



MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
April 26, 2007

MEMBERS PRESENT: Peter Anderson, John Brewer, Gary Brown, Barb Collins, Thomas Hennies, Dennis Landguth and Sandra Runde. Deb Hadcock, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Bob Dominicak, Vicki Fisher, Karen Bulman, Travis Tegethoff, Jonathan Smith, Emily Fisher, Mary Bosworth, Todd Peckosh, Bill Knight, Kevin Lewis, and Carol Campbell.

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

**Brown reviewed the Non-Hearing Consent Agenda and asked if any member of the Planning Commission, staff or audience would like any item removed from the Non-Hearing Consent Agenda for individual consideration.**

**Motion by Landguth, 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. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

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

1. Approval of the April 5, 2007 Planning Commission Meeting Minutes.
2. Red Rock Golf Course - Authorization for public notice of First Class mailing.

**Planning Commission recommended that the request for Authorization for public notice by First Class mailing be approved.**

3. No. 06PL169 - Section 7, T1S, R7E  
A request by Boschee Engineering for Dr. Don Oliver to consider an application for a **Preliminary Plat** on Lots 1 thru 3, Block 1, Oliver Subdivision, located in the NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Wilderness Canyon Road and 47th Avenue West.

**Planning Commission recommended that the Preliminary Plat be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

4. No. 07CA010 - Rushmore Crossing  
A request by Dream Design International, Inc. to consider an application for a **Summary of Adoption Action on an Amendment to the Adopted**



**Comprehensive 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 property described as Commencing at a Point, Said Point Being the Northeast Corner of the Intersection of Spruce Street and Farnwood Avenue; Thence S78°28'21"E 1307.95' To The point of beginning. Thence S00°14'24"W 247.21'; Thence S00°14'24"W 6.68'; Thence N60°50'50"W 252.30'; Thence N60°50'50"W 364.08'; Thence S61°23'38"E 613.20'; Thence N00°14'32"E 247.21' To The point of beginning, The Whole Enclosing an Area of 0.04 Acres, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Farnwood Avenue.

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

5. No. 07PL015 - Copperfield Vistas Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 1 thru 21 of Block 1, Lots 1 thru 4 of Block 2, Lots 1 thru 5 of Block 3, Lots 1 thru 3 of Block 4, Lots 1 and 2 of Block 5, and Lots 1 thru 6 of Block 6 and Utility Lot 1 of Copperfield Vistas Subdivision, all located in the SE1/4 of the NW1/4 and the NE1/4 of the SW1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a tract of land located in the SE1/4 of the NW1/4 and the NE1/4 of the SW1/4, Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot 28 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a rebar with survey cap "LS 6251"; thence, westerly along the north line of said Lot 28 in Block 1 of Copperfield Subdivision, S89°59'08"W, a distance of 109.97 feet, more or less, to the northwest corner of said Lot 28, said corner being marked by a 5/8 inch rebar; thence, southwesterly along the northerly edge of Copperfield Drive right-of-way, S71°30'56"W, a distance of 63.29 feet, more or less to the northeast corner of Lot 1 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 1 in Block 7 of Copperfield Subdivision, N88°29'49"W, a distance of 83.02 feet, more or less; thence, continuing northwesterly along the north line of said Lot 1 in Block 7 of Copperfield Subdivision, N88°29'49"W, a distance of 15.67 feet, more or less, to the northwest corner of said Lot 1, said corner being coincident with the northeast corner of Lot 3 in Block 7 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap; thence, northwesterly along the north line of said Lot 3 in Block 7 of Copperfield Subdivision, N88°42'16"W, a distance of 51.73 feet, more or less, to the northwest corner of said Lot 3, said point being coincident with the northeast corner of Lot 4 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap "LS 2652"; thence, northwesterly along the north line of said Lot 4 in Block 7 of Copperfield Subdivision, N88°18'11"W, a distance of 76.36 feet, more or less, to the northwest corner of said Lot 4, said point being coincident with the northeast corner of Lot 5 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195,

said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 5 in Block 7 of Copperfield Subdivision,  $N71^{\circ}45'04''W$ , a distance of 68.75 feet, more or less; thence,  $N15^{\circ}55'14''E$ , a distance of 104.91 feet, more or less; thence,  $N74^{\circ}04'46''W$ , a distance of 45.00 feet, more or less; thence,  $N15^{\circ}55'14''E$ , a distance of 160.58 feet, more or less; thence,  $S76^{\circ}13'24''E$ , a distance of 120.24 feet, more or less; thence,  $S78^{\circ}04'22''E$ , a distance of 59.02 feet, more or less; thence,  $N13^{\circ}46'36''E$ , a distance of 98.10 feet, more or less; thence,  $N76^{\circ}13'24''W$ , a distance of 13.77 feet, more or less; thence,  $N13^{\circ}46'36''E$ , a distance of 52.00 feet, more or less; thence,  $S76^{\circ}13'24''E$ , a distance of 5.67 feet, more or less; thence,  $N13^{\circ}46'36''E$ , a distance of 80.12 feet, more or less; thence,  $N00^{\circ}35'05''E$ , a distance of 68.76 feet, more or less; thence,  $N00^{\circ}00'00''W$ , a distance of 83.80 feet, more or less; thence,  $S90^{\circ}00'00''W$ , a distance of 0.65 feet, more or less; thence,  $N00^{\circ}00'00''W$ , a distance of 52.00 feet, more or less; thence,  $N90^{\circ}00'00''E$ , a distance of 18.65 feet, more or less; thence,  $N00^{\circ}00'00''W$ , a distance of 200.26 feet, more or less; thence,  $S90^{\circ}00'00''W$ , a distance of 20.17 feet, more or less; thence,  $N00^{\circ}00'00''W$ , a distance of 52.00 feet, more or less; thence,  $N90^{\circ}00'00''E$ , a distance of 2.17 feet, more or less; thence,  $N00^{\circ}00'00''W$ , a distance of 455.50 feet, more or less; thence, curving to southwest to the left on a curve with a radius of 562.00 feet, a delta of  $01^{\circ}25'51''$ , an arc length of 14.03 feet, and a chord bearing of  $S78^{\circ}05'02''W$  and chord distance of 14.03 feet; thence,  $N12^{\circ}37'53''W$ , a distance of 76.00 feet, more or less; thence, curving to the northeast to the right on a curve with a radius of 638.00 feet, a delta of  $10^{\circ}54'37''$ , an arc length of 121.49 feet, and a chord bearing of  $N82^{\circ}49'25''E$  and chord distance of 121.30 feet; thence,  $N44^{\circ}21'49''E$ , a distance of 14.30 feet, more or less; thence,  $N00^{\circ}00'00''W$ , a distance of 15.20 feet, more or less; thence,  $N90^{\circ}00'00''E$ , a distance of 52.00 feet, more or less; thence,  $S00^{\circ}00'00''E$ , a distance of 15.13 feet, more or less; thence,  $S45^{\circ}00'00''E$ , a distance of 14.14 feet, more or less; thence,  $N90^{\circ}00'00''E$ , a distance of 142.69 feet, more or less, to a point on the north/south 1/4 section line of Section 4, T1N, R8E, BHM, Pennington County, South Dakota; thence, southerly along said 1/4 section line,  $S00^{\circ}05'16''E$ , a distance of 941.09 feet, more or less, to a point marked by an iron pin; thence, continuing southerly along said 1/4 section line,  $S00^{\circ}05'03''E$ , a distance of 517.62 feet, more or less, to a point located on said 1/4 section line being marked by a rebar with survey cap "LS 6251"; thence, continuing southerly along said 1/4 section line,  $S00^{\circ}03'43''E$ , a distance of 781.29 feet, more or less; thence,  $S89^{\circ}47'47''W$ , a distance of 303.32 feet, more or less to a point along the easterly line of Lot 17 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northwesterly along the east line of said Lot 17 in Block 1 of Copperfield Subdivision,  $N22^{\circ}39'36''W$ , a distance of 46.14 feet, more or less, to the northeast corner of said Lot 17, said corner being coincident with the southeast corner of Lot 18 in Block 1 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northwesterly along the east line of said Lot 18 in Block 1 of Copperfield Subdivision,  $N01^{\circ}44'10''W$ , a distance of 58.19 feet, more or less, to the northeast corner of said Lot 18, said corner being coincident with the southeast corner of Lot 19 in Block 1 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 21, said corner being marked with a rebar and survey cap "LS 2652"; thence, northeasterly along the east line of said Lot 19 in Block 1 of Copperfield Subdivision,  $N26^{\circ}46'20''E$ , a distance of 44.28 feet, more or less, to the northeast

corner of said Lot 19, said corner being coincident with the southeast corner of Lot 20 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21, said corner being marked by a rebar with survey cap "LS 2652"; thence, northeasterly along the east line of Lots 20 through 24 inclusive of Block 1 of Copperfield Subdivision, as shown on the plats recorded in Book 22 of Plats on Page 21 and in Book 22 of Plats on Page 195, N27°11'29"E, a distance of 364.58 feet, more or less to the northeast corner of said Lot 24 in Block 1 of Copperfield Subdivision, said corner being coincident with the southeast corner of Lot 25 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northeasterly along the east line of said Lot 25 in Block 1 of Copperfield Subdivision, N19°26'44"E, a distance of 83.01 feet, more or less, to the northeast corner of Said Lot 25, said corner being coincident with the southeast corner of Lot 26 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195; thence, northeasterly along the east lines of Lots 26, 27 and 28 of Block One of Copperfield Subdivision, N02°40'24"E, a distance of 239.67 feet, more or less to the point of beginning., more generally described as being located east of Valley Drive and west of Concourse Drive.

**Planning Commission recommended that the Preliminary Plat be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

6. No. 07PL029 - Word of Hope Subdivision

A request by D. C. Scott Co. Land Surveyors for Wesleyan Church to consider an application for a **Preliminary Plat** on Lot 1 of Word of Hope Subdivision, located in the NE1/4 SE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the west side of Jolly Lane, at the north end between Jolly Lane cul-de-sac and curve in Elk Vale Road.

**Planning Commission recommended that the Preliminary Plat be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit the required information.**

7. No. 07PL034 - Murphy Ranch Estates Subdivision

A request by Ron Davis for Davis Engineering, Inc. to consider an application for a **Preliminary Plat** on Lots 8 thru 12 of Block 5; Lot 11 of Block 6; Lots 1 thru 3 of Block 7; and Lot 2 of Block 8 of Murphy Ranch Estates Subdivision, located on the NE1/4 of the NW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of the unplatted balance of Tract F on the NE1/4 of the NW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of Reservoir Road and south of Longview Road.

**Planning Commission recommended that the Preliminary Plat be continued to the May 10, 2007 Planning Commission Meeting to allow the applicant to submit the required information.**

8. No. 07PL054 - Quartz Canyon Subdivision

A request by Cody Schad to consider an application for a **Layout Plat** on Lots 1, 2, 3 and 4 of Quartz Canyon Subdivision, Section 7, T1S, R7E, BHM, Pennington County, South Dakota, legally described as Government Lot 1, and Lot A of Lot 2 of SW/14 NW/14, and Government Lot 2 less Lot A, all of Section 7, T1S, R7E, BHM, and Government Lot 6 of Section 6, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located near the Strato Bowl.

**Planning Commission recommended that the Layout Plat be continued to the May 10, 2007 Planning Commission to allow the applicant to submit additional information.**

9. No. 07PL055 - Fairway Hills PRD

A request by Fisk Land Surveying & Consulting Engineers for O'Brien Construction to consider an application for a **Preliminary Plat** on Lots 8A and 8B of Lot 8, Block 10, Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 8 in Block 10 of Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Heidiway Lane between Carmel Point and Sheridan Lake Road.

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

1. **Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing a sidewalk along both sides of Carmel Point or a Variance to the Subdivision Regulations shall be obtained;**
2. **Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate that the existing water and sewer service lines to serve the proposed lot(s) are located and designed in compliance with the City of Rapid City Standard Specifications or the existing service lines shall be abandoned and new service lines extended accordingly;**
3. **Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
4. **Prior to submittal of a Final Plat application, the plat certificates shall be revised to show the plat as a "Final Plat" in lieu of a "Minor Plat".**
5. **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; and,**
6. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**

10. No. 07PL056 - Fairway Hills PRD

A request by Fisk Land Surveying & Consulting Engineers for O'Brien Construction to consider an application for a **Preliminary Plat** on Lots 9A, 9B, 10A and 10B, Block 10, Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally

described as Lots 9 and 10 in Block 10 of Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Heidiway Lane between Carmel Point and Sheridan Lake Road.

