Amendments and Rezoning requests.

Jim Phoenix, area resident, expressed his concern with lack of notification from the applicant or staff. Phoenix stated his opposition to the proposed Comprehensive Plan Amendments and Rezoning requests.

Elkins reviewed the notification requirements by Rapid City Ordinance. Elkins advised that an informational meeting will be held on Monday, September 25, 2006 at Fire Station No. 6 at 1930 Promise Road at the direction of City Council. Discussion followed.

Terry Powell, area resident, expressed concern with possible negative impact from the possible development on the subject property. Powell requested information on aquifer sensitivity studies and water safety surrounding the subject property.

Elkins commented that detailed engineering information would be submitted at the time of Plat or Initial and Final Development Plan application was made. Elkins further commented that staff has not received applications for Plat or Initial and Final Development Plans. Discussion followed.

Hadcock, stated that aquifer information is available at the Public Works Department at the City of Rapid City offices.

In response to Hennies questions, Elkins stated that without an application showing a site plan she could not comment on adequate parking space for a large retail store.

Waltman stated that she would be abstaining from discussion and voting due to a conflict of interest.

In response to LeMay's questions, Fisher stated that application forms were signed by Doug Hamilton. Fisher further commented that the sign has been posted as required on the subject property. Fisher advised that the application was found to be complete upon staff's review.

**Draft**

**Landguth moved and LeMay seconded and carried to recommend that the Amendment to the Comprehensive Plan by revising the U.S. Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development, The Amendment to the Comprehensive Plan by revising the U.S. Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development, The Rezoning from Office Commercial District to General Commercial District be approved in conjunction with the Comprehensive Plan Amendment to the U.S. Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to a General Commercial with a Planned Commercial Development; and, That the Rezoning from Office Commercial District to General Commercial District be approved in conjunction with the Comprehensive Plan Amendment to the U.S. Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to a General Commercial with a Planned Commercial Development. be continued to the October 5, 2006 Planning Commission meeting. (6 to 0 to 2 with Anderson, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no and Brewer and Waltman abstaining)**

19. No. 06OA004 – Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment to Chapter 17.04 to provide a definition of "Teenage Care Center" and an Ordinance Amendment to Chapter 17.12.030 to allow "Teenage Care Centers" as a Conditional Use in the Medium Density Residential District.**

Steve Brenden, area resident, suggested that a meeting be held between Wellspring, Inc. and the adjacent property owners. Brenden expressed his opposition to the Wellspring organization implementing a teenage care center and his opposition to the Ordinance Amendment.

Barbara Fierro, Wellspring Inc. stated that two informational meetings have been held by Wellspring with the surrounding neighborhood to address concerns. Fierro stated that the proposed ordinance would expand the conditional uses allowed in residential zoning. Fierro expressed her opinion on the positive effect of after school programs for the teen population of Rapid City. Fierro reviewed statistics regarding adolescent issues involved in negative behavior. Fierro requested that the Planning Commission approve the proposed Ordinance Amendments.

Landguth expressed his support for the proposed Ordinance Amendments.

**Hennies moved, LeMay seconded to recommend that the Ordinance Amendment to Chapter 17.04 to provide a definition of "Teenage Care**

**Draft**

**Center" and an Ordinance Amendment to Chapter 17.12.030 to allow "Teenage Care Centers" as a Conditional Use in the Medium Density Residential District be approved.**

Steve Manlove, President of the Board of Directors of Wellspring, stated his opinion that the subject property is suited to the proposed use by Wellspring.

Curt Jensen, Calvary Lutheran Church, expressed his support for the proposed Ordinance Amendment and that the Ordinance would mitigate concerns of the surrounding neighbors. Jensen requested that the Planning Commission approve the proposed Ordinance requests.

Al Riisnaes, area resident, expressed his concerns about the proposed use by Wellspring for the subject property. Riisnaes stated his opinion that the purpose of the Canyon Lake Overlay was to protect the surrounding neighborhood.

Waltman expressed her support for the Ordinance Amendment.

In response to Anderson's question, Fierro reviewed the proposed hours of operation of the Wellspring facility.

Fast Wolf, expressed her concern that the previous initial primary concern from the surrounding neighborhood was rezoning. Fast Wolf stated her opinion in support of the Wellspring use on the subject property.

Hadcock expressed her support for the Ordinance Amendment application.

**Hennies moved, LeMay seconded and carried to recommend that the Ordinance Amendment to Chapter 17.04 to provide a definition of "Teenage Care Center" and an Ordinance Amendment to Chapter 17.12.030 to allow "Teenage Care Centers" as a Conditional Use in the Medium Density Residential District be approved. (8 to 0 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth, LeMay and Waltman voting yes and none voting no)**

**\*23. No. 06PD065 - Big Sky Subdivision**

A request by Dream Design International, Inc. to consider an application for a **Major Amendment to a Planned Residential Development** on Tract J, Big Sky Subdivision, located in the SE1/4 NW1/4, Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located north of Homestead Street between Degeest Drive and Missoula Street.

Tegethoff presented the Major Amendment request. Tegethoff stated that staff recommends that the Major Amendment be continued to the October 5, 2006 Planning Commission meeting.

**Hennies moved, Waltman seconded and unanimously carried to continue the Major Amendment to a Planned Residential Development to the October 5, 2006 Planning Commission meeting. (8 to 0 with Anderson,**

**Draft**

**Brewer, Fast Wolf, Gregg, Hennies, Landguth, LeMay and Waltman 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.***

**Hennies moved, LeMay seconded and unanimously carried to reconsider Item No. 16, 06CA028 – Rushmore Crossing. (7 to 0 to 1 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no and Waltman abstaining)**

16. No. 06CA028 - Rushmore Crossing

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to amend the Major Street Plan to change an arterial street to a collector and eliminate a collector street** on Parcel 1 thru 15 and detention ponds, Rushmore Crossing, Sections, 29, 30, 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Description No. 1: Lot BR of Lot 2 of the SE1/4 SW1/4, Section 29 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 2: Lot C of Lot 2 of the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 3: Tract C of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 11, Page 68; Description No. 4: That portion of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, lying South of Lot H3 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 109 and lying South of Lot H1 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 113 and lying South of Lot H2 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 292 and lying South of Lot H4 of said SW1/4 as shown on the plat filed in Highway Plat Book 10, Page 150 (Interstate 90 right-of-way) and lying North of the Railroad right-of-way; excepting therefrom Lot A of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 10, Page 122; AND excepting therefrom Tract C of said SW1/4, as shown on the plat filed in Plat Book 11, Page 68; and excepting therefrom Lot IR, Lot BR of Lot 2 and Lot C of Lot 2 of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 15, Page 103; and excepting therefrom the W1/2 SW1/4 SW1/4 SW1/4 lying North of said Tract C; Description No. 5: That portion of the N1/2 SE1/4 lying South of Lots H1 and H2 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 3, Page 288 and lying South of Lot H3 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 148 (Interstate 90 right-of-way) and the N1/2 NE1/4 SE1/4 SE1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; excepting therefrom Lot D of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 70; and excepting therefrom Lots E and M of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 71; and excepting therefrom Lots C and L of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 8; Page

