

3208 Kirkwood Drive
Rapid City, SD 57702

City of Rapid City
Growth Management Department
300 6th Street
Rapid City, SD 57701

RECEIVED

JUN 05 2008

Rapid City Growth
Management Department

Subject: Chop House Motel Expansion

Dear Sirs:

Late last month, our home owner's association had our annual meeting at the Meadowbrook School. At that meeting, I officially became one of the home owners association board members and every since the meeting one of the topics continues to disturb me. Here's the reason why.

We have an eyesore in our homeowner area in the form of our old tennis court that we have tried to deal with for years. Very few people ever use the court and even fewer people want to maintain it. At every association meeting the subject comes up and nothing is ever done about it. Just talk – nothing happens.

The reason that nothing happens is tied to the Rapid City's code or regulation that no future building can be done in Chapel Lane area because there is only a single entry and egress point in this part of town for the hundreds, if not thousands, of vehicles moving over the Chapel Lane bridge over Rapid Creek every day. Therefore it is held that nothing can be done to sell the tennis courts to anyone because no development can be allowed on the existing tennis courts. The issue always boils down to more more parking, more cars and more traffic

across the single bridge over Rapid Creek. The tennis court was built in the 70's with virtually no improvement or usage since.

Several years ago, the taxes on these tennis court lots went from \$600.28 per year in 2002 to \$3508.18 per year in 2006. The reason, as discussed at our meeting, is that they are now listed as "buildable lots" however their status has never changed. They just sit there because of the city's code or regulation mentioned earlier.

Along comes well known developer Mike Derby to our home owner's association meeting on May 22nd. We appreciate having him join us to update the group on his plans. After our general meeting, he and his architectural person explain their new motel with the Chophouse Restaurant located at the mouth of the only entry and exit to this entire housing development. This is the very same area where the city has insisted on no development where increased traffic is involved over a single entry or exiting route for vehicular traffic. In this case, it's our single bridge over Rapid Creek.

We briefly discussed finding and adding an additional route into the Chapel Lane/Chapel Valley and High Place housing areas. The Mike Derby development, in and of itself will potentially add hundreds of vehicles and people at the very throat of the current bottle neck.

There is a multitude of potential disasters that present themselves when you consider not being able to get people in or out of our communities. I would love to create a list, but the purpose of this paper is to lay out the circumstances that exist. Please note that the intersection at the north reach of the bridge is not just another street but rather it is a state highway and major artery in and out of Rapid City with a full range of vehicle types and speeds. As John Brewer recently described it, our "world class bike trail" crosses Chapel Lane at the north reach of this bridge. Instead of 40 homes and possibly 100+ people living in our beautiful area of Rapid City, we already have hundreds of homes and

thousands of people and vehicles. We are literally surrounded by forests that are on given years more or less fire hazards. The list goes on.

If the city has been correct in not allowing development in Chapel Lane/ Chapel Valley and High Place, then they should certainly not allow this development by Mike Derby at the very center of the bottle neck.

I would also point out that our run-down tennis court is right next to the route that tour buses and the new trolley go by every day as they take visitors to the Stav Kirk Chapel. I would like to see us be able to do something about this too but the over riding concern here is Public Safety for everyone and especially the thousands of persons who reside in our "box canyon".

Thank you.

Sincerely,

Ron Bunnell

P.S. If there are questions or if I can help in any way, please call me at 355-9730 during the day or 718-0356 in the evenings.

----- Original Message -----

From: [Jeanette Keck](#)

To: councilgroup@rcgov.org

Sent: Thursday, July 03, 2008 7:36 PM

Subject: Canyon Lake Resort

I am a resident of Chapel Valley, and I am opposed to the development of a resort next to the Chophouse. I went to a meeting held by Mike Derby and I have been talking to my neighbors. We are concerned about many issues. This would be a huge resort with 80 hotel rooms, a 3500 sq. ft. ballroom, a winery, pool, and 250 parking spaces. This is a huge project to put in a small space in a residential neighborhood. We are also concerned about access, since there is only one way in and out of Chapel Valley. We are concerned about the noise and congestion it would bring to our neighborhood. Sound echoes in our Valley. We are also concerned about environmental issues with many more cars and people using such a small space including the nearby lake and park. We plan to have a large group of supporters at the August 7 Planning Commission meeting to oppose this development. Please call me if you would like to discuss this issue.