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

1. **Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing a sidewalk along both sides of Carmel Point or a Variance to the Subdivision Regulations shall be obtained;**
2. **Prior to Preliminary Plat approval by the City Council, the applicant shall demonstrate that the existing water and sewer service lines to serve the proposed lot(s) are located and designed in compliance with the City of Rapid City Standard Specifications or the existing service lines shall be abandoned and new service lines extended accordingly;**
3. **Prior to Preliminary Plat approval by the City Council, written documentation from all of the affected utility companies shall be submitted for review and approval indicating concurrence with the vacation of the eight foot wide utility and drainage easement along the common lot line between Lot 9 and Lot 10 or a utility easement shall be retained;**
4. **Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
5. **Prior to submittal of a Final Plat application, the plat certificates shall be revised to show the plat as a "Final Plat" in lieu of a "Minor Plat".**
6. **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; and,**
7. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**

11. No. 07SR014 - Section 22, T1N, R7E

A request by City of Rapid City to consider an application for an **SDCL 11-6-19 Review to allow the construction of a public sewer** on the W1/2 NW1/4 SE1/4 less Spring Brook Acres Subdivision, and less Lot H2; NW1/4 SW/14 SE1/4; and Catron Boulevard Right-of-way located adjacent to Lot 2, Potts Subdivision; all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on Catron Boulevard, Vineyard Lane, Golden Eagle Drive.

**Planning Commission continued the SDCL 11-6-19 Review to allow the construction of a public sewer to the May 10, 2007 Planning Commission meeting to allow the applicant to submit revised construction plans.**

12. No. 07SR024 - Rapid City Regional Airport

A request by Kadrmas, Lee & Jackson for Rapid City Regional Airport to consider an application for an **SDCL 11-6-19 Review to allow security upgrades and**

**the expansion of utilities at the Rapid City Regional Airport** on Lots 2 and 3 of Rapid City Airport No. 4, Section 6, T1N, R9E; Lot 1 of Rapid City Airport No. 4, Section 5, T1N, R9E; Lots 4 and 5 of Rapid City Airport No. 4, Section 7, T1N, R9E, Lots 3, 4 and 7 of Rapid City Airport No. 1, Section 8, T1N, R9E; Lots 1 and 2 of SW1/4, Lot 1 of the SW1/4 SE1/4, Section 8, T1N, R9E; all of Section, less portion of Rapid City Airport No. 6, Section 17, T1N, R9E; Lot P-2 (also in Section 20) and Lot T (also in Section 20) Rapid City Airport No. 6, T1N, R9E; Lots 1 and Lot 2 of Rapid City Airport No. 3, Section 9, T1N, R9E; N1/2 less portion of Rapid City Airport No. 6, Section 20, T1N, R9E; Lot P-1 of Rapid City Airport No. 6, Section 20, T1N, R9E; Lot 2 of Rapid City Airport No. 5, Section 20, T1N, R9E; W1/2 NW1/4, NW1/4 SW1/4, portion of SW/14 SW1/4, Tract G, H & I, Section 20, T1N, R9E; Lots 3, 4, 5, 5A and Lot 6 of Rapid City Airport No. 5, Section 21, T1N, R9E; Lots 7 and 8 of Rapid City Airport No. 5, Section 28, T1N, R9E; a Tract of land in the NW1/4 NW1/4, Section 16, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the Rapid City Regional Airport.

**Planning Commission approved the SDCL 11-6-19 Review request to allow security upgrades and the expansion of utilities at the Rapid City Regional Airport.**

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

**Brown announced that the Public Hearings on Items 13 through 39 were opened.**

**Staff requested that Items 21, 24, 37 and 39 be removed from the Hearing Consent Agenda for separate consideration.**

**Collins requested that Item 25 be removed from the Hearing Consent Agenda for separate consideration.**

**A member of the audience requested that Item 36 be removed from the Hearing Consent Agenda for separate consideration.**

**Hennies moved, Brewer seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 13 through 39 in accordance with the staff recommendations with the exception of Items 21, 24, 25, 36, 37 and 39. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

**The Public Hearings for Items 13 through 39 were closed.**

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

13. No. 05VR014 - Sletten Addition

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for a **Vacation of Section Line Highway** on that portion of the statutory Section Line Right-of-Way lying in the NE1/4, SE1/4, Section 13, T2N, R7E, and that portion of the statutory Section Line Right-of-Way, lying in Tract 5, Sletten Addition, located in the NW1/4, SW1/4, Section 18, T2N, R8E, BHM, Rapid City,

Pennington County, South Dakota, more generally described as being located at the northwest corner of the north to east curve of West Nike Road.

**Planning Commission recommended that the Vacation of Section Line Highway request be continued to the May 10, 2007 Planning Commission meeting.**

14. No. 06SV066 - Section 7, T1S, R7E

A request by Boschee Engineering for Dr. Don Oliver to consider an application for a **Variance to the Subdivision Regulations to waive the Requirement to install curb, gutter, sidewalk, street light conduit, water, sewer, pavement; and to allow 10 foot wide dirt road to serve as access to Lot 1 and to allow Wilderness Canyon Road to remain a 24 foot paved street with water as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 thru 3, Block 1, Oliver Subdivision, located in the NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Wilderness Canyon Road and 47th Avenue West.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the Requirement to install curb, gutter, sidewalk, street light conduit, water, sewer, pavement along Wilderness Canyon Road and an access easement as per Chapter 16.16 of the Rapid City Municipal Code be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

15. No. 07CA008 - Marlin Industrial Park

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial** on Lot 1 of Marlin Industrial Park, located in the NW1/4 NE1/4 of Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of Elk Vale Road and Creek Drive.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial be continued to the May 10, 2007 Planning Commission meeting.**

16. No. 07CA011 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development** on a tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County South Dakota. more particularly described as follows: Commencing at the west one-quarter corner of said SW1/4 of Section 16; Thence S00°02'47"E a distance of 520.56 feet to the true point of beginning; Thence S64°12'46"E a distance of 216.53 feet; Thence S37°01'44"W a distance of 323.28 feet; Thence



N00°02'47"W a distance of 352.28 feet to the true point of beginning containing an area of 1 acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to Office Commercial with a Planned Commercial Development be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the requested Comprehensive Plan Amendment.**

17. No. 07CA012 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development** on a tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: beginning at the southwest corner of said SW1/4 of Section 16, monumented with a "Brass Cap"; Thence N00°02'47"W along the west line of said SW1/4 of Section 16 a distance of 659.14 feet; Thence N43°11'32"E a distance of 908.40 feet to the south line of the N1/2 of said SW1/4; Thence N89°56'28"E along said south line a distance of 764.34 feet; Thence S11°27'13"W a distance of 176.90 feet; Thence S00°00'00"E a distance of 425.77 feet; Thence N90°00'00"E a distance of 82.76 feet; Thence S47°24'00"E a distance of 55.30 feet; Thence S42°36'00"W a distance of 679.73 feet; Thence S36°48'24"E a distance of 230.78 feet to the south line of said SW1/4; Thence S89°58'32"W along said south line a distance of 1152.06 feet to the point of beginning, containing an area of 34 acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the requested Comprehensive Plan Amendment.**

18. No. 07CA013 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development** on a Tract of land located in the SW1/4 of Section 16, T1N, R8E of the BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Commencing at the west one-quarter corner of said SW1/4 of Section 16; Thence N89°53'45"E a distance of 963.59 feet; to the true point of beginning; Thence N89°53'45"E a distance of 440.90 feet; Thence S25°29'36"W a distance of 1072.85 feet to a point of curvature; Thence along the arc of a curve to the right having a radius of 204.00 feet, a central angle of 07°38'22" for a distance of

27.20 feet; Thence N60°47'57"W a distance of 304.64 feet; Thence N64°12'46"W a distance of 214.00 feet; Thence N37°01'44"E a distance of 266.29 feet to a point on a curve from which the radius point of said curve bears N52°56'54"W a distance of 3424.04 feet; Thence northeasterly along the arc of a curve to the left having a radius of 3424.04 feet, a central angle of 10°34'59" for a distance of 632.45 feet to the true point of beginning, containing an area of 10 acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the Comprehensive Plan Amendment.**

19. No. 07CA016 - Kormylo Subdivision

A request by Fisk Land Surveying & Consulting Engineers for Jenicey - Craig Uhre President to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from Industrial to General Commercial with a Planned Commercial Development** on Lot A of Tract 2 of Kormylo Subdivision, located in the SW1/4 NW1/4 of Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3980 South Highway 79.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from Industrial to General Commercial with a Planned Commercial Development be approved with the following stipulation:**

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

20. No. 07CA017 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to chane the land use designation from General Agriculture to General Commercial with a Planned Commercial Development** on a tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: Commencing at the southwest corner of said SW1/4 of Section 16, monumented with a "brass cap": Thence N00°02'47"W along the west line of said SW1/4 of Section 16 a distance of 1320.78 feet to the south line of the N1/2 of said SW1/4; Thence N89°56'28"E along said south line a distance of 622.29 feet to the true point of beginning; Thence N43°11'32"E a distance of 341.06 feet; Thence S52°58'51"E a distance of 45.24 feet; Thence S73°29'03"E a distance of 86.87 feet; Thence N65°38'53"E a distance of 86.30 feet; Thence N45°00'00"E a distance of 240.00 feet; Thence S45°00'00"E a distance of 127.13 feet to a point on a curve from which the radius of said curve bears S38°06'51"E a distance of 296.00 feet; Thence north easterly along the arc of a curve to the right having a radius of 296.00 feet, a central angle of 18°38'05" for a distance of 96.27 feet; Thence

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departing said curve S00°06'26"E a distance of 301.76 feet; Thence S11°27'13"W a distance of 233.77 feet; Thence S00°00'00"E a distance of 425.77 feet; Thence N90°00'00"E a distance of 82.76 feet; Thence S47°24'00"E a distance of 55.30 feet; Thence S42°36'00"W a distance of 223.52 feet to the east line of the SW1/4 of the SW1/4 of said Section 16; Thence N00°01'14"W along said east line a distance of 801.05 feet to said south line of the N1/2 of the SW1/4; Thence S89°56'28"W along said south line a distance of 701.09 feet to the true point of beginning, containing an area of five acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the land use designation from General Agriculture to General Commercial with a Planned Commercial Development be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the Comprehensive Plan Amendment.**

\*22. No. 07PD004 - Copperfield Vistas Subdivision

A request by Dream Design International, Inc. to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on the SE1/4 of the NW1/4, Section 4, T1N, R8E, BHM, Pennington County, South Dakota, excepting therefrom Lot A as shown on the plat recorded in Plat Book 17 on Page 167; and Government Lot 3 of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, Less a parcel of land located in Government Lot 3, of Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the north 1/4 corner of said Section 4, said corner being marked with a GLO Brass Cap; thence, southerly along the 1/4 section line, S00°05'16"E, a distance of 512.09 feet, more or less; thence, S89°54'44"W, a distance of 193.07 feet, more or less; thence, curving southwest to the left on a curve with a radius of 326.00 feet, a delta of 15°03'07", an arc length of 85.64 feet, and a chord bearing of S07°28'00"W and a chord distance of 85.40 feet; thence, S00°03'34"E, a distance of 108.52 feet, more or less; thence, S89°50'20"W, a distance of 968.82 feet, more or less; thence, N00°00'48"W, a distance of 181.83 feet, more or less; thence, curving northwest to the left on a curve with a radius of 226.00 feet, a delta of 00°42'26", an arc length of 2.79 feet, and a chord bearing of N00°22'01"W and a chord distance of 2.79 feet; thence, S89°53'30"W, a distance of 151.98 feet, more or less, to a point located on the west one-1/16th line of said Section 4; thence, northerly along said 1/16th line, N00°00'49"W, a distance of 520.21 feet, more or less to the north section line of said Section 4, said point being a 1/16th section corner and marked by a rebar with survey cap "6251"; thence, easterly along the north line of said Section 4, N89°50'15"E, a distance of 1324.26 feet, more or less, to the point of beginning, (Said tract of land contains 19.90 acres or 866,706 square feet, more or less); and, a parcel of land located in the NE1/4 of the SW1/4, Section 4, T1N, R8E, BHM, Pennington County, South Dakota more fully described as follows: Beginning at the center one quarter corner of said Section 4, said point being on the westerly line of the Drainage Right-of-way of Block 1 of Rushmore Regional Industrial Park, as shown on the plat filed on September 4, 1974 and recorded in Book 13 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, south along the one-quarter section line