**Draft**

132; and excepting therefrom Tract 1 of Flack - Hendricksen Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 16, Page 205; and excepting therefrom Lots 1 and 2 in Block 2 of Rapps Addition of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 23, Page 166; and excepting therefrom Lots 1 and 2 of Bedco Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 26, Page 61; and excepting therefrom any dedicated streets, avenues or alleys lying within said plats; and excepting therefrom the Lot H1 of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; and excepting therefrom that portion of the SE1/4 NW1/4 SE1/4 and that portion of the SW1/4 NE1/4 SE1/4 lying south of said Lot H1 of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; Description No. 6: Lot 1R, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 7: Lot 1 of the SW1/4 SE1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 8: Lot A of lot 2, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; and, Description No. 9: A portion of the unplatted portion of the SE1/4 NW1/4 SE1/4, Section 30, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of I-90 between North LaCrosse Street and East North Street.

Waltman stated that she would be abstaining from discussion and voting due to a conflict of interest.

**Anderson moved, LeMay seconded and carried to recommend that the Amendment to the Comprehensive Plan to amend the Major Street Plan to change an arterial street to a collector and eliminate a collector street be continued to the October 5, 2006 Planning Commission meeting to allow the applicant to submit an updated Traffic Impact Study. (7 to 0 to 1 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no and Waltman abstaining)**

**Landguth moved, Hennies seconded and unanimously carried to reconsider Item No. 7, 06PL142 – Rushmore Crossing. (7 to 0 to 1 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no and Waltman abstaining)**

7. No. 06PL142 - Rushmore Crossing

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** on Parcel 1 thru 15 and detention ponds, Rushmore Crossing, Sections, 29, 30, 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Description No. 1: Lot BR of Lot 2 of the SE1/4 SW1/4, Section 29 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 2: Lot C of Lot 2 of the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 15, Page 103; Description No. 3: Tract C of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 11, Page 68; Description No. 4: That portion of the SW1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, lying South of Lot H3

**Draft**

of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 109 and lying South of Lot H1 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 113 and lying South of Lot H2 of said SW1/4 as shown on the plat filed in Highway Plat Book 3, Page 292 and lying South of Lot H4 of said SW1/4 as shown on the plat filed in Highway Plat Book 10, Page 150 (Interstate 90 right-of-way) and lying North of the Railroad right-of-way; excepting therefrom Lot A of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 10, Page 122; AND excepting therefrom Tract C of said SW1/4, as shown on the plat filed in Plat Book 11, Page 68; and excepting therefrom Lot IR, Lot BR of Lot 2 and Lot C of Lot 2 of the SE1/4 SW1/4, as shown on the plat filed in Plat Book 15, Page 103; and excepting therefrom the W1/2 SW1/4 SW1/4 lying North of said Tract C; Description No. 5: That portion of the N1/2 SE1/4 lying South of Lots H1 and H2 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 3, Page 288 and lying South of Lot H3 of said N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 148 (Interstate 90 right-of-way) and the N1/2 NE1/4 SE1/4 SE1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; excepting therefrom Lot D of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 70; and excepting therefrom Lots E and M of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 7, Page 71; and excepting therefrom Lots C and L of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 8, Page 132; and excepting therefrom Tract 1 of Flack - Hendricksen Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 16, Page 205; and excepting therefrom Lots 1 and 2 in Block 2 of Rapps Addition of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 23, Page 166; and excepting therefrom Lots 1 and 2 of Bedco Subdivision of the NW1/4 SE1/4 as shown on the plat filed in Plat Book 26, Page 61; and excepting therefrom any dedicated streets, avenues or alleys lying within said plats; and excepting therefrom the Lot HI of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; and excepting therefrom that portion of the SE1/4 NW1/4 SE1/4 and that portion of the SW1/4 NE1/4 SE1/4 lying south of said Lot H1 of the S1/2 N1/2 SE1/4 as shown on the plat filed in Highway Plat Book 10, Page 163; Description No. 6: Lot 1R, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 7: Lot 1 of the SW1/4 SE1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; Description No. 8: Lot A of lot 2, located in the SE1/4 SW1/4, Section 29, T2N, R8E, BHM, Pennington County, South Dakota; and, Description No. 9: a portion of the unplatted portion of the SE1/4 NW1/4 SE1/4, Section 30, T2N, R8E, BHM, Pennington County, South Dakota; and, a portion of the unplatted portion of the SW1/4 SE1/4, Section 30, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of I-90 between North LaCrosse Street and East North Street.

Waltman stated that she would be abstaining from discussion and voting due to a conflict of interest.

**Hennies moved, Landguth seconded and carried to recommend that the Layout Plat be approved with the following stipulations:**

- 1. Upon submittal of a Preliminary Plat application, a geotechnical report and soil resistivity test results including pavement design shall be submitted for review and approval;**

**Draft**

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 must provide the design for any proposed detention and storm sewer outfalls. The plat document shall also be revised to provide drainage easements as necessary. In addition, an agreement shall be in place with the South Dakota Department of Transportation to allow that portion of the detention pond to be located in the South Dakota Department of Transportation Right-of-way or the detention pond shall be removed from this area;
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. In addition, a sewer report detailing the future extension of sewer downstream, across E. North Street, shall be submitted for review and approval. In addition, the report shall verify that the downstream system is adequate to handle the proposed 18 inch sewer main being proposed within the development. 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. In addition, a Right-of-way Permit shall be obtained from the South Dakota Department of Transportation to allow the portion of the water system located in the U.S. Highway I-90 Right-of-way or the water system shall be removed from the State right-of-way;
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 Farnwood Avenue (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

