



MINUTES OF THE  
RAPID CITY PLANNING COMMISSION MEETING  
September 25, 2008  
Continued from September 22, 2008

MEMBERS PRESENT: Peter Anderson, John Brewer, Mike Derby, Thomas Hennies, Linda Marchand, Steve Rolinger and Andrew Scull. Ron Weifenbach, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Bob Dominicak, Monica Heller, Patsy Horton, Vicki Fisher, Karen Bulman, Travis Tegethoff, Jared Ball, Mary Bosworth, Ted Johnson, Karley Halsted, Bill Knight, Jason Green and Carol Campbell.

Derby called the meeting to order at 7:00 a.m. and opened the public hearing on items 1 and 2 from the September 22, 2008 Planning Commission meeting.

1. No. 08CA033 - Comprehensive Plan Amendment  
A request by the City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan adopting the Deadwood Avenue Neighborhood Area Future Land Use Plan** on property legally described as portions of Sections 8, 9, 10, 11, 12, 13, 17, 20, 24, 25, 26, 28, 29, 33, 34 and 35, Township 2 North, Range 7 East, Pennington County, South Dakota, and all of Sections 14, 15, 16, 21, 22, 23, and 27, Township 2 North, Range 7 East, Pennington County, South Dakota, more generally described as being located north of Omaha Street/West Chicago Street, east of SD Highway 231 (Sturgis Road), south of the Pennington County line, and west of Haines Avenue, Pennington County, South Dakota.
  
2. No. 08CA034 - Comprehensive Plan Amendment  
A request by the City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan to revise the Major Street Plan by eliminating, adding and realigning arterial and collector streets in the Deadwood Avenue Neighborhood Area Future Land Use Plan** on property legally described as portions of Sections 8, 9, 10, 11, 12, 13, 17, 20, 24, 25, 26, 28, 29, 33, 34 and 35, Township 2 North, Range 7 East, Pennington County, South Dakota, and all of Sections 14, 15, 16, 21, 22, 23, and 27, Township 2 North, Range 7 East, Pennington County, South Dakota, more generally described as being located north of Omaha Street/West Chicago Street, east of SD Highway 231 (Sturgis Road), south of the Pennington County line, and west of Haines Avenue, Pennington County, South Dakota.

Elkins requested that the Amendment to the Comprehensive Plan adopting