and along the westerly line of said Drainage Right-of-way in Block 1 of Rushmore Regional Industrial Park,  $S00^{\circ}05'03''E$ , a distance of 271.44 feet, more or less, to a point marked by a rebar with surveyor cap "Hanson 6251"; thence, continuing south along the one-quarter section line and along the westerly line of said Drainage Right-of-way in Block 1 of Rushmore Regional Industrial Park,  $S00^{\circ}03'43''E$ , a distance of 781.29 feet, more or less, to a point marked by a rebar with surveyor cap "RW FISK 6565"; thence,  $S89^{\circ}47'47''W$ , a distance of 303.32 feet, more or less, to a point on the easterly line of Lot 17 in Block 1 of Copperfield Subdivision, as shown on the plat filed on April 22, 1988 and recorded in Book 22 of Plats on Page 21, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, northwesterly along the said east line of said Lot 17 in Block 1 of Copperfield Subdivision,  $N22^{\circ}39'36''W$ , a distance of 46.14 feet to the northeast corner of said Lot 17, said point being coincident with the southeast corner of Lot 18 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, northwesterly along the east line of said Lot 18 in Block 1 of Copperfield Subdivision,  $N01^{\circ}44'10''W$ , a distance of 58.19 feet, more or less to the northeast corner of said Lot 18, said point being coincident with the southeast corner of Lot 19 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; thence, northeasterly along the east line of said Lot 19 in Block 1 of Copperfield Subdivision,  $N26^{\circ}46'20''E$ , a distance of 44.28 feet, more or less to the northeast corner of said Lot 19, said point being coincident with the southeast corner of Lot 20 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; thence, northeasterly along the east line of said Lot 20 in Block 1 of Copperfield Subdivision, and along the east lines of Lots 21, 22 and 23 all in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 21, and along the easterly line of Lot 24 in Block 1 of Copperfield Subdivision, as shown on the plat filed on June 12, 1989 and recorded in Book 22 of Plats on page 195,  $N27^{\circ}11'29''E$ , a distance of 364.58 feet, more or less, to the northeast corner of said Lot 24, said point being coincident with the southeast corner of Lot 25 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, northeasterly along the east line of said Lot 25 in Block 1 of Copperfield Subdivision,  $N19^{\circ}26'44''E$ , a distance of 83.01 feet, more or less to the northeast corner of said Lot 25, said point being coincident with the southeast corner of Lot 26 in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, northeasterly along the east line of said Lot 26 in Block 1 of Copperfield Subdivision, and along the east lines of Lots 27 and 28 all in Block 1 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195,  $N02^{\circ}40'24''E$ , a distance of 239.67 feet, more or less, to the northeast corner of said Lot 28, and said point being marked by a rebar with surveyor cap "Hanson 6251"; thence, westerly along the northerly line of said Lot 28 in Block 1 of Copperfield Subdivision,  $S89^{\circ}59'08''W$ , a distance of 109.97 feet, more or less, to the northwest corner of said Lot 28, said point being coincident with the northeasterly terminus of Copperfield Drive right-of-way, and said point being

marked by a 5/8 inch rebar; thence, southwesterly along the northern terminus line of Copperfield Drive right-of-way, as shown on said plat recorded in Book 22 of Plats on Page 195,  $S71^{\circ}30'56''W$ , a distance of 63.28 feet, more or less to the northwest terminus of said Copperfield Drive right-of-way, said point being coincident with the northeast corner of Lot 1 in Block 7 in Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a 5/8 inch rebar; thence, westerly along the northerly line of said Lot 1 in Block 7 of Copperfield Subdivision,  $N88^{\circ}29'49''W$ , a distance of 98.69 feet more or less, to the northwest corner of said Lot 1, said point being coincident with the northeast corner of Lot 3 in Block 7 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with survey cap; thence, westerly along the northerly line of said Lot 3 in Block 7 of Copperfield Subdivision,  $N88^{\circ}42'16''W$ , a distance of 51.73 feet, more or less, to the northwest corner of said Lot 3, said point being coincident with the northeast corner of Lot 4 in Block 7 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; thence, westerly along the northerly line of said Lot 4 in Block 7 of Copperfield Subdivision,  $N88^{\circ}18'11''W$ , a distance of 76.36 feet, more or less, to the northwest corner of said Lot 4, said point being coincident with the northeast corner of Lot 5 in Block 7 of Copperfield Subdivision, as shown on said plat recorded in Book 22 of Plats on Page 195, and said point being marked by a 5/8 inch bent rebar; thence, northwesterly along the northerly line of said Lot 5 in Block 7 of Copperfield Subdivision,  $N71^{\circ}45'04''W$ , a distance of 72.95 feet, more or less, to the northwest corner of said Lot 5, said point being coincident with the northeast corner of Lot 6 in Block 7 of Copperfield Subdivision, as shown on the plat filed on August 14, 1995 and recorded in Book 27 of Plats on Page 17, and said point being marked by a rebar with surveyor cap "Hanson 6251"; thence, northwesterly along the northerly line of said Lot 6 in Block 7 of Copperfield Subdivision, and along the northerly line of Lots 7 and 8 in said Block 7 of Copperfield Subdivision, as shown on the plat filed on August 14, 1995 and recorded in Book 27 of Plats on page 17,  $N71^{\circ}30'00''W$ , a distance of 236.99 feet, more or less to the northwest corner of said Lot 8 in Block 7 of Copperfield Subdivision, said point being coincident with the northeast corner of Lot 9 in Block 7 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on Page 17, and said point being marked by a rebar with surveyor cap "Hanson 6251"; thence, westerly along the northerly line of said Lot 9 in Block 7 of Copperfield Subdivision, and along the northerly line of Lot 10 in said Block 7 of Copperfield Subdivision,  $N89^{\circ}59'43''W$ , a distance of 169.90 feet, more or less to the northwest corner of said Lot 10 in Block 7 of Copperfield Subdivision, said point being coincident with the northeast corner of Lot 11 in Block 7 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on Page 17, and said point being marked by a rebar with surveyor cap "Hanson 6251"; thence, southwesterly along the northerly line of said Lot 11 in Block 7 of Copperfield Subdivision, and along the northerly line of Lot 12 in Block 7 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on Page 17, and along the northerly line of Lot 13 in Block 7 of Copperfield Subdivision as shown on the plat filed on December 21, 1995 and recorded in Book 27 of Plats on page 64,  $S67^{\circ}59'57''W$ , a distance of 210.58 feet, more or less to the northwest corner of said Lot 13 in Block 7 of Copperfield Subdivision, said point being coincident with the northeasterly terminus of Summerfield Drive

right-of-way as shown on said plat recorded in Book 27 of Plats on Page 64, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, westerly along the northerly terminus of said Summerfield Drive right-of-way, S89°57'45"W, a distance of 60.03 feet, more or less, to the northwest terminus of said Summerfield Drive right-of-way, said point being coincident with the northeast corner of Lot 1 in Block 8 of Copperfield Subdivision as shown on said plat recorded in Book 27 of Plats on page 64, and said point being marked by a rebar with surveyor cap "Polenz 4208"; thence, westerly along the northerly line of said Lot 1 in Block 8 of Copperfield Subdivision, S89°39'20"W, a distance of 116.98 feet, more or less to the northwest corner of said Lot 1 in Block 8 of Copperfield Subdivision, said point being located on the west 1/16th section line of said Section 4, T1N, R8E, BHM, Pennington County, South Dakota, and said point being marked by a rebar with surveyor cap "Renner 2652 & Sperlich"; thence, northerly along the 1/16th section line, N00°02'44"E, a distance of 262.82 feet, more or less to the 1/4 section line and the northwest corner of the NE1/4 of the SW1/4 of said Section 4, T1N, R8E, and said point being marked by a rebar with surveyor cap "RW FISK 6565"; thence, east along the 1/4 section line, N89°48'42"E, a distance of 1328.91 feet, more or less, to the point of beginning, more generally described as being located east of Valley Drive and west of Concourse Drive.

**Planning Commission continued the Planned Residential Development - Initial and Final Development Plan to the May 10, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

***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.***

\*23. No. 07PD014 - Jackson Park Subdivision

A request by Mark and Mary Garry to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot 1 of Block 2 of Jackson Park Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2901 Chapel Lane.

**Planning Commission continued the Planned Commercial Development - Initial and Final Development Plan to the May 10, 2007 Planning Commission meeting 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.***

\*26. No. 07PD027 - Fairway Hills PRD

A request by Fisk Land Surveying & Consulting Engineers for O'Brien Construction to consider an application for a **Major Amendment to a Planned Residential Development** on Lots 8A, 8B, 9A, 9B, 10A and 10B, Block 10, Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 8, 9 and 10 in Block 10 of Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Heidiway Lane between Carmel Point and Sheridan Lake Road.

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

1. **The front yard setback on Lot 8A is hereby reduced from 18 feet to 17.67 feet for the existing structure. Any other development and/or redevelopment of the property shall provide a minimum front yard setback of 18 feet in front of the garage and a minimum 15 feet in front of the residence;**
2. **The front yard setback on Lot 8B is hereby reduced from 18 feet to 16.44 feet for the existing structure. Any other development and/or redevelopment of the property shall provide a minimum front yard setback of 18 feet in front of the garage and a minimum 15 feet in front of the residence;**
3. **The side yard setback along the south side of Lot 8A is hereby reduced from eight feet to 7.69 feet for the existing structure contingent upon the vacation of a portion of the previously dedicated eight foot wide minor drainage and utility easement along the lot line. In addition, any other development and/or redevelopment of the property shall provide a minimum eight foot side yard setback for a one story structure and a minimum 12 foot side yard setback for a two story structure;**
4. **The proposed structures shall conform architecturally to the previously approved plans and elevations; and,**
5. **The Major Amendment to the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for two years.**

***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.***

27. No. 07RZ012 - Marlin Industrial Park

A request by Dream Design International, Inc. to consider an application for a **Rezoning from No Use District to General Commercial District** on Lot 1 of Marlin Industrial Park, located in the NW1/4 NE1/4 of Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of Elk Vale Road and Creek Drive.

**Planning Commission recommended that the Rezoning from No Use District to General Commercial District be continued to the May 10, 2007 Planning Commission meeting.**

28. No. 07RZ016 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for a **Rezoning from General Commercial District to Office Commercial District** on a tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County South Dakota. more particularly described as follows: Commencing at the west one-quarter corner of said SW1/4 of Section 16; Thence S00°02'47"E a distance of 520.56 feet to the true point of beginning; Thence S64°12'46"E a distance of 216.53 feet; Thence S37°01'44"W a distance of 323.28 feet; Thence N00°02'47"W a distance of 352.28 feet to the true point of beginning containing an area of 1 acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Rezoning from General Commercial District to Office Commercial District be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the related Comprehensive Plan Amendment.**

29. No. 07RZ017 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for a **Rezoning from General Agriculture District to General Commercial District** on a tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: beginning at the southwest corner of said SW1/4 of Section 16, monumented with a "Brass Cap"; Thence N00°02'47"W along the west line of said SW1/4 of Section 16 a distance of 659.14 feet; Thence N43°11'32"E a distance of 908.40 feet to the south line of the N1/2 of said SW1/4; Thence N89°56'28"E along said south line a distance of 764.34 feet; Thence S11°27'13"W a distance of 176.90 feet; Thence S00°00'00"E a distance of 425.77 feet; Thence N90°00'00"E a distance of 82.76 feet; Thence S47°24'00"E a distance of 55.30 feet; Thence S42°36'00"W a distance of 679.73 feet; Thence S36°48'24"E a distance of 230.78 feet to the south line of said SW1/4; Thence S89°58'32"W along said south line a distance of 1152.06 feet to the point of beginning, containing an area of 34 acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Rezoning from General Agriculture District to General Commercial District be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the related Comprehensive Plan.**

30. No. 07RZ018 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for a **Rezoning from Office Commercial District to General Commercial District** on a Tract of land located in the SW1/4 of Section 16, T1N,



R8E of the BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Commencing at the west one-quarter corner of said SW1/4 of Section 16; Thence N89°53'45"E a distance of 963.59 feet; to the true point of beginning; Thence N89°53'45"E a distance of 440.90 feet; Thence S25°29'36"W a distance of 1072.85 feet to a point of curvature; Thence along the arc of a curve to the right having a radius of 204.00 feet, a central angle of 07°38'22" for a distance of 27.20 feet; Thence N60°47'57"W a distance of 304.64 feet; Thence N64°12'46"W a distance of 214.00 feet; Thence N37°01'44"E a distance of 266.29 feet to a point on a curve from which the radius point of said curve bears N52°56'54"W a distance of 3424.04 feet; Thence northeasterly along the arc of a curve to the left having a radius of 3424.04 feet, a central angle of 10°34'59" for a distance of 632.45 feet to the true point of beginning, containing an area of 10 acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Rezoning from Office Commercial District to General Commercial District be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the related Comprehensive Plan Amendment.**

31. No. 07RZ019 - Kormylo Subdivision

A request by Fisk Land Surveying & Consulting Engineers for Jenicey, Inc., Craig Uhre President to consider an application for a **Rezoning from Heavy Industrial District to General Commercial District** on Lot A of Tract 2 of Kormylo Subdivision, located in the SW1/4 NW1/4 of Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast corner of the intersection of U.S. Highway 79 South Minnesota Street.