**Draft**

- 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 or a Comprehensive Plan Amendment to the Major Street Plan shall be obtained. In addition, the South Dakota Department of Transportation shall review and approve that portion of Farnwood Avenue (Eglin Street) located in the U.S. Highway I-90 Right-of-way or the plat document shall be revised to remove that portion of the street from the State right-of-way;
8. Upon submittal of a Preliminary Plat application, construction plans for the eastern 1,000 feet of Farnwood Avenue as it extends into Parcel No. 3 and Parcel No. 16 shall be submitted for review and approval. In particular, the 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 or the right-of-way shall be vacated;
  9. Upon submittal of a Preliminary Plat application, 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;
  10. 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 or a Comprehensive Plan Amendment to the Major Street Plan shall be obtained;
  11. 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;
  12. 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

**Draft**

- obtained. In addition, the International Fire Code shall be continually met;
13. Upon submittal of a Preliminary Plat application, an updated Traffic Study shall be submitted for review and approval addressing the location and design of the street(s) as proposed on the Layout Plat. In addition, the applicant shall continue to work with staff to address traffic capacity issues specific to street and intersection design(s) and the level of service provided at controlled intersections. In addition, the applicant must address site distance issues along Farnwood Avenue between LaCrosse Street and the subject property;
  14. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  15. Upon submittal of a Preliminary Plat application, the plat document shall be revised to provide street intersection(s) along Farnwood Avenue (Eglin Street) in compliance with the Street Design Criteria Manual. In particular, the distance between intersections shall not be less than 125 feet and shall not be more than 1,200 feet or an Exception to the Street Design Criteria Manual;
  16. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show all existing easements;
  17. 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;
  18. Prior to submittal of a Final Plat application, the applicant shall submit surety for the construction of traffic signal(s) at the intersection of Farnwood Avenue and LaCrosse Street and the intersection of Eglin Street and E. North Street or the traffic signals shall be in place as per the updated Traffic Impact Study;
  19. Prior to submittal of a Final Plat application, the plat document shall be revised to show the detention pond lot(s) labeled as numeric lots in lieu of "detention pond"; and,
  20. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid. (7 to 0 to 1 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no and Waltman abstaining)

---BEGINNING OF REGULAR AGENDA ITEMS---

33. No. 06PL138 - Rainbow Ridge Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 27A thru 32A, Block 2, Rainbow Ridge Subdivision, formerly Lots 27 thru 32, Block 2, Rainbow Ridge Subdivision; located in the SE1/4 NE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 27 thru 32, Block 2, Rainbow Ridge Subdivision; located in the SE1/4 NE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being

**Draft**

located at the southwest corner of the intersection of Bunker Drive and Gladys Street.

Tegethoff presented the Preliminary Plat request. Tegethoff stated that staff recommends that the Preliminary Plat be continued to the October 5, 2006 Planning Commission meeting.

**Waltman moved, LeMay seconded and unanimously carried to recommend that the Preliminary Plat be continued to the October 5, 2006 Planning Commission meeting. (8 to 0 with Anderson, Brewer, Brown, Fast Wolf, Gregg, Hennies, Landguth, LeMay and Waltman voting yes and none voting no)**

Tegethoff requested that items 34 and 35 be taken concurrently.

34. No. 06PL140 – Brentwood Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc. for Brent Pushing to consider an application for a **Layout Plat** on a parcel of land located in the SW1/4 SE14/ SE1/4; SE1/4 SW1/4 SE1/4; SW1/4 SW1/4 SE1/4; S1/2 NW1/4 SW1/4 SE1/4; S1/2 NE1/4 SW1/4 SE1/4, Section 25, T2N, R6E, BHM, Pennington County, South Dakota, more generally described as being located northwest of the terminus of Sun Ridge Road.

35. No. 06SV053 - Brentwood Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc. for Brent Pushing to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code** on a parcel of land located in the SW1/4 SE14/ SE1/4; SE1/4 SW1/4 SE1/4; SW1/4 SW1/4 SE1/4; S1/2 NW1/4 SW1/4 SE1/4; S1/2 NE1/4 SW1/4 SE1/4, Section 25, T2N, R6E, BHM, Pennington County, South Dakota, more generally described as being located northwest of the terminus of Sun Ridge Road.

Tegethoff presented the Layout Plat and Variance requests. Tegethoff advised that the Plat and Variance requests have been previously approved by the Planning Commission.

Dave England, are resident expressed concerns with access points and maintenance on the chip and seal surface on the proposed road in the subject property.

Fink expressed her opinion in opposition to the requirement for an asphalt surface. Fink requested that the Planning Commission support the previously approved Plat and Variance requests. Fink stated that due to private litigation issues, the time had expired to apply for building permits limiting the applicant's ability to move forward with development.

In response to Waltman's questions, Fink identified the proposed access points on the Major Street Plan and the number of lots in the proposed development.

Discussion followed.

Riley White, area resident expressed his opinion against the proposed development. White further commented on the difficulty of obtaining access points due to the rugged terrain.

Courtney Clayborne, representing potential buyers, requested that the Planning Commission approve the Plat and Variance requests that would allow the road connection.

Rod Schlauger, representing the applicant, stated that the Planning Commission has previously approved the Plat and Variance requests. Schlauger requested that the Planning Commission support the previous Plat and Variance requests and approve the current Plat and Variance requests. Discussion followed.

Roger Thompson, area resident expressed his concern with the emergency vehicle apparatus. Thompson stated his concern with possible future development costs to adjacent property owners.

Knight reviewed the Fire Department concerns for water availability and access to the proposed lots. Discussion followed.

In response to LeMay's question, Fink reviewed the existing surfaces of the roads on the subject and surrounding properties. Fink identified the proposed and existing access points and the location of the lots on the subject property. Discussion followed.

Hadcock expressed concerns with access for emergency vehicles.

Elkins stated that a maintenance requirement may be added for approval of the Layout Plat. Discussion followed.

In response to Anderson's question, Fisher reviewed prior approval requirements of the Layout Plat presented in 2004. Discussion followed.

Landguth expressed support of the Layout Plat and Variance requests. Discussion followed.

Dave England, area resident expressed his opinion that notification was not received by the adjacent property owners on the previous application. England stated that a "road district" should be required.