Jeanette Keck

341-2443

readtome49@hotmail.com

From: Daniel & Michelle Ellenbecker [mailto:danmich@rushmore.com]
Sent: Tuesday, July 08, 2008 3:41 PM
To: Elkins Marcia
Subject: Canyon Lake Resort Proposal

Dear Marcia,

I am a resident of Chapel Valley in Rapid City and am greatly concerned about the resort that is being proposed by Mike Derby. My most important concerns are about evacuation of the Valley in the situation of a fire. We in Chapel Valley are in a very unique situation in that we have only one way out of our development. Granted we now have a three lane bridge but, currently even this would not be adequate to evacuate home owners in the Valley. Now Mr. Derby has proposed an 80 room resort at the entrance to Chapel Valley. He stated that he could evacuate his guests in 15 minutes!! Any one who has been through an evacuation situation knows that this is a very ill informed estimate. Take a look at West Trails, the Valley and the Wildwood evacuation situations. The Valley and Westberry Trails people had only one way out and only 20 minutes to gather their possessions and leave. Granted these are areas that are not within the Rapid City district, but can we not learn from these examples of evacuating developments with one or two accesses. As it stands very few of us will be able to get over the bridge even without an additional 160 tourists staying at the proposed resort. We need to consider the 500 year flood plan as well. My question is, how can Mr. Derby put tourist's safety above the safety of the families, homes and cars of the individuals who won property in the Valley?! It also concerns me that his proposal for selling these units as condos has not been passed by the realty commission of South Dakota. Please also note that Mike Derby does not live in the Valley and has no obvious understanding of what is at stake to the current home owners here. He may lose a heavily insured structure, we would lose more monetarily than many of us could makeup for in the remainder of our lives. I know that there is a governance against building another single family home in the Valley due to fire and evacuation concerns from the past and that Mike can request an 80 room resort structure because he can maneuver this under the commercial codes. This is not a situation of imminent domain, where we must make decisions based on the best for the majority. This indeed is not the best for the majority of Chapel Valley residents and therefore I stand against Mike Derby's Resort proposal.

Marcia, I entrust you to take my concerns forward to the city commission meeting on August 7, 2008. If you need further clarifications on my stance, please free to call me at 341-6221 or a-mail me at danmich@rushmore.com

Sincerely,

Michelle Ellenbecker

From: j jackson [mailto:jjacksonshs@yahoo.com]
Sent: Wednesday, July 09, 2008 5:03 PM
To: Elkins Marcia
Subject: proposed hotel on canyon lake

Planning Commission Member,

I am writing in regard to Mike Derby's proposed 80-unit condo/hotel on Canyon Lake that will also include a winery, banquet facility, and additional restaurant. This proposed expansion of the existing facility has many Chapel Valley residents concerned.

As you may know, there is only one entrance to Chapel Valley. In case of fire, flooding, or other emergency, there is a strong possibility of a bottleneck at the entrance/exit. Not only will the Chapel Valley residents have difficulty leaving the Valley, but emergency personnel will also have difficulty entering the Valley. Mr. Derby's planned expansion would greatly aggravate an already potentially dangerous situation.

Another concern is the noise factor. By virtue of the fact that Chapel Valley is indeed a valley, sound is greatly amplified and is carried quite some distance. With the possibility of many hundreds of people occupying Mr Derby's facility at any one time, this is a great concern. Mr. Derby indicated at a meeting with the Chapel Valley residents that a group of possible owners of his condo/hotel units would be members of the Harley Owners Group (HOG). Again, the potential for noise pollution from hundreds of motorcycles is not pleasant to consider.

It is the current policy of the City of Rapid City to not allow any additional houses to be built in Chapel Valley because it is considered to be at its maximum capacity due to the one entrance/exit to Chapel Valley. I understand that Mr. Derby's project falls under other constraints/restrictions because supposedly his condos will not be permanent residences. To me this is just sidestepping the intent of the current city policy. The intent of the policy is to protect the current homeowners from possible danger if an emergency were to occur. Certainly adding a winery, restaurant, banquet facility and 80-unit condo/hotel will endanger the homeowners if there were to be an emergency. If there were 500 people at Mr. Derby's facility, I'm sure they would be able to exit Chapel Valley because they will be close to the bridge, but what about the other residents of Chapel Valley?

Many homeowners have settled in Chapel Valley because of the quality of life that is offered here. It is essentially a quiet, peaceful, safe place to live and raise children. That quality of life could be at risk if Mr. Derby's project is allowed to proceed as planned.

For these reasons I am opposed to Mr. Derby's project and would appreciate your consideration of his plan when it is presented to the planning commission. If you have any questions please feel free to contact me. My phone number is 718-5936 and my email address is jjacksonshs@yahoo.com.

Thank you.
Julie Jackson