**Planning Commission recommended that the Rezoning from Heavy Industrial District to General Commercial District be approved in conjunction with an Amendment to the Adopted Comprehensive Plan with the following stipulation:**

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

32. No. 07RZ028 - Plum Creek Development

A request by enVision Design, Inc. for Plum Creek Development LLC to consider an application for a **Rezoning from Low Density Residential II District to General Commercial District** on a tract of land located in the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; more particularly described as follows: Commencing at the southwest corner of said SW1/4 of Section 16, monumented with a "brass cap": Thence N00°02'47"W along the west line of said SW1/4 of Section 16 a distance of 1320.78 feet to the south line of the N1/2 of said SW1/4; Thence N89°56'28"E along said south line a distance of 622.29 feet to the true point of beginning; Thence N43°11'32"E a distance of 341.06 feet; Thence S52°58'51"E a distance of 45.24 feet; Thence S73°29'03"E a distance of 86.87 feet; Thence N65°38'53"E a distance of 86.30 feet; Thence N45°00'00"E a distance of 240.00 feet; Thence S45°00'00"E a distance of 127.13 feet to a point on a curve from which the radius of said curve

bears S38°06'51"E a distance of 296.00 feet; Thence north easterly along the arc of a curve to the right having a radius of 296.00 feet, a central angle of 18°38'05" for a distance of 96.27 feet; Thence departing said curve S00°06'26"E a distance of 301.76 feet; Thence S11°27'13"W a distance of 233.77 feet; Thence S00°00'00"E a distance of 425.77 feet; Thence N90°00'00"E a distance of 82.76 feet; Thence S47°24'00"E a distance of 55.30 feet; Thence S42°36'00"W a distance of 223.52 feet to the east line of the SW1/4 of the SW1/4 of said Section 16; Thence N00°01'14"W along said east line a distance of 801.05 feet to said south line of the N1/2 of the SW1/4; Thence S89°56'28"W along said south line a distance of 701.09 feet to the true point of beginning, containing an area of five acres more or less, more generally described as being located southeast of the intersection of Elk Vale Road and Willowbend Road.

**Planning Commission recommended that the Rezoning from Low Density Residential II District to General Commercial District be continued to the May 10, 2007 Planning Commission meeting to allow the Future Land Use Committee to review the related Comprehensive Plan Amendment.**

33. No. 07SV005 - Copperfield Vistas Subdivision

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to provide easements across lots or centered on rear or side lot lines for utilities and drainage as per Chapter 16.12.200.A of the Rapid City Municipal Code** on Lots 1 thru 21 of Block 1, Lots 1 thru 4 of Block 2, Lots 1 thru 5 of Block 3, Lots 1 thru 3 of Block 4, Lots 1 and 2 of Block 5, and Lots 1 thru 6 of Block 6 and Utility Lot 1 of Copperfield Vistas Subdivision, all located in the SE1/4 of the NW1/4 and the NE1/4 of the SW1/4 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a tract of land located in the SE1/4 of the NW1/4 and the NE1/4 of the SW1/4, Section 4, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot 28 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a rebar with survey cap "LS 6251"; thence, westerly along the north line of said Lot 28 in Block 1 of Copperfield Subdivision, S89°59'08"W, a distance of 109.97 feet, more or less, to the northwest corner of said Lot 28, said corner being marked by a 5/8 inch rebar; thence, southwesterly along the northerly edge of Copperfield Drive right-of-way, S71°30'56"W, a distance of 63.29 feet, more or less to the northeast corner of Lot 1 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 1 in Block 7 of Copperfield Subdivision, N88°29'49"W, a distance of 83.02 feet, more or less; thence, continuing northwesterly along the north line of said Lot 1 in Block 7 of Copperfield Subdivision, N88°29'49"W, a distance of 15.67 feet, more or less, to the northwest corner of said Lot 1, said corner being coincident with the northeast corner of Lot 3 in Block 7 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap; thence, northwesterly along the north line of said Lot 3 in Block 7 of Copperfield Subdivision, N88°42'16"W, a distance of 51.73 feet, more or less, to the northwest corner of said Lot 3, said point being coincident with the northeast corner of Lot 4 in Block 7 of Copperfield Subdivision, as shown on the plat

recorded in Book 22 of Plats on Page 195, and said corner being marked by a rebar with survey cap "LS 2652"; thence, northwesterly along the north line of said Lot 4 in Block 7 of Copperfield Subdivision, N88°18'11"W, a distance of 76.36 feet, more or less, to the northwest corner of said Lot 4, said point being coincident with the northeast corner of Lot 5 in Block 7 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195, said corner being marked by a 5/8 inch rebar; thence, northwesterly along the north line of said Lot 5 in Block 7 of Copperfield Subdivision, N71°45'04"W, a distance of 68.75 feet, more or less; thence, N15°55'14"E, a distance of 104.91 feet, more or less; thence, N74°04'46"W, a distance of 45.00 feet, more or less; thence, N15°55'14"E, a distance of 160.58 feet, more or less; thence, S76°13'24"E, a distance of 120.24 feet, more or less; thence, S78°04'22"E, a distance of 59.02 feet, more or less; thence, N13°46'36"E, a distance of 98.10 feet, more or less; thence, N76°13'24"W, a distance of 13.77 feet, more or less; thence, N13°46'36"E, a distance of 52.00 feet, more or less; thence, S76°13'24"E, a distance of 5.67 feet, more or less; thence, N13°46'36"E, a distance of 80.12 feet, more or less; thence, N00°35'05"E, a distance of 68.76 feet, more or less; thence, N00°00'00"W, a distance of 83.80 feet, more or less; thence, S90°00'00"W, a distance of 0.65 feet, more or less; thence, N00°00'00"W, a distance of 52.00 feet, more or less; thence, N90°00'00"E, a distance of 18.65 feet, more or less; thence, N00°00'00"W, a distance of 200.26 feet, more or less; thence, S90°00'00"W, a distance of 20.17 feet, more or less; thence, N00°00'00"W, a distance of 52.00 feet, more or less; thence, N90°00'00"E, a distance of 2.17 feet, more or less; thence, N00°00'00"W, a distance of 455.50 feet, more or less; thence, curving to southwest to the left on a curve with a radius of 562.00 feet, a delta of 01°25'51", an arc length of 14.03 feet, and a chord bearing of S78°05'02"W and chord distance of 14.03 feet; thence, N12°37'53"W, a distance of 76.00 feet, more or less; thence, curving to the northeast to the right on a curve with a radius of 638.00 feet, a delta of 10°54'37", an arc length of 121.49 feet, and a chord bearing of N82°49'25"E and chord distance of 121.30 feet; thence, N44°21'49"E, a distance of 14.30 feet, more or less; thence, N00°00'00"W, a distance of 15.20 feet, more or less; thence, N90°00'00"E, a distance of 52.00 feet, more or less; thence, S00°00'00"E, a distance of 15.13 feet, more or less; thence, S45°00'00"E, a distance of 14.14 feet, more or less; thence, N90°00'00"E, a distance of 142.69 feet, more or less, to a point on the north/south 1/4 section line of Section 4, T1N, R8E, BHM, Pennington County, South Dakota; thence, southerly along said 1/4 section line, S00°05'16"E, a distance of 941.09 feet, more or less, to a point marked by an iron pin; thence, continuing southerly along said 1/4 section line, S00°05'03"E, a distance of 517.62 feet, more or less, to a point located on said 1/4 section line being marked by a rebar with survey cap "LS 6251"; thence, continuing southerly along said 1/4 section line, S00°03'43"E, a distance of 781.29 feet, more or less; thence, S89°47'47"W, a distance of 303.32 feet, more or less to a point along the easterly line of Lot 17 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northwesterly along the east line of said Lot 17 in Block 1 of Copperfield Subdivision, N22°39'36"W, a distance of 46.14 feet, more or less, to the northeast corner of said Lot 17, said corner being coincident with the southeast corner of Lot 18 in Block 1 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northwesterly along the east line of said Lot 18 in Block 1 of Copperfield Subdivision, N01°44'10"W, a distance

of 58.19 feet, more or less, to the northeast corner of said Lot 18, said corner being coincident with the southeast corner of Lot 19 in Block 1 of Copperfield Subdivision as shown on the plat recorded in Book 22 of Plats on Page 21, said corner being marked with a rebar and survey cap "LS 2652"; thence, northeasterly along the east line of said Lot 19 in Block 1 of Copperfield Subdivision, N26°46'20"E, a distance of 44.28 feet, more or less, to the northeast corner of said Lot 19, said corner being coincident with the southeast corner of Lot 20 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21, said corner being marked by a rebar with survey cap "LS 2652"; thence, northeasterly along the east line of Lots 20 through 24 inclusive of Block 1 of Copperfield Subdivision, as shown on the plats recorded in Book 22 of Plats on Page 21 and in Book 22 of Plats on Page 195, N27°11'29"E, a distance of 364.58 feet, more or less to the northeast corner of said Lot 24 in Block 1 of Copperfield Subdivision, said corner being coincident with the southeast corner of Lot 25 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 21; thence, northeasterly along the east line of said Lot 25 in Block 1 of Copperfield Subdivision, N19°26'44"E, a distance of 83.01 feet, more or less, to the northeast corner of Said Lot 25, said corner being coincident with the southeast corner of Lot 26 in Block 1 of Copperfield Subdivision, as shown on the plat recorded in Book 22 of Plats on Page 195; thence, northeasterly along the east lines of Lots 26, 27 and 28 of Block One of Copperfield Subdivision, N02°40'24"E, a distance of 239.67 feet, more or less to the point of beginning., more generally described as being located east of Valley Drive and west of Concourse Drive.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to provide easements across lots or centered on rear or side lot lines for utilities and drainage as per Chapter 16.12.200.A of the Rapid City Municipal Code be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

34. No. 07SV010 - Word of Hope Subdivision

A request by D. C. Scott Co. Land Surveyors for Wesleyan Church to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to develop section line right-of-way on an extension of Jolly Lane, dedicate additional public right-of-way on an extension of Jolly Lane, or install sidewalk on Jolly Lane; and to waive the requirements to install curb, gutter, sidewalk, sewer, water, or planting screen easement on Elk Vale Road as per Chapter 16.16 of the Rapid City Municipal Code** on Lot 1 of Word of Hope Subdivision, located in the NE1/4 SE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the NE1/4 SE1/4, lying southeast of Elk Vale Road, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the west side of Jolly Lane, at the north end between Jolly Lane cul-de-sac and curve in Elk Vale Road.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to develop section line right-of-way on an extension of Jolly Lane, dedicate additional public right-of-way on an**

**extension of Jolly Lane, to install sidewalk on Jolly Lane, and to waive the requirements to install curb, gutter, sidewalk, sewer, water, or planting screen easement on Elk Vale Road as per Chapter 16.16 of the Rapid City Municipal Code be continued to the May 10, 2007 Planning Commission meeting to be heard in conjunction with the Preliminary Plat.**

35. No. 07SV020 - Quartz Canyon Subdivision

A request by Cody Schad to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1, 2, 3 and 4 of Quartz Canyon Subdivision, Section 7, T1S, R7E, BHM, Pennington County, South Dakota, legally described as Government Lot 1, and Lot A of Lot 2 of SW/14 NW/14, and Government Lot 2 less Lot A, all of Section 7, T1S, R7E, BHM, and Government Lot 6 of Section 6, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located near the Strato Bowl.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, pavement, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code be continued to the May 10, 2007 Planning Commission meeting to allow the applicant to submit additional information.**

\*38. No. 07UR004 - Feigels Subdivision

A request by At Tatiana's Inc. to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment** on Lot 3 of Block 2 of Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1118 E North Street.