**Landguth moved, LeMay seconded carried to recommend that the Layout Plat be approved with the following stipulations:**

- 1. Upon submittal of the Preliminary Plat application, the road construction plans for the extension of Sun Ridge Road shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with a minimum 60 foot right-of-way and a 24 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision**

- Regulations shall be obtained. In addition, a design showing a minimum 96 foot wide diameter right-of-way with a minimum 76 foot wide diameter paved cul-de-sac bulb at the end of the proposed right-of-way shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for the section of street that is unnamed located north of Lot 2. In particular, the road construction plans shall show the street constructed with a minimum 45 foot right-of-way and a 20 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained. In addition, a design showing a minimum 96 foot wide diameter right-of-way with a minimum 76 foot wide diameter paved cul-de-sac bulb at the end of the proposed right-of-way shall be submitted for review and approval;
  3. Prior to submittal of a Final Plat, the plat document shall include the dedication of the right-of-way for the east 660 feet of Sun Ridge Road located directly east of the subject property or an "H" Lot shall be recorded dedicating the right-of-way or a Variance to the Subdivision Regulations shall be approved waiving the requirement to dedicate the right-of-way;
  4. Prior to Preliminary Plat approval by the City Council, the section line highway shall be constructed to City Street Design Standards or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. The adjacent property owner shall participate in the platting or vacation of the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way. In particular, the road shall be located in a minimum 66 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;
  5. Upon submittal of the Preliminary Plat application, a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;
  6. Upon submittal of the Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water lines shall be submitted for review. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show utility easement(s) as needed;
  7. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and

- approval;
8. Upon submittal of the Preliminary Plat application, a topographical drawing showing any proposed grading and a sediment and erosion control plan for all improved areas shall be submitted for review and approval;
  9. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  10. Upon submittal of the Preliminary Plat application, all Uniform Fire Codes shall be continually met;
  11. Upon submittal of a Final Plat application, a road maintenance agreement must be submitted for review and approval as required by City Ordinance.
  12. Upon submittal of a Final Plat application, a road maintenance agreement must be submitted for review and approval as required by city ordinance;
  13. Prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;
  14. Prior to submittal of the Final Plat, the property shall be rezoned to a zoning district as required to allow a minimum 10 acre lot or a Variance from the Pennington County Zoning Board of Adjustment shall be obtained;
  15. Prior to submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
  16. Prior to submittal of the Final Plat, a note shall be placed on the plat document stating that "An alternate drainfield area for each lot shall be identified upon submittal of a building permit."

That the Variance to the Subdivision Regulation for Sun Ridge Road, the Planning Commission should recommend to waive the improvements of pavement, curb, gutter, streetlight conduit, water and sewer on Sun Ridge Trail as per Chapter 16 of the Rapid City Municipal Code and approve the Variance to the Subdivision Regulations with the following stipulations:

1. A 24 foot wide chip seal road shall be provided;
2. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements;

That the Variance to the Subdivision Regulation for the unnamed street, the Planning Commission should recommend to waive the improvements of pavement, curb, gutter, streetlight conduit, water and sewer on the unnamed street as per Chapter 16 of the Rapid City Municipal Code and approve the Variance to the Subdivision Regulations with the following stipulations:

1. A 20 foot wide chip seal road shall be provided;
2. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements;

approval of the Variance to the Subdivision Regulation for the Section Line Highway, the Planning Commission should recommend to waive the improvements of pavement, curb, gutter, streetlight conduit, water and

**Draft**

**sewer along a Section Line Highway as per Chapter 16 of the Rapid City Municipal Code and approve the Variance to the Subdivision Regulations with the following stipulation:**

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

Elkins asked for clarification as to whether Mr. Landguth's motion included the road maintenance requirement. Landguth indicated that it does include the road maintenance requirement.

**Landguth moved, LeMay seconded and carried to recommend that the Layout Plat be approved with the following stipulations:**

- 1. Upon submittal of the Preliminary Plat application, the road construction plans for the extension of Sun Ridge Road shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with a minimum 60 foot right-of-way and a 24 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained. In addition, a design showing a minimum 96 foot wide diameter right-of-way with a minimum 76 foot wide diameter paved cul-de-sac bulb at the end of the proposed right-of-way shall be submitted for review and approval;**
- 2. Upon submittal of the Preliminary Plat application, road construction plans shall be submitted for review and approval for the section of street that is unnamed located north of Lot 2. In particular, the road construction plans shall show the street constructed with a minimum 45 foot right-of-way and a 20 foot paved surface with curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained. In addition, a design showing a minimum 96 foot wide diameter right-of-way with a minimum 76 foot wide diameter paved cul-de-sac bulb at the end of the proposed right-of-way shall be submitted for review and approval;**
- 3. Prior to submittal of a Final Plat, the plat document shall include the dedication of the right-of-way for the east 660 feet of Sun Ridge Road located directly east of the subject property or an "H" Lot shall be recorded dedicating the right-of-way or a Variance to the Subdivision Regulations shall be approved waiving the requirement to dedicate the right-of-way;**
- 4. Prior to Preliminary Plat approval by the City Council, the section line highway shall be constructed to City Street Design Standards or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. The adjacent property owner shall participate in the platting or vacation of the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way. In particular, the road shall be located in a minimum 66 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;**

**Draft**

5. Upon submittal of the Preliminary Plat application, a drainage plan shall be submitted for review and approval. In addition, the plat shall be revised to show drainage easements as needed;
6. Upon submittal of the Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water lines shall be submitted for review. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show utility easement(s) as needed;
7. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;
8. Upon submittal of the Preliminary Plat application, a topographical drawing showing any proposed grading and a sediment and erosion control plan for all improved areas shall be submitted for review and approval;
9. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
10. Upon submittal of the Preliminary Plat application, all Uniform Fire Codes shall be continually met;
11. Upon submittal of a Final Plat application, a road maintenance agreement must be submitted for review and approval as required by City Ordinance.
12. Upon submittal of a Final Plat application, a road maintenance agreement must be submitted for review and approval as required by city ordinance;
13. Prior to submittal of a Final Plat application, a Wild Fire Mitigation Plan shall be submitted for review and approval and the plan shall be implemented;
14. Prior to submittal of the Final Plat, the property shall be rezoned to a zoning district as required to allow a minimum 10 acre lot or a Variance from the Pennington County Zoning Board of Adjustment shall be obtained;
15. Prior to submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
16. Prior to submittal of the Final Plat, a note shall be placed on the plat document stating that "An alternate drainfield area for each lot shall be identified upon submittal of a building permit."

That the Variance to the Subdivision Regulation for Sun Ridge Road, the Planning Commission should recommend to waive the improvements of

**Draft**

pavement, curb, gutter, streetlight conduit, water and sewer on Sun Ridge Trail as per Chapter 16 of the Rapid City Municipal Code and approve the Variance to the Subdivision Regulations with the following stipulations:

1. A 24 foot wide chip seal road shall be provided;
2. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements;

That the Variance to the Subdivision Regulation for the unnamed street, the Planning Commission should recommend to waive the improvements of pavement, curb, gutter, streetlight conduit, water and sewer on the unnamed street as per Chapter 16 of the Rapid City Municipal Code and approve the Variance to the Subdivision Regulations with the following stipulations:

1. A 20 foot wide chip seal road shall be provided;
2. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements;

approval of the Variance to the Subdivision Regulation for the Section Line Highway, the Planning Commission should recommend to waive the improvements of pavement, curb, gutter, streetlight conduit, water and sewer along a Section Line Highway as per Chapter 16 of the Rapid City Municipal Code and approve the Variance to the Subdivision Regulations with the following stipulation:

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

The motion was approved. (7 to 1 with Anderson, Brewer, Gregg, Hennies, Landguth, LeMay and Waltman voting yes and Fast Wolf voting no)

Fisher requested that items 36 and 37 be taken concurrently.

36. No. 06PL141 - Elysian Heights Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc. for Harley Taylor to consider an application for a **Layout Plat** on Lots 1, 2, 3, 4A, 4B, 5, 6, 7, 8, Elysian Heights Subdivision, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a parcel of land located in the N½ SW¼ of Section 21, T1N, R7E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the N½ SW¼ of said Section 21, said point being also known as the center of said Section 21 and said point being coincident with the southwest corner of Lot R of Block 3 of Westview Estates (as shown on the plat recorded in Plat Book 21 page 102) and also coincident with the northwest corner of Lot 9 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 18 on Page 75), said point being marked by a rebar with cap "LS 1019"; thence, southerly along the north-south quarter section line and along the west line of said Lot 9 of Block 3 of Wildwood Subdivision, S00°00'48"E, a distance of 170.74 feet more or less, to the southwest corner of said Lot 9 of Block 3, of Wildwood Subdivision, said point being coincident with the northwest corner of Lot 10 of Block 3 of Wildwood Subdivision, and said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing southerly along the center quarter section line and along the west line of said Lot 10 of Block 3 of Wildwood Subdivision,

S00°03'36"W, a distance of 655.65 feet more or less, to the southwest corner of said Lot 10 of Block 3 of Wildwood Subdivision, said point being coincident with a point on the northerly line of Lot 11 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 18 on Page 75), and said point being marked by a rebar with cap "FISK LS 1771"; thence, southwesterly along the northwesterly line of said Lot 11 of Block 3 of Wildwood Subdivision, S32°53'42"W, a distance of 67.03 feet more or less, to the westerly corner of said Lot 11 of Block 3 of Wildwood Subdivision, said point being coincident with the north corner of Lot 12 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 17 on Page 187), and said point being marked by a rebar with cap "FISK LS 1771"; thence, southwesterly along the northwesterly line of said Lot 12 of Block 3 of Wildwood Subdivision, S32°58'25"W, a distance of 65.94 feet more or less, to the northwest corner of said Lot 12 in Block 3 of Wildwood Subdivision, said point being coincident with the north corner of Lot 13R of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 30 on Page 34), and said point being marked by a rebar with cap "FISK LS 1771"; thence, S90°00'00"W, a distance of 704.97 feet more or less; thence, N90°00'00"W, a distance of 747.30 feet more or less; thence, N69°00'53"W, a distance of 37.22 feet more or less; thence, southwesterly and curving to the right on a curve with a radius of 492.26 feet, a delta of 02°26'04", an arc length of 20.92 feet more or less, and a chord bearing of S25°13'48"W, and a chord distance of 20.91 feet, more or less; thence, N63°33'10"W, a distance of 100.00 feet more or less; thence, northeasterly and curving to the left on a curve with a radius of 392.26 feet, a delta of 09°44'59", an arc length of 66.75 feet more or less, and a chord bearing of N21°34'20"E, and a chord distance of 66.67 feet, more or less; thence, S83°00'00"W, a distance of 363.67 feet more or less; thence, S04°41'43"E, a distance of 202.00 feet more or less; thence, S35°35'41"W, a distance of 163.11 feet more or less, to a point on the 1/16th section line; thence, S89°47'34"W, a distance of 331.70 feet more or less, to a point on the 1/256th section line; thence, northerly along said 1/256th section line, N00°12'26"W, a distance of 463.97 feet more or less, to a point on the east-west one-quarter section line of said Section 21, said point also being located on the south line of Lot 9 of Block 5 of Westview Estates Subdivision (as shown on the plat recorded in Plat Book 27 on Page 177); thence, easterly along said one-quarter section line and along the south line of said Lot 9 of Block 5 of Westview Estates and along the south line of Lot 1 of Block 5 of Westview Estates (as shown on the plat recorded in plat Book 27 on Page 177), N89°47'51"E, a distance of 331.81 feet, more or less, to a point on the north-south 1/16th section line, said point being marked by a rebar; thence, continuing easterly along said one-quarter section line and along the south line of said Lot One (1) of Block Five (5) of Westview Estates, N89°46'54"E, a distance of 272.14 feet more or less, to a point marked by a rebar; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 1 of Block 5 of Westview Estates and along the south line of Carriage Hills Drive right-of-way, N89°51'26"E, a distance of 270.78 feet more or less, to the southeast corner of the terminus of Carriage Hills Drive, said point also being coincident with the southwest corner of Lot 27 of Block 3 of Westview Estates (as shown on the plat recorded in Plat Book 27 on page 177), said point being marked by a rebar with survey cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 27 of Block 3 of Westview Estates, N89°50'31"E, a

distance of 224.99 feet, more or less, said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 27 of Block 3 of Westview Estates, N89°48'02"E, a distance of 29.61 feet more or less, to the southeast corner of said Lot 27 of Block 3 of Westview Estates, said point also being coincident with the southwest corner of Lot 26R of Block 3 of Westview Estates (as shown on the plat recorded in plat Book 27 on page 177), said point being marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°52'45"E, a distance of 100.03 feet more or less, to a point marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°46'22"E, a distance of 165.37 feet more or less, said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°48'13"E, a distance of 134.59 feet more or less, to the southeast corner of said Lot 26R of Block 3 of Westview Estates, said point being coincident with the southwest corner of Lot R of Block 3 of Westview Estates, and said point being marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot R of Block 3 of Westview Estates, N89°48'06"E, a distance of 130.02 feet more or less, to the point of beginning, more generally described as being located southern terminus of Carriage Hills Drive.