**Planning Commission approved the Conditional Use Permit to allow an on-sale liquor establishment with the following stipulations:**

- 1. The landscape plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;**
- 2. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;**
- 3. Prior to the installation of any signs on the subject property the applicant shall obtain a Sign Permit. Any additional signage in the future will require a Major Amendment to the Conditional Use Permit;**
- 4. The structure shall be fully fire sprinklered and fire alarmed/detected and all applicable provisions of the 2003 International Fire Codes shall be continually met;**
- 5. The on-sale liquor establishment shall be operated in conjunction with a full service restaurant;**
- 6. The on-sale liquor establishment shall have hours of operation from 11:30 am to 10:30 pm; and**
- 7. The on-sale liquor establishment shall not have any outside service. Any outside service in the future shall require a Major Amendment to the Conditional Use Permit.**

***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.***

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

\*21. No. 07PD003 - Starlite Subdivision

A request by Dream Design International, Inc. to consider an application for a **Planned Light Industrial Development - Initial and Final Development Plan** on Lot 1B of Starlite Subdivision, located in the SW1/4 SW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Beale Street and Dyess Avenue and north of Eglin Street.

Fisher presented the Planned Light Industrial Development request and the staff recommendations to approve the request with stipulations. Fisher reviewed staff's concerns with the appearance of the proposed fence materials on the subject property.

In response to Anderson's questions, Fisher identified the stipulation which stated that the internal access isle be surfaced with recycled asphalt to reduce dust.

**Hennies moved, Runde seconded to approve the Planned Light Industrial Development – Initial and Final Development Plan be approved as per staff's recommendation.**

Scott O'Meara, representing the applicant, requested that the Planned Light Industrial Development request be approved with the existing fence.

Bill Huber, applicant, expressed his opinion that painting the existing fence to match the proposed new fence would be appropriate. Discussion followed.

**Hennies moved, Runde seconded and unanimously carried to approve the Planned Light Industrial Development - Initial and Final Development Plan be approved with the following stipulations:**

- 1. Prior to Planning Commission approval, revised fence elevations shall be submitted for review and approval showing new fencing along the south and east lot lines of the subject property. In particular, the elevations shall show the fence constructed in compliance with the seven foot high galvanized steel screen fence to be constructed along the north and west lot lines of the property;**
- 2. Prior to Planning Commission approval, a sign package showing the existing sign with dimensions, building materials, etc. shall be submitted for review and approval;**
- 3. A building permit shall be obtained for the seven foot high fence prior to construction;**
- 4. Prior to issuance of a building permit, the six foot high chain link**

- fence along the west side of the loading area shall be revised to a maximum height of four feet the first 25 feet as it extends from Eglin Street right-of-way or a Fence Height Exception shall be obtained to allow the six foot high fence;
5. Prior to issuance of a building permit, all miscellaneous materials and parked vehicles shall be removed from the loading area;
  6. All landscaping shall be planted as per the approved landscaping plan and in compliance with the requirements of the Landscape Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
  7. An Air Quality Permit shall be obtained prior to any disturbance of one acre or more of land;
  8. A Construction and Parking Lot Permit shall be obtained prior to the start of construction of any parking lot area;
  9. A Permit to Work in the Right-of-way shall be obtained from the South Dakota Department of Transportation for the approach improvements along Eglin Street;
  10. The requirement to pave the access aisles within the storage area is hereby waived with the stipulation that the access aisles be surfaced with recycled asphalt;
  11. The property shall be used as an outdoor storage area consisting of steel and building projects, including beams, culverts, pipe and rebar. All stored items shall be screened with a seven foot high privacy fence and no storage of any scrap materials shall be allowed. In addition, a Major Amendment to the Light Industrial Development Plan shall be submitted for review and approval prior to any use within the northern portion of the property;
  12. All provisions of the Light Industrial District shall be met unless an exception is specifically authorized as a stipulation of this Initial and Final Light Industrial Development Plan or a subsequent Major Amendment; and,
  13. The Planned Light Industrial 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. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde 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.***

\*24. No. 07PD019 - Rushmore Crossing

A request by Dream Design International, Inc. to consider an application for a **Planned Commercial Development - Initial Development Plan** on a parcel of land located in the SW1/4 SW1/4, the SE1/4 SW1/4, the SW1/4 SE1/4 and the NW1/4 SW1/4 of Section 29 and the NE1/4 SE1/4, the SE1/4 SE1/4 and the NW1/4 SE1/4 of Section 30 and the NE1/4 NW1/4 and the NW1/4 NE1/4 of Section 32 in T2N, R8E of the BHM, Rapid City, Pennington County, South



Dakota, more fully described as follows: Commencing at the Southwest Corner of said Section 29 in T2N, R8E, BHM; Thence S89°53'53"E a distance of 2845.59' to the Point Of Beginning; said point being on the southerly right-of-way line of Century Road; Thence following the said southerly right-of-way line of Century Road N89°47'40"E a distance of 63.38' to the westerly right-of-way line of U.S. Highway 16 (E. North St.); Thence following said westerly right-of-way line of U.S. Highway 16 (E. North St.) S26°02'24"W a distance of 340.04'; Thence departing the said westerly right-of-way line of U.S. Highway 16 (E. North St.) and following the northerly line of a railroad right-of-way with a curve turning to the right with an arc length of 759.14', with a radius of 2954.92', with a chord bearing of N71°01'21"W, with a chord length of 757.05'; Thence N63°54'32"W a distance of 136.37'; Thence N63°07'09"W a distance of 73.30'; Thence N63°03'41"W a distance of 199.66'; Thence with a curve turning to the left with an arc length of 1728.24', with a radius of 2123.30', with a chord bearing of N86°22'53"W, with a chord length of 1680.93' to the easterly right-of-way line of Cambell Street; Thence leaving said northerly line of a railroad right-of-way and following the said easterly right-of-way line of Cambell Street N00°05'30"E a distance of 53.06'; Thence N00°05'55"W a distance of 145.01' to the northerly right-of-way line of Sunnyside Avenue; Thence following the said northerly right-of-way line of Sunnyside Avenue N89°54'01"W a distance of 450.93'; Thence leaving said northerly right-of-way line of Sunnyside Avenue N00°07'26"E a distance of 92.70'; Thence N29°09'10"E a distance of 475.27'; Thence N60°50'50"W a distance of 127.34'; Thence N89°31'29"W a distance of 331.74'; Thence N00°03'13"E a distance of 182.19'; Thence N60°50'50"W a distance of 467.74'; Thence with a curve turning to the right with an arc length of 48.41', with a radius of 536.00', with a chord bearing of S05°50'50"E, with a chord length of 48.40'; Thence S86°44'26"W a distance of 72.00'; Thence with a curve turning to the left with an arc length of 137.80', with a radius of 464.00', with a chord bearing of N11°46'03"W, with a chord length of 137.30'; Thence N89°45'36"W a distance of 556.68'; Thence N00°01'26"W a distance of 459.98'; Thence S89°52'52"W a distance of 80.00'; Thence N00°00'41"W a distance of 714.10' to the southerly right-of-way line of Interstate 90; Thence following said southerly right-of-way line of Interstate 90 S89°58'06"E a distance of 40.69'; Thence with a curve turning to the right with an arc length of 222.11', with a radius of 2910.85', with a chord bearing of S87°51'22"E, with a chord length of 222.06'; Thence with a curve turning to the right with an arc length of 744.77', with a radius of 2144.34', with a chord bearing of S76°01'11"E, with a chord length of 741.04'; Thence with a curve turning to the right with an arc length of 222.14', with a radius of 2909.18', with a chord bearing of S63°52'56"E, with a chord length of 222.09'; Thence S61°41'41"E a distance of 149.70'; Thence S35°19'03"E a distance of 72.16'; Thence S61°13'39"E a distance of 514.33'; Thence S61°13'39"E a distance of 37.62'; Thence S00°05'30"W a distance of 10.20'; Thence S32°34'43"E a distance of 146.11'; Thence S85°21'33"E a distance of 269.28'; Thence S61°12'06"E a distance of 124.77'; Thence S41°24'18"E a distance of 132.93'; Thence S61°12'12"E a distance of 225.04'; Thence S68°31'49"E a distance of 352.96'; Thence S61°12'05"E a distance of 175.04'; Thence S49°53'16"E a distance of 102.02'; Thence S61°34'04"E a distance of 125.02'; Thence S74°46'01"E a distance of 102.02'; Thence S60°49'53"E a distance of 320.31'; Thence S61°13'00"E a distance of 849.95'; Thence with a curve turning to the right with an arc length of 92.74', with a radius of 604.00', with a chord bearing of S57°44'09"E, with a chord length of 92.65' and intersecting the westerly right-of-





way line of U.S. Hwy 16 (E. North St.); Thence following said westerly right-of-way line of U.S. Hwy 16 (E. North St.) with a curve turning to the right with an arc length of 630.81', with a radius of 604.00', with a chord bearing of S23°25'03"E, with a chord length of 602.53' to the northerly right-of-way line of Century Road; Thence following said northerly right-of-way line of Century Road S89°47'40"W a distance of 196.40' to easterly line of the vacated portion of Century Road; Thence following the said easterly line of vacated portion of Century Road with a curve turning to the left with an arc length of 157.51', with a radius of 555.00', with a chord bearing of S78°04'13"E, with a chord length of 156.98' to the Point of Beginning, having an area of 5,502,105 Square Feet, 126.311 Acres. AREA "A" An Area of Land dedicated to public street purposes located in the NE1/4 SW1/4, of Section 30 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southeast Corner of said Section 30 in T2N, R8E, BHM; Thence N59°32'17"W 3117.36' to the Point of Beginning; said point being on the westerly right-of-way line of Rapp Street; Thence following said westerly right-of-way line of Rapp Street S00°13'30"E a distance of 103.69'; Thence departing said westerly right-of-way line of Rapp Street with a curve turning to the left with an arc length of 61.19', with a radius of 350.00', with a chord bearing of S67°33'46"W, with a chord length of 61.11'; Thence S62°33'15"W a distance of 18.92' to the easterly right-of-way line of LaCrosse Street; Thence following said easterly right-of-way line of LaCrosse Street N27°26'45"W a distance of 100.00'; Thence departing said easterly right-of-way line of LaCrosse Street N62°33'15"E a distance of 19.30'; Thence with a curve turning to the right with an arc length of 108.98', with a radius of 450.00', with a chord bearing of N69°29'33"E, with a chord length of 108.72' to the aforesaid westerly right-of-way line of Rapp Street, which is the Point of Beginning, having an area of 10,427 square feet, 0.239 acres. AREA "B" An Area of Land dedicated to public street purposes located in the NW1/4 SE1/4, of Section 30 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southeast Corner of said Section 30 in T2N, R8E, BHM; Thence N54°58'03"W 2737.47' to the Point of Beginning; said point being on the westerly right-of-way line of Pine Street as it intersects the northerly right-of-way line of Eglin Street (formerly Farnwood Avenue); Thence following said northerly right-of-way line of Eglin Street (formerly Farnwood Avenue) S89°59'07"W a distance of 379.55' to the intersection with the easterly right-of-way line of Rapp Street; Thence following said the easterly right-of-way line of Rapp Street N00°04'20"W a distance of 19.89'; Thence departing said easterly right-of-way line of Rapp Street with a curve turning to the right with an arc length of 39.50', with a radius of 450.00', with a chord bearing of N87°27'50"E, with a chord length of 39.49', Thence N89°58'43"E a distance of 100.33'; Thence N44°22'07"E a distance of 13.99'; Thence with a curve turning to the left with an arc length of 64.87', with a radius of 44.00', with a chord bearing of N47°53'39"W, with a chord length of 59.15'; Thence S89°52'19"W a distance of 68.17'; Thence with a curve turning to the right with an arc length of 38.40', with a radius of 106.00', with a chord bearing of N79°44'56" W, with a chord length of 38.19' to the easterly right-of-way line of Rapp Street; Thence following said easterly right-of-way line of Rapp Street N00°04'20"W a distance of 70.79'; Thence departing said easterly right-of-way line of Rapp Street with a curve turning to the left with an arc length of 43.42', with a radius of 47.00', with a chord bearing of S63°39'52"E, with a chord length of 41.89'; Thence N89°52'19"E a distance of 68.17'; Thence with a curve turning