37. No. 06SV054 - Elysian Heights Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc. for Harley Taylor to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Elysian Court and Carriage Hills Drive and to reduce the pavement width along Carriage Hills Drive from 40 feet to 27 feet as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1, 2, 3, 4A, 4B, 5, 6, 7, 8, Elysian Heights Subdivision, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a parcel of land located in the N½ SW¼ of Section 21, T1N, R7E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the N½ SW¼ of said Section 21, said point being also known as the center of said Section 21 and said point being coincident with the southwest corner of Lot R of Block 3 of Westview Estates (as shown on the plat recorded in Plat Book 21 page 102) and also coincident with the northwest corner of Lot 9 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 18 on Page 75), said point being marked by a rebar with cap "LS 1019"; thence, southerly along the north-south quarter section line and along the west line of said Lot 9 of Block 3 of Wildwood Subdivision, S00°00'48"E, a distance of 170.74 feet more or less, to the southwest corner of said Lot 9 of Block 3, of Wildwood Subdivision, said point being coincident with the northwest corner of Lot 10 of Block 3 of Wildwood Subdivision, and said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing southerly along the center quarter section line and along the west line of said Lot 10 of Block 3 of Wildwood Subdivision, S00°03'36"W, a distance of 655.65 feet more or less, to the southwest corner of said Lot 10 of Block 3 of Wildwood Subdivision, said point being coincident with a point on the northerly line of Lot 11 of Block 3 of

Wildwood Subdivision (as shown on the plat recorded in Plat Book 18 on Page 75), and said point being marked by a rebar with cap "FISK LS 1771"; thence, southwesterly along the northwesterly line of said Lot 11 of Block 3 of Wildwood Subdivision, S32°53'42"W, a distance of 67.03 feet more or less, to the westerly corner of said Lot 11 of Block 3 of Wildwood Subdivision, said point being coincident with the north corner of Lot 12 of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 17 on Page 187), and said point being marked by a rebar with cap "FISK LS 1771"; thence, southwesterly along the northwesterly line of said Lot 12 of Block 3 of Wildwood Subdivision, S32°58'25"W, a distance of 65.94 feet more or less, to the northwest corner of said Lot 12 in Block 3 of Wildwood Subdivision, said point being coincident with the north corner of Lot 13R of Block 3 of Wildwood Subdivision (as shown on the plat recorded in Plat Book 30 on Page 34), and said point being marked by a rebar with cap "FISK LS 1771"; thence, S90°00'00"W, a distance of 704.97 feet more or less; thence, N90°00'00"W, a distance of 747.30 feet more or less; thence, N69°00'53"W, a distance of 37.22 feet more or less; thence, southwesterly and curving to the right on a curve with a radius of 492.26 feet, a delta of 02°26'04", an arc length of 20.92 feet more or less, and a chord bearing of S25°13'48"W, and a chord distance of 20.91 feet, more or less; thence, N63°33'10"W, a distance of 100.00 feet more or less; thence, northeasterly and curving to the left on a curve with a radius of 392.26 feet, a delta of 09°44'59", an arc length of 66.75 feet more or less, and a chord bearing of N21°34'20"E, and a chord distance of 66.67 feet, more or less; thence, S83°00'00"W, a distance of 363.67 feet more or less; thence, S04°41'43"E, a distance of 202.00 feet more or less; thence, S35°35'41"W, a distance of 163.11 feet more or less, to a point on the 1/16th section line; thence, S89°47'34"W, a distance of 331.70 feet more or less, to a point on the 1/256th section line; thence, northerly along said 1/256th section line, N00°12'26"W, a distance of 463.97 feet more or less, to a point on the east-west one-quarter section line of said Section 21, said point also being located on the south line of Lot 9 of Block 5 of Westview Estates Subdivision (as shown on the plat recorded in Plat Book 27 on Page 177); thence, easterly along said one-quarter section line and along the south line of said Lot 9 of Block 5 of Westview Estates and along the south line of Lot 1 of Block 5 of Westview Estates (as shown on the plat recorded in plat Book 27 on Page 177), N89°47'51"E, a distance of 331.81 feet, more or less, to a point on the north-south 1/16th section line, said point being marked by a rebar; thence, continuing easterly along said one-quarter section line and along the south line of said Lot One (1) of Block Five (5) of Westview Estates, N89°46'54"E, a distance of 272.14 feet more or less, to a point marked by a rebar; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 1 of Block 5 of Westview Estates and along the south line of Carriage Hills Drive right-of-way, N89°51'26"E, a distance of 270.78 feet more or less, to the southeast corner of the terminus of Carriage Hills Drive, said point also being coincident with the southwest corner of Lot 27 of Block 3 of Westview Estates (as shown on the plat recorded in Plat Book 27 on page 177), said point being marked by a rebar with survey cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 27 of Block 3 of Westview Estates, N89°50'31"E, a distance of 224.99 feet, more or less, said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 27 of Block 3 of Westview

**Draft**

Estates, N89°48'02"E, a distance of 29.61 feet more or less, to the southeast corner of said Lot 27 of Block 3 of Westview Estates, said point also being coincident with the southwest corner of Lot 26R of Block 3 of Westview Estates (as shown on the plat recorded in plat Book 27 on page 177), said point being marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°52'45"E, a distance of 100.03 feet more or less, to a point marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°46'22"E, a distance of 165.37 feet more or less, said point being marked by a rebar with cap "FISK LS 1771"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot 26R of Block 3 of Westview Estates, N89°48'13"E, a distance of 134.59 feet more or less, to the southeast corner of said Lot 26R of Block 3 of Westview Estates, said point being coincident with the southwest corner of Lot R of Block 3 of Westview Estates, and said point being marked by a rebar with cap "LS 2652"; thence, continuing easterly along said one-quarter section line and along the south line of said Lot R of Block 3 of Westview Estates, N89°48'06"E, a distance of 130.02 feet more or less, to the point of beginning., more generally described as being located southern terminus of Carriage Hills Drive.

Fisher reviewed the Layout Plat and Variance requests. Fisher presented the staff recommendation to approve the Plat and Variance requests with stipulations.

Bob Borgmeyer, area resident, expressed concerns with the dead-end road connection on Carriage Hills Drive to Shooting Star. Borgmeyer requested that the Planning Commission consider the potential negative effects on road connections on the subject property.

In response to Anderson's question, Elkins stated that the Carriage Hills Drive is currently a dead-end street. Elkins further commented that the Exception request is currently before the Public Works Committee for determination. Elkins reviewed the Major Street Plan proposed road connections on the subject property. Discussion followed.

**Mike moved, Hennies seconded to continue the Planning Commission meeting past the 9:00 a.m. deadline. (the motion was approved unanimously)**

Hadcock expressed support of the Layout Plat and Variance requests. Discussion followed.

Fink expressed her opinion that the requirement to install sidewalks would create a discontinuous road connection. Fink stated that the proposed sewer extension would provide a connection to sewer for existing adjacent property owners.

Hennies left the meeting.

**Draft**

**LeMay moved, Landguth seconded and unanimously carried to recommend that the Layout Plat be approved with the following stipulations:**

- 1. Prior to Layout Plat approval by the City Council, an Exception to allow 63 dwelling units with one point of access in lieu of 40 dwelling units as per the Street Design Criteria Manual shall be obtained or the plat document shall be revised accordingly;**
- 2. Upon submittal of a Preliminary Plat application, a grading plan, erosion and sediment control plan, a drainage plan and geotechnical information shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;**
- 3. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show utility easements as needed;**
- 4. 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 plat document shall be revised to show utility easement(s) as needed;**
- 5. Upon submittal of a Preliminary Plat application, road construction plans for Carriage Hills Drive shall be submitted for review and approval. In particular, the road construction plans shall show Carriage Hills Drive 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. In addition, the construction plans shall identify the construction of a temporary turnaround at the end of the cul-de-sac or a Variance to the Subdivision Regulations shall be obtained;**
- 6. Upon submittal of a Preliminary Plat application, road construction plans for Elysian Court shall be submitted for review and approval. In particular, the street 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-sac with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained;**
- 7. Prior to Preliminary Plat approval by the City Council, the property shall be annexed into the City limits;**
- 8. 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;**

**Draft**

9. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
10. Prior to submittal of a Final Plat application, the plat document shall be revised clarifying the existing legal description as Lot 4A and 4B as shown on the plat drawing or Lot 4 as shown in the plat title. In addition, the plat title shall be revised to add "formerly a portion of the N1/2 SW1/4 of Section 21, T1N, R7E, located in the...."; and,
11. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.

That the Variance to the Subdivision Regulations to reduce the pavement width from 40 feet to 27 feet along Carriage Hills Drive be approved;

That the Variance to the Subdivision Regulations to allow a lot twice as long as wide be approved; and,

That the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Carriage Hills Drive and Elysian Court be approved. (7 to 0 with Anderson, Brewer, Fast Wolf, Gregg, Landguth, LeMay and Waltman voting yes and none voting no)

38. No. 06PL143 - Plum Creek Subdivision, Phase II

A request by EnVision Design, Inc. for Plum Creek Development, LLC to consider an application for a **Layout Plat** on a portion of the unplatted balance of the SW1/4, Section 16, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of Fieldstone Drive and Willowbend Road.

Hennies returned to the meeting.

Fisher presented the Layout Plat request. Fisher stated that staff recommends that the Layout Plat be approved with stipulations.

In response to Brewer's question, Hani Shafai, Dream Design International, Inc. identified the proposed secondary access. Shafai expressed concerns with the Layout of alternative access to the residential neighborhood. Shafai identified a proposed reconfiguration of the road connection on the subject property to adequately accommodate traffic flows from the proposed development. Shafai stated that the adjacent developer is willing to share costs to modify the road configuration. Shafai requested that the Layout Plat be adjusted to address road configurations.

Hadcock expressed her opinion that a gravity sewer should be installed. Hadcock commented that a secondary access be provided. Discussion followed.

Shafai requested that the Layout Plat be continued to the October 5, 2006 Planning Commission meeting. Discussion followed.

**LeMay moved, Waltman seconded to continue the remainder of the Planning Commission Agenda to October 5, 2006 Planning Commission**

**meeting.** Discussion followed.

Elkins advised that the remainder of the Planning Commission meeting be continued to Thursday, September 28, 2006. Discussion followed.

Bob Rothermel, representing Plum Creek Development, requested that the Layout Plat request be approved. Discussion followed.

**Anderson moved, Landguth seconded and unanimously carried to recommend that the Layout Plat be continued to the October 5, 2006 Planning Commission meeting at the applicant's request.**

39. No. 05TI019 - East Anamosa Street

A request by Centerline to consider an application for a **Tax Increment District No. 49 Project Plan** on Lot 1 – 28 and all adjacent rights-of-way, Block 11, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 – 14 and all adjacent rights-of-way, Tract A (formerly lots 15A thru 25A) and all adjacent rights-of-way, Lot 15-28 less lot 15A -25A and all adjacent rights-of-way, all located in Block 12, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Unplatted balance of SW1/4SE1/4 and the unplatted balance of SE1/4SE1/4 and all adjacent rights-of-way, all located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 3 and Lot 4 and all adjacent rights-of-way, Tract A & S1/2 vacated part of alley adjacent to Tract A and all adjacent rights-of-way, Lot A of Lot 1, Lot 2 and the S1/2 vacated Watertown St adjacent to said lot, Lot B of Lot 1, all located in Block 2, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract I and the N1/2 vacated portion of alley adjacent to Tract I and the S1/2 vacated Watertown St adjacent to Tract I and all adjacent rights-of-way, Block 2, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Block 3 and W375' of N1/2 vacated Watertown Street adjacent to Block 3 less W150' & less Lot 1-2 and the S1/2 vacated Madison Street adjacent to E475' Block 3 and the vacated alley in Block 3 less portion between Lots 1 & 2 and all adjacent rights-of-way, all located in Block 3, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1-2 and the S1/2 vacated Madison St adjacent to Lot 1 and the N1/2 vacated Watertown Street adjacent to Lot 2 and the vacated alley between Lots 1-2, Block 3 and all adjacent rights-of-way, all located in Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All of Block 1 and all adjacent rights-of-way, Feigels Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 -2 and the balance of Block 4 and all adjacent rights-of-way, all located in Block 4, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, SE1/4NE1/4 including Meadowlark Hills Sub & all adjacent rights-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A & E1/2 vacated Cherry Ave of NE1/4NE1/4 and all adjacent rights-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract B, C, D, F, G, and H and all adjacent rights-of-way, all of Block 1, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract E & E15' of vacated Cherry St adjacent to said Tract E, Block