to the right with an arc length of 147.64', with a radius of 103.00', with a chord bearing of S49°03'54"E, with a chord length of 135.32'; Thence S44°28'32"E a distance of 27.98'; Thence N89°58'44"E a distance of 152.16' to the aforesaid westerly right-of-way line of Pine Street; Thence following the aforesaid westerly right-of-way line of Pine Street S00°06'41"E a distance of 21.67' to the Point of Beginning, having an area of 21,941 square feet, 0.504 acres. AREA "C" An Area of Land dedicated to public street purposes located in the NW1/4 SE1/4, of Section 30 in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southeast Corner of said Section 30 in T2N, R8E, BHM; Thence N48°55'59"W 2391.93' to the Point of Beginning; said point being on the westerly right-of-way line of Spruce Street as it intersects the northerly right-of-way line of Eglin Street (formerly Farnwood Avenue); Thence following said northerly right-of-way line of Eglin Street (formerly Farnwood Avenue) N89°58'43"W a distance of 360.05' to the intersection of the easterly right-of-way line of Pine Street; Thence departing said northerly right-of-way line of Eglin Street (formerly Farnwood Avenue) and following said easterly right-of-way line of Pine Street N00°06'41"W a distance of 21.40'; Thence departing said easterly right-of-way line of Pine Street N89°56'38"E a distance of 359.99' to the aforesaid westerly right-of-way line of Spruce Street; Thence following the aforesaid westerly right-of-way line of Spruce Street S00°03'22"W a distance of 21.89' to the Point of Beginning, more generally described as being located southwest of the intersection of I-90 and U.S. Highway 14 and 16.

Fisher stated that staff's recommendation is that the Planned Commercial Development – Initial Development Plan be approved with revisions to Stipulation No. 10 "Prior to Final Commercial Development Plan approval...".

**Landguth moved, Hennies seconded and unanimously carried to approve the Planned Commercial Development - Initial Development Plan with the following stipulations:**

- 1. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. Prior to submittal of a Final Commercial Development Plan application, all necessary changes shall be made to the site plan(s) as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department;**
- 3. Prior to approval of a Final Commercial Development Plan application, a Preliminary Plat shall be reviewed and approved to insure that all of the infrastructure improvements for the development have been addressed. In addition, a Final Plat shall be reviewed and approved prior to issuance of a Certificate of Occupancy to insure that legal access and utility easements are in place as needed;**
- 4. Prior to approval of a Final Commercial Development Plan application, the applicant shall enter into an agreement with the City regarding the construction and timing of street improvements to serve the development as identified in the Traffic Impact Study;**
- 5. Prior to approval of a Final Commercial Development Plan application, a Fence Height Exception shall be obtained to allow the proposed six foot high black or brown chain link fence along Interstate 90 right-of-**

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- way or the height of the fence shall be a maximum of four feet. In addition, a portion of Interstate 90 right-of-way shall be vacated to allow the proposed fence or the fence shall be removed from the right-of-way;
6. Prior to submittal of a Final Commercial Development Plan application for that portion of the development located in the northwest corner of the property along Spruce Street, the site plan shall be revised to show the extension of Luna Avenue north from Eglin Street to Spruce Street or the applicant shall demonstrate an alternate street network to carry traffic through this area in compliance with the Traffic Impact Study;
  7. Upon submittal of a Final Commercial Development Plan application, complete elevations showing all sides of the proposed structures shall be submitted for review and approval. In addition, a complete list of building materials and color palette shall be submitted for review and approval;
  8. Upon submittal of a Final Commercial Development Plan application, a complete landscaping plan shall be submitted for review and approval identifying specific plant material. In particular, the landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, the landscaping plan shall include mature landscaping along the proposed chain link fence to reduce headlight glare between the traffic along Eglin Street and Interstate 90;
  9. Upon submittal of a Final Commercial Development Plan application, a complete sign package, including any proposed signage on the buildings and direction signs within the parking lot, shall be submitted for review and approval. In addition, the applicant shall demonstrate that the sign package is in compliance with the Sign Code or the Sign Code shall be amended as needed or an Appeal and/or Variance shall be reviewed and approved by the Sign Code Board of Appeals;
  10. Prior to Final Commercial Development Plan approval, the signs shall be relocated outside of E. North Street right-of-way or a portion of the right-of-way shall be vacated to allow the proposed signage;
  11. Upon submittal of a Final Commercial Development Plan application, a complete parking plan in compliance with the Parking Regulations shall be submitted for review and approval;
  12. Upon submittal of a Final Commercial Development Plan application, a complete lighting package identifying the design of the proposed lighting shall be submitted for review and approval. In addition, the lighting shall be designed to be reflected within the property boundaries so as not to 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;
  13. Upon submittal of a Final Commercial Development Plan application, the location and size of all dumpsters shall be submitted for review and approval. In addition, elevations of the screening fence for the dumpsters shall be submitted for review and approval and shall include building material(s) and the proposed color palette;
  14. Upon submittal of a Final Commercial Development Plan application,

- the location, size and noise rating of all exterior air handling equipment shall be submitted for review and approval. In addition, the equipment shall be screened from all adjacent properties, including rooftop facilities;
15. Upon submittal of a Final Commercial Development Plan application, the site plan shall be revised to show the location of the 48 inch RCP drainage pipe and the easement between the proposed structures to insure that adequate room exists to maintain the pipe if needed. In addition, the width of the easement shall be widened if necessary to provide adequate room for maintenance;
  16. The International Fire Code shall be continually met. In particular, fire hydrants shall be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). In addition, prior to issuance of a building permit, all weather access roads shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. The proposed structures shall also have fire sprinkler systems and be fire alarmed as per the 2003 International Fire Code;
  17. The Air Quality Permit shall be amended to include the proposed development or a new Air Quality Permit shall be obtained prior to the start of any additional construction;
  18. The structures shall be used as retail, restaurant, hotel and business unless otherwise specifically authorized as a stipulation of the Final Commercial Development Plan application or a subsequent Major Amendment to the Commercial Development Plan shall be obtained. In addition, on-sale liquor use shall be reviewed and approved as a part of the Final Commercial Development Plan application or a subsequent Major Amendment shall be obtained;
  19. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Initial Commercial Development Plan, the Final Commercial Development Plan application or a subsequent Major Amendment; and,
  20. 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. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Commercial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde 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.***

\*25. No. 07PD026 - Fountain Springs Park Subdivision

A request by Roger Beck for Beck Construction to consider an application for a **Major Amendment to a Planned Residential Development** on Lots 10A and 10B of Block 1 and Lots 1A and 1B, 2A and 2B, 3A and 3B and 4A and 4B of Block 2 of Fountain Springs Subdivision, Sections 26 and 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Harmony Heights Lane between Plaza Boulevard and Sunny Springs Drive.

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

**Hennies moved, Brewer seconded and carried to approve the Major Amendment to a Planned Residential Development with the following stipulations:**

1. **A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
2. **A minimum 18 foot front yard setback shall be provided in front of each garage and a minimum 15 foot front yard setback shall be provided in front of each residence. All corner lots shall provide one minimum 25 foot setback from the street right-of-way to the residence;**
3. **All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Residential Development or a subsequent Major Amendment;**
4. **All International Fire Codes shall be met;**
5. **The proposed structures shall conform architecturally to the elevations and color palette submitted as part of the Planned Residential Development Plan; and,**
6. **The Planned Residential Development shall allow a townhome development. However, the Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years. (6 to 0 to 1 with Anderson, Brewer, Brown, Hennies, Landguth and Runde voting yes and none voting no and Collins abstaining)**

***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.***

36. No. 07SV021 - Fairway Hills PRD

A request by Fisk Land Surveying & Consulting Engineers for O'Brien Construction to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install sidewalk on the west side of Carmel Point as per Chapter 16.16 of the Rapid City Municipal Code** on Lots

8A, 8B, 9A, 9B, 10A and 10B, Block 10, Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 8, 9 and 10 in Block 10 of Fairway Hills PRD, located in the SW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Heidiway Lane between Carmel Point and Sheridan Lake Road.

Steve Brenden, area resident expressed his opposition to granting a variance to waive the requirement to install a sidewalk on the west side of Carmel Point.

**Landguth moved, Hennies seconded and unanimously carried to recommend that the Variance to the Subdivision Regulations to waive the requirement to install sidewalk on the west side of Carmel Point be approved with the following stipulation:**

- 1. A sidewalk shall be provided along the east side of Carmel Point. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

\*37. No. 07UR003 - Original Town of Rapid City

A request by Erich D. Orris to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment** on Lots 17 and 18 and north 55 feet of Lots 19 thru 21 on Block 84 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 520 7th Street.

Tegethoff presented the staff recommendation that the Conditional Use Permit request be approved with stipulations.

In response to Anderson's questions, Tegethoff stated that with City Council approval an applicant may have tables and chairs in the public Right-of-way but is not allowed to serve alcohol. Elkins further identified that State Statute does not permit open containers of alcohol served in the public right-of-way. Discussion followed.

Erich D. Orris, applicant expressed his opinion in support of staff recommendations. Orris stated that he would pursue legislative change to the State Statute. Discussion followed.

**Anderson moved, Brewer seconded and unanimously carried to approve the Conditional Use Permit to allow an on-sale liquor establishment with the following stipulations:**

- 1. The hours of operation shall be from 10:00 a.m. until 10:00 p.m.;**
- 2. All applicable provisions of the International Fire Code shall be continually met;**
- 3. The proposed structure shall conform architecturally to the plans and elevations submitted. Any expansion to the use will require a Major Amendment to the Conditional Use Permit;**
- 4. The on-sale liquor establishment shall be for on-sale malt beverages only. Any change in use shall require a Major Amendment to the**

**Conditional Use Permit;**

5. **No serving of alcohol shall be allowed in the public right-of-way;**
6. **The Conditional Use Permit 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. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde 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.***

39. No. 07VE006 - Auburn Hills Subdivision

A request by DOECK, LLC to consider an application for a **Vacation of Non-Access Easement** on Lot 32 of Block 3 of Auburn Hills Subdivision, located in the SW1/4 of the NW1/4 of Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Charmwood Drive and Cobalt Drive.

Tegethoff stated that staff's recommendation is that the Vacation of Non-Access Easement request be denied without prejudice at the applicant's request.

**Planning Commission recommended that the Vacation of Non-Access Easement be denied without prejudice at the applicant's request. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

\*38. No. 07UR004 - Feigels Subdivision

A request by At Tatiana's Inc. to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment** on Lot 3 of Block 2 of Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1118 E North Street.

**Planning Commission approved the Conditional Use Permit to allow an on-sale liquor establishment with the following stipulations:**

1. **The landscape plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;**
2. **The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;**
3. **Prior to the installation of any signs on the subject property the applicant shall obtain a Sign Permit. Any additional signage in the future will require a Major Amendment to the Conditional Use Permit;**
4. **The structure shall be fully fire sprinklered and fire alarmed/detected and all applicable provisions of the 2003 International Fire Codes shall be continually met;**
5. **The on-sale liquor establishment shall be operated in conjunction with a full service restaurant;**
6. **The on-sale liquor establishment shall have hours of operation from**

11:30 am to 10:30 pm; and

7. **The on-sale liquor establishment shall not have any outside service. Any outside service in the future shall require a Major Amendment to the Conditional Use Permit.**

***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.***

**---BEGINNING OF REGULAR AGENDA ITEMS---**

40. No. 07PL053 - Palmer Subdivision

A request by Renner & Associates, LLC for Stephen E. Hilton to consider an application for a **Layout Plat** on Hilton Tract of Palmer Subdivision of Section 14, T2N, R6E, BHM, Pennington County, South Dakota, legally described as Tract A of Palmer Subdivision and the SW1/4 of the NW1/4 of Section 14, T2N, R6E, BHM, Pennington County, South Dakota, more generally described as being located east of Potter Road and north of Palmer Road.

Tegethoff presented the staff recommendation that the Layout Plat request be continued to the May 10, 2007 Planning Commission meeting at the applicant's request.

**Landguth moved, Hennies seconded and unanimously carried to recommend that the Layout Plat be continued to the May 10, 2007 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

41. No. 06SR076 - McMahon Industrial Park No. 2

A request by Buell Consulting, Inc. for Cellular Inc. Network Corporation to consider an application for an **SDCL 11-6-19 Review to allow the construction of a communication facility** on Lot 1, Block 10, McMahon Industrial Park No. 2, located in the SW1/4 SE1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2870 Haines Avenue.

Tegethoff presented the staff recommendation to acknowledge the applicant's withdrawal of the SDCL 11-6-19 Review request.

**Collins moved, Landguth seconded and unanimously carried to acknowledge the applicant's request to withdraw the SDCL 11-6-19 Review to allow the construction of a communication facility. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

42. No. 07SR017 - Section 35, T1N, R7E

A request by Centerline, Inc. for Founder's Park, LLC to consider an application for an **SDCL 11-6-19 Review to extend a public water main** on the north 327.2 feet of N1/2 SE1/4 lying west of I-90 Right-of-way less W1/2 NW1/4 SE1/4, less



North Boulevard Addition and less Lot H1, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1400 Philadelphia Street.

Fisher presented the staff recommendation that the SDCL 11-6-19 Review request be approved with stipulations.

**Hennies moved, Collins seconded and unanimously carried to approve the 11-6-19 SDCL Review to extend public water and sewer with the following stipulation:**

- 1. Prior to Planning Commission approval, a utility easement and/or right-of-way shall be recorded at the Register of Deed's Office for the installation and maintenance of the City water main. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

43. No. 07SR019 - Section 9, T1N, R8E

A request by Tom Woodden and Jim Hardesty to consider an application for an **SDCL 11-6-19 Review to allow a temporary structure on public property** on a portion of S1/2 of the SW1/4 of the NE1/4, less Lot H2 and Less Right-of-Way; and the S1/2 of the SE1/4 of the NW1/4, less H-1; the balance of the NE1/4 of the SW1/4; the balance of the W1/2 of the SE1/4, all located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3511 East Highway 44.

Tegethoff presented the SDCL 11-6-19 Review request.

In response to Hennies' question, Tegethoff stated that the request has been previously approved by Planning Commission.

**Landguth moved, Collins seconded and unanimously carried to approve the SDCL 11-6-19 Review to allow temporary structures on public property. (7 to 0 with Anderson, Brewer, Brown, Collins, Fast Wolf, Hennies, Landguth, Runde and Waltman voting yes and none voting no)**

44. No. 07SR020 - Big Sky Subdivision

A request by Wayne Rosby for Valley View Elementary School to consider an application for an **SDCL 11-6-19 Review to allow the installation of a sign on public property** on Tract C of Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4840 Homestead Street.

Tegethoff presented the SDCL 11-6-19 Review request and the staff recommendation to approve with stipulations.

In response to Anderson's question, Tegethoff stated that sign will be turned off after 10:00 p.m.

In response to Brenden's questions, Tegethoff stated that information on the sign is school related only.

**Collins moved, Brewer seconded and unanimously carried to approve the SDCL 11-6-19 Review to construct a sign on public property with the following design and use standards:**

- 1. Hours of operation will be from 6 a.m. to 10 p.m.;**
- 2. Information on the sign will be school related only;**
- 3. No flashing or scrolling of letters will be displayed;**
- 4. No video displays will be allowed;**
- 5. Single color lettering only shall be allowed;**
- 6. Low intensity lighting shall be provided; and,**
- 7. Time interval of a minimal 15 seconds between messages shall be provided. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

45. No. 07SR021 - Section 36, T2N, R7E

A request by Jim Bethel for Black Hills Area Council, Boy Scouts to consider an application for an **SDCL 11-6-19 Review to allow the installation of a shed on public property** on Lot RU 36 RU Lots, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 144 North Street.

Tegethoff presented the staff recommendation to continue the SDCL 11-6-19 Review to the May 10, 2007 Planning Commission meeting.

**Hennies moved, Collins seconded and unanimously carried to continue the SDCL 11-6-19 Review to allow the installation of a shed on public property with a reduced side yard setback to the May 10, 2007 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

46. No. 07SR022 - Marshall Heights Tract

A request by David R. Jeffries for Black Hills Chapter, American Red Cross to consider an application for an **SDCL 11-6-19 Review to allow the construction of a communication tower on public property** on Tract A of Lot C of Lot S-1, Marshall Heights Tract, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1221 North Maple Avenue.

Tegethoff presented the staff recommendation that the SDCL 11-6-19 Review request be continued to the May 10, 2007 Planning Commission meeting.

**Collins moved, Hennies seconded and unanimously carried to continue the SDCL 11-6-19 Review request to allow the construction of a communication tower on public property to the May 10, 2007 Planning Commission meeting to allow the applicant to submit additional information. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

47. No. 07SR023 - Rapid City Regional Airport

A request by Kadrmas, Lee & Jackson for Rapid City Regional Airport to consider an application for an **SDCL 11-6-19 Review to allow the extension of a watermain at the Rapid City Regional Airport** on Lots 2 and 3 of Rapid City Airport No. 4, Section 6, T1N, R9E; Lot 1 of Rapid City Airport No. 4, Section 5, T1N, R9E; Lots 4 and 5 of Rapid City Airport No. 4, Section 7, T1N, R9E, Lots 3, 4 and 7 of Rapid City Airport No. 1, Section 8, T1N, R9E; Lots 1 and 2 of SW1/4, Lot 1 of the SW1/4 SE1/4, Section 8, T1N, R9E; all of Section, less portion of Rapid City Airport No. 6, Section 17, T1N, R9E; Lot P-2 (also in Section 20) and Lot T (also in Section 20) Rapid City Airport No. 6, T1N, R9E; Lots 1 and Lot 2 of Rapid City Airport No. 3, Section 9, T1N, R9E; N1/2 less portion of Rapid City Airport No. 6, Section 20, T1N, R9E; Lot P-1 of Rapid City Airport No. 6, Section 20, T1N, R9E; Lot 2 of Rapid City Airport No. 5, Section 20, T1N, R9E; W1/2 NW1/4, NW1/4 SW1/4, portion of SW1/4 SW1/4, Tract G, H & I, Section 20, T1N, R9E; Lots 3, 4, 5, 5A and Lot 6 of Rapid City Airport No. 5, Section 21, T1N, R9E; Lots 7 and 8 of Rapid City Airport No. 5, Section 28, T1N, R9E; a Tract of land in the NW1/4 NW1/4, Section 16, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the Rapid City Regional Airport.

Tegethoff presented the staff recommendation to continue the SDCL 11-6-19 Review request to the May 10, 2007 Planning Commission meeting.

**Collins moved, Landguth seconded and unanimously carried to continue the SDCL 11-6-19 Review request to allow the extension of a watermain at the Rapid City Regional Airport to the May 10, 2007 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

48. No. 07SR025 - Section 35, T2N, R7E

A request by Brian Gonzales for Century Development Co. to consider an application for an **SDCL 11-6-19 Review to construct of a public street** on the north 327.2 feet of the N1/2 of the SE1/4 lying west of Interstate 90 Right-of-Way, excepting there from the W1/2 of the NW1/4 of the SE1/4, and less North Boulevard Addition, located in the unplatted (9779); and, the East 670 feet of the south 30 feet of the SW1/4 NE1/4, and SW1/4 NE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1400 Philadelphia Street.

Fisher presented the staff recommendation to continue the SDCL 11-6-19 Review request to the May 10, 2007 Planning Commission meeting.

**Collins moved, Hennies seconded and unanimously carried to continue the SDCL 11-6-19 Review to construct public streets to the May 10, 2007 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

49. No. 07SR026 - Villaggio at Golden Eagle

A request by Sperlich Consulting, Inc. for Signature Development to consider an application for an **SDCL 11-6-19 Review to allow the construction of a lift station** on a portion of the E1/2 of the NW1/4 of the SE1/4 of Section 22, located

in the E1/2 of the NW1/4 of the SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north and east of the intersection of Catron Boulevard and Golden Eagle Drive.

Fisher presented the staff recommendation to continue SDCL 11-6-19 Review request to the May 10, 2007 Planning Commission meeting.

**Hennies moved, Collins seconded and unanimously carried to continue the SDCL 11-6-19 Review to allow the construction of a lift station to the May 10, 2007 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

50. No. 07SV016 - Section 21, T1N, R7E

A request by David Kallemeyn for Irvin W. and Illa M. Cannon to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, pavement, street light conduit, water and sewer along Easy Street and to waive the requirement to install sidewalk along Corral Drive as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 24A and 24B of the NE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 24 of the NE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3375 Corral Drive.

Smith presented the staff recommendation to deny the request for a Variance along Easy Street and approve the Variance to waive the requirement to install sidewalk along Corral Drive with one stipulation.

**Hennies moved, Runde seconded to recommend that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code along Easy Street be denied, That the Variance to the Subdivision Regulation to waive the requirement to install pavement as per Chapter 16.16 of the Rapid City Municipal Code along Easy Street be denied without prejudice, That the Variance to waive the requirement to install sidewalk along Corral Drive as per Chapter 16.16 of the Rapid City Municipal Code be denied.**

In response to Anderson's questions, Smith identified the adjacent properties and lot lines on the subject property. Discussion followed.

Brewer expressed his support for the staff's recommendations.

**Substitute motion by Brewer, seconded by Anderson and unanimously carried to recommend that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code along Easy Street be denied,**

**That the Variance to the Subdivision Regulation to waive the requirement to install pavement as per Chapter 16.16 of the Rapid City Municipal Code along Easy Street be denied without prejudice,**

**That the Variance to waive the requirement to install sidewalk along Corral Drive as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:**

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

Collins expressed her support for the staff's recommendations for approval of the Variance to the Subdivision Regulations request for sidewalk along Corral Drive.

Karen Gunderson-Olsen, Council Alderwoman requested clarification of the location of the existing sidewalks and crosswalks adjacent to the subject property. Discussion followed.

**Substitute motion by Brewer moved, seconded by Anderson and unanimously carried to recommend that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer as per Chapter 16.16 of the Rapid City Municipal Code along Easy Street be denied,**

**That the Variance to the Subdivision Regulation to waive the requirement to install pavement as per Chapter 16.16 of the Rapid City Municipal Code along Easy Street be denied without prejudice,**

**That the Variance to waive the requirement to install sidewalk along Corral Drive as per Chapter 16.16 of the Rapid City Municipal Code be approved with the following stipulation:**

- 1. Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment of the sidewalk improvements along Corral Drive. (6 to 1 with Anderson, Brewer, Brown, Collins, Landguth and Runde voting yes and Hennies voting no)**

Bulman requested that items 50 and 51 be taken concurrently.