**Draft**

1 and all adjacent rights-of-way, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, E100' of Tract A, Block 1 and adjacent right-of-way, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A less the E100' and the E15' of vacated Cherry St adjacent to said Tract A and adjacent right-of-way, Block 1, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All of the 90' wide East Anamosa Street right-of-way located in the NE1/4 of Section 31 and the SE1/4 of Section 30, and the East Anamosa Street right-of-way located in the NW1/4 of Section 31 and the SW1/4 of Section 30 all adjacent to LaCrosse Street, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Railroad Right-of-Way located in the NE1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A and Lot B and all adjacent rights-of-way, West Century Sub, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N170' of S313.96' of Lot 2 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 and Lot 2 and all adjacent rights-of-way, Buckingham Rental Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot B of Lot 1 of SW1/4NW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A, B, C, and D of Lot 1 of NW1/4SW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract 1, Century "21" and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A in NE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract D in NE1/4NW1/4 including Lot 1 of Tract D of Heubner Subdivision and all adjacent rights-of-way, all located in Heubner Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N16.04' of Lot 2 of SW1/4NW1/4 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H2 and Lot H3 of the SW1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H3 and H4 of the SE1/4NW1/4, Lot H1 of Lot A of the SE1/4NW1/4, Lot H2 of the SE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 of the S1/2NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of the N1/2NE1/4 as recorded on Plat of Lot H1 of the N1/2NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in the NW1/4NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of Lot B of Lot 1 in the NW1/4SW1/4, Lot H1 of Lot B of Lot 1 of the NW1/4SW1/4, Lot 2 of the NW1/4SW1/4, Lot H1 of Lots 7 & 8 of the NW1/4SW1/4, Lot H1 of Lots 3,4, 5 & 6 of the NW1/4SW1/4, Lot H1 and Lot H2 of the NW1/4SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Century Road, east of LaCrosse Street and south of US I-90.

Waltman left the meeting at this time.

Bulman presented the Tax Increment District No. 49 Project Plan. Bulman advised that funding issues have been resolved. Bulman stated that Tax Increment Financing Committee recommends that the revised Project Plan

**Draft**

request be approved.

In response to Anderson's question, Elkins stated funding for the bridge and the road construction are included in the Tax Increment District.

**Landguth moved, Hennies seconded and unanimously carried to recommend that the attached resolution approving the Project Plan for Tax Increment District No. 49 with the Project Plan be revised to provide for repayment within ten years be approved. (7 to 0 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no)**

Bulman requested that items 40 and 41 be taken concurrently.

40. No. 06TI004 - Stoney Creek South No. 2 Subdivision

A request by Signature Development to consider an application for a **Resolution Creating Tax Increment District No. 61 Villaggio** on Lot 1, Stoney Creek South #2 Subdivision; Unplatted portion of E1/2 NW1/4 SE1/4; NE1/4 SW1/4 SE1/4 and Golden Eagle Drive located in the NE1/4 SW1/4 SE1/4 including Lots H3 and H4; Lot H1 in the SE1/4 SW1/4 SE1/4; Lot H2 in the SW1/4; Lot H2 in the SW1/4 NW1/4 SE1/4 and the NW1/4 SW1/4 SE1/4; W1/2 NW1/4 SE1/4 less Springbrook Acres Subdivision and Less Lot H2; NW1/4 SW1/4 SE1/4 less Lot H2; S495 feet of NE1/4 SE1/4 less Lot 1; SE1/4 SE1/4; Lot 1, Bendert Subdivision; all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 4 and 5, Owen Hibbard Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located between Sheridan Lake Road and South Highway 16 and adjacent to Catron Boulevard.

41. No. 06TI005 - Stoney Creek South No. 2 Subdivision

A request by Signature Development to consider an application for a **Project Plan for Tax Increment District No. 61 Villaggio** on Lot 1, Stoney Creek South #2 Subdivision; Unplatted portion of E1/2 NW1/4 SE1/4; NE1/4 SW1/4 SE1/4 and Golden Eagle Drive located in the NE1/4 SW1/4 SE1/4 including Lots H3 and H4; Lot H1 in the SE1/4 SW1/4 SE1/4; Lot H2 in the SW1/4; Lot H2 in the SW1/4 NW1/4 SE1/4 and the NW1/4 SW1/4 SE1/4; W1/2 NW1/4 SE1/4 less Springbrook Acres Subdivision and Less Lot H2; NW1/4 SW1/4 SE1/4 less Lot H2; S495 feet of NE1/4 SE1/4 less Lot 1; SE1/4 SE1/4; Lot 1, Bendert Subdivision; all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 4 and 5, Owen Hibbard Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located between Sheridan Lake Road and South Highway 16 and adjacent to Catron Boulevard.

Bulman presented the Resolution Creating Tax Increment District No. 61 and the Project Plan for Tax Increment District No. 61 Villaggio. Bulman stated that the Tax Increment Financing Committee recommends that the Resolution Creating Tax Increment District No. 61 and the Project Plan be approved.

In response to Anderson's questions, Bulman stated that the improvements are

**Draft**

within the designated streets and include a sewer lift station. Discussion followed.

Doug Sperlich, representing the petitioner stated that improvements are provided to access the subject property and are not inside the development proper with the exception of the lift station. Discussion followed.

In response to Anderson's question, Elkins stated that a purpose of the Tax Increment District is to expand the sewer infrastructure and to construct a lift station. Discussion followed.

**Fast Wolf moved, Hennies seconded and unanimously carried to recommend that the Resolution Creating Tax Increment District No. 61 Villaggio and the Tax Increment District No. 61 Project Plan be approved. (7 to 0 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no)**

42. No. 06VR008 - PLM Subdivision Phase 2B

A request by Centerline, Inc. for PLM Development, LLC to consider an application for a **Vacation of Section Line Highway** on Section Line Right-of-way lying adjacent to the NE1/4 NE1/4, Section 23 and the NW1/4 NW1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Minnesota Street and west of Fifth Street.

Fisher presented the Vacation request. Fisher stated that the staff recommends that the Vacation request be continued to the October 5, 2006 Planning Commission meeting.

**Landguth moved, LeMay seconded and unanimously carried to recommend that the Vacation of Section Line Highway be continued to the October 5, 2006 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no)**

**There being no further business, Fast Wolf moved, Landguth seconded and unanimously carried to adjourn the meeting at 9:48 a.m. (7 to 0 with Anderson, Brewer, Fast Wolf, Gregg, Hennies, Landguth and LeMay voting yes and none voting no)**