51. No. 07TI005 - Original Town of Rapid City

A request by Dream Design International, Inc. to consider an application for a **Resolution Creating Tax Increment District No. 62** on Tract NW 66; balance of Lots 12 through 16 and the north 10 feet of vacated alley adjacent to Lots 12 through 16 Block 66, Original Town of Rapid City, Pennington County, South Dakota, less Lots H1, Section 36, T2N, R7E, BHM; Lot 1 of Dan's Supermarket Tract Revised Located in Block 66 of the Original Townsite of Rapid City, Pennington County, South Dakota, Section 36, T2N, R7E, BHM, and Section 1, T1N, R7E, BHM; Dan's Supermarket Tract Revised in Blocks 66 and 67 of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 24, Page 177, EXCEPTING therefrom Lot 1 of Dan's Supermarket Tract Revised, as shown on the plat filed in Plat Book 29, Page 110, also EXCEPTING therefrom Lot H1, as shown on the plat filed in Highway Plat Book 10, Page 84, Section 36, T2N, R7E, BHM, and Section 1, T1N, R7E,



BHM; Lots 6 through 16, in Block 76 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 8 through 16 in Block 96 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 1 through 7, inclusive, in Block 96 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 17 through 24, both inclusive, of the Original Townsite, Block 96 of Rapid City, Pennington County, South Dakota, Lots 25 through 32 in Block 96 of the original townsite of Rapid City, Pennington County, South Dakota, Lots One through Sixteen, Block 95, original town, Rapid City, Pennington County, South Dakota, Original Town of Rapid City Block 95 North 90' of Lot 22 & Lots 23-28 Inclusive & W1/2 of Lot 29, The E1/2 of Lot 29 and All of Lot 30 in Block 95 of the Original Townsite of Rapid City, Pennington County, South Dakota, Lots 31 and 32 in Block 95 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 8 and 9 in Block 105 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 3 through 7 inclusive in Block 105 of the Original Town, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. The North 90 Feet of Lot 1 and 2 in Block 105 of the Original Town of Rapid City, Pennington County, South Dakota, The South 50 Feet of Lots 1 and 2 in Block 105 of the Original Town of Rapid City, Pennington County, South Dakota, Lots 25 and 26 in Block 105, in the Original Town of Rapid City, Pennington County, South Dakota, Lot 27 and the west half of Lot W28 in Block 105 of the Original Townsite to the City of Rapid City, Pennington County, South Dakota, The E1/2 of Lot 28 and all of Lot 29 in Block 105 of the Original Townsite of The City of Rapid City, Pennington County, South Dakota, Lots 30, 31, and 32 of Block 105 of the Original Townsite of Rapid City, Pennington County, South Dakota, together with all improvements thereon, Lot A of Knights of Columbus Subdivision, City of Rapid City, as shown by the plat recorded in Book 34 of Plats on Page 66 in the Office of the Register of Deeds, Pennington County, South Dakota, Lot B of Knights of Columbus Subdivision, City of Rapid City, as shown by the plat recorded in Book 34 of Plats on Page 66 in the Office of the Register of Deeds, Pennington County, South Dakota, The South 70 Feet of Lots 17-24, less a portion of Lot H1 in Lot 17, of Block 126 of the Original Townsite of Rapid City, Pennington County, South Dakota, Fifth (5th) Street Public Right-of-Way, from Omaha Street, southerly to South Street, of the Original Townsite of Rapid City, Pennington County, South Dakota, Rapid Street Public Right-of Way, from Fifth (5th) Street, easterly to Third (3rd) Street, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Public Alley Right-of-Way, adjacent to Lots 6 through 16, in Block 76 of the Original Townsite of Rapid City, Pennington County, South Dakota, Saint Joseph Street Public Right-of-Way, from Sixth (6th) Street, easterly to Fourth (4th) Street, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Public Alley Right-of-Way located in Block 95, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Public Alley Right-of-Way located in Block 96, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Kansas City Street Public Right-of-Way, adjacent to Lots 1 through 9, in Block 105, of the Original Townsite of Rapid City, South Dakota, Entire Public Alley Right-of-Way, adjacent to Lots 25 through 32, in Block 105, of the Original Townsite of Rapid City, South Dakota, All located in Section 1, T1N, R7E, BHM, more generally described as being located between Omaha Street and South Street between 3rd Street and 6th Street.



52. No. 07TI006 - Original Town of Rapid City

A request by Dream Design International, Inc. to consider an application for a **Tax Increment District No. 62 Project Plan** on Tract NW 66; balance of Lots 12 through 16 and the north 10 feet of vacated alley adjacent to Lots 12 through 16 Block 66, Original Town of Rapid City, Pennington County, South Dakota, less Lots H1, Section 36, T2N, R7E, BHM; Lot 1 of Dan's Supermarket Tract Revised Located in Block 66 of the Original Townsite of Rapid City, Pennington County, South Dakota, Section 36, T2N, R7E, BHM, and Section 1, T1N, R7E, BHM; Dan's Supermarket Tract Revised in Blocks 66 and 67 of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 24, Page 177, EXCEPTING therefrom Lot 1 of Dan's Supermarket Tract Revised, as shown on the plat filed in Plat Book 29, Page 110, also EXCEPTING therefrom Lot H1, as shown on the plat filed in Highway Plat Book 10, Page 84, Section 36, T2N, R7E, BHM, and Section 1, T1N, R7E, BHM; Lots 6 through 16, in Block 76 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 8 through 16 in Block 96 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 1 through 7, inclusive, in Block 96 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 17 through 24, both inclusive, of the Original Townsite, Block 96 of Rapid City, Pennington County, South Dakota, Lots 25 through 32 in Block 96 of the original townsite of Rapid City, Pennington County, South Dakota, Lots One through Sixteen, Block 95, original town, Rapid City, Pennington County, South Dakota, Original Town of Rapid City Block 95 North 90' of Lot 22 & Lots 23-28 Inclusive & W1/2 of Lot 29, The E1/2 of Lot 29 and All of Lot 30 in Block 95 of the Original Townsite of Rapid City, Pennington County, South Dakota, Lots 31 and 32 in Block 95 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 8 and 9 in Block 105 of the Original Townsite of the City of Rapid City, Pennington County, South Dakota, Lots 3 through 7 inclusive in Block 105 of the Original Town, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. The North 90 Feet of Lot 1 and 2 in Block 105 of the Original Town of Rapid City, Pennington County, South Dakota, The South 50 Feet of Lots 1 and 2 in Block 105 of the Original Town of Rapid City, Pennington County, South Dakota, Lots 25 and 26 in Block 105, in the Original Town of Rapid City, Pennington County, South Dakota, Lot 27 and the west half of Lot W28 in Block 105 of the Original Townsite to the City of Rapid City, Pennington County, South Dakota, The E1/2 of Lot 28 and all of Lot 29 in Block 105 of the Original Townsite of The City of Rapid City, Pennington County, South Dakota, Lots 30, 31, and 32 of Block 105 of the Original Townsite of Rapid City, Pennington County, South Dakota, together with all improvements thereon, Lot A of Knights of Columbus Subdivision, City of Rapid City, as shown by the plat recorded in Book 34 of Plats on Page 66 in the Office of the Register of Deeds, Pennington County, South Dakota, Lot B of Knights of Columbus Subdivision, City of Rapid City, as shown by the plat recorded in Book 34 of Plats on Page 66 in the Office of the Register of Deeds, Pennington County, South Dakota, The South 70 Feet of Lots 17-24, less a portion of Lot H1 in Lot 17, of Block 126 of the Original Townsite of Rapid City, Pennington County, South Dakota, Fifth (5th) Street Public Right-of-Way, from Omaha Street, southerly to South Street, of the Original Townsite of Rapid City, Pennington County, South Dakota, Rapid Street Public Right-of Way, from Fifth (5th) Street, easterly to Third (3rd) Street, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Public Alley Right-of-Way, adjacent to Lots 6 through 16, in

Block 76 of the Original Townsite of Rapid City, Pennington County, South Dakota, Saint Joseph Street Public Right-of-Way, from Sixth (6th) Street, easterly to Fourth (4th) Street, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Public Alley Right-of-Way located in Block 95, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Public Alley Right-of-Way located in Block 96, of the Original Townsite of Rapid City, Pennington County, South Dakota, Entire Kansas City Street Public Right-of-Way, adjacent to Lots 1 through 9, in Block 105, of the Original Townsite of Rapid City, South Dakota, Entire Public Alley Right-of-Way, adjacent to Lots 25 through 32, in Block 105, of the Original Townsite of Rapid City, South Dakota, All located in Section 1, T1N, R7E, BHM, more generally described as being located between Omaha Street and South Street between 3rd Street and 6th Street.

Bulman presented the Tax Increment Financing Committee's recommendation to approve the Resolution Creating Tax Increment District No. 62 and the associated Project Plan request.

In response to Hennies' question, Bulman identified the boundaries of the proposed Tax Increment District No. 62.

Hennies expressed concerns for the extended boundaries of the proposed Tax Increment District No. 62.

In response to Anderson's question, Bulman identified the proposed project costs. Discussion followed.

Hani Shafai, applicant identified the improvements included in the Tax Increment District No. 62 Project Plan and further explained the benefit to the community from the extended boundaries. Discussion followed.

Brenden, Rapid City resident, expressed his opposition to the proposed Tax Increment District No. 62.

In response to Anderson's question, Bulman further reviewed the proposed project costs.

Shafai identified the allocation of costs of the Tax Increment Financing District No. 62 funds. Discussion followed.

Collins expressed her support for proposed Tax Increment District No. 62.

Brewer expressed his support for proposed Tax Increment District No. 62.

**Brewer moved, Anderson seconded and unanimously carried to recommend that the Resolution Creating Tax Increment District No. 62 Downtown Revitalization be approved; and, That the Tax Increment District No. 62 Project Plan be approved. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**



\*53. No. 07UR005 - Section 4, T1N, R8E

A request by Unique Signs for Dwayne Pankratz to consider an application for a **Conditional Use Permit to allow an off-premise billboard sign in a General Commercial District** on a portion of the unplatted balance lying between Lancer Drive and Elk Vale Road of the SE1/4, less Lot H1, Less Lots H3 and H4 of the W1/2 SE1/4 and less Lots H3, H4 and H5 of the E1/2 SE1/4, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1751 Elkvale Road.

Smith presented the Conditional Use Permit request. Smith stated that staff recommends that the Conditional Use Permit request be denied.

Shafai, representing the applicant requested that the Conditional Use Permit request be approved. Shafai expressed his opinion that the proposed location of the sign would have a positive impact to the community. Shafai requested that the Conditional Use Permit request be approved. Discussion followed.

Dwayne Pankratz, expressed his opinion that the billboard sign on the proposed location would have a positive impact for the community. Pankratz requested that the Conditional Use Permit to allow an off-premise billboard be approved.

Karen Gunderson-Olsen, Alderwoman expressed her opposition to the proposed billboard sign on the subject property.

Elkins requested that the Planning Commission consider the impact of the additional billboard on the community.

Pankratz expressed his opinion that the location of the proposed sign would benefit area businesses.

Runde expressed her support for the Conditional Use Permit to allow an off-premise billboard.

**Runde moved, Collins seconded to approve the Conditional Use Permit to allow an off-premise billboard sign in a General Commercial District. The motion to approve failed on a Roll Call vote. (3 to 4 with Brewer, Collins, and Runde voting yes and Anderson, Brown, Hennies and Landguth voting no)**

**Hennies moved, Landguth seconded to deny the Conditional Use Permit to allow an off-premise billboard sign in a General Commercial District. The motion to deny carried on a Roll Call vote (4 to 3 with Anderson, Brown, Hennies and Landguth voting yes and Brewer, Collins, and Runde voting no)**

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

\*54. No. 07UR006 - Section 4, T1N, R8E

A request by Unique Signs for Dwayne Pankratz to consider an application for a **Conditional Use Permit to allow an off-premise billboard sign in a General Commercial District** on a parcel of land described as Elk Vale Road and East Anamosa Commencing at a point, said being the northeast corner of the intersection of East Anamosa Street and Elk Vale Road; Thence S00°06'41"W 238.22 feet to the point of beginning. Thence S89°55'40"W a distance of 50 feet; Thence S00°06'41"W a distance of 30 feet; Thence N89°55'40"E a distance of 50 feet; Thence N00°06'41"E a distance of 30 feet to the point of beginning, more generally described as being located at 311 Elkvale Road.

Smith presented the staff recommendation to continue the Conditional Use Permit request to the May 10, 2007 Planning Commission meeting at the applicant's request.

**Brewer moved, Collins seconded and unanimously carried to continue the Conditional Use Permit to allow an off-premise billboard sign in a General Commercial District to the May 10, 2007 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde 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.***

55. Discussion Items

56. Staff Items

Marcia Elkins requested an authorization to proceed with zoning F&N Subdivision with a first class mailing to all property owners within 250 feet.

**Hennies moved, Runde seconded to authorize staff to proceed with the first class mailing for the zoning of the F&N Subdivision. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**

57. Planning Commission Items

58. Committee Reports

- A. City Council Report (April 2, 2007)  
The City Council concurred with the recommendations of the Planning Commission.
- B. Sign Code Board of Appeals
- C. Zoning Board of Adjustment
- D. Parks and Recreation Subcommittee
- E. Capital Improvements Subcommittee
- F. Americans With Disabilities Act Compliance Committee



- G. Drinking Water Protection Committee
- H. Tax Increment Financing Committee
- I. Off-Premise Sign Permit Committee
- J. Infrastructure Development Partnership Fund Committee
- K. Floodplain Boundary Policy Committee
- L. Landscape Code Committee
- M. Smart Growth Committee
- N. Others

**There being no further business, Hennies moved, Brewer seconded and unanimously carried to adjourn the meeting at 8:58 a.m. (7 to 0 with Anderson, Brewer, Brown, Collins, Hennies, Landguth and Runde voting yes and none voting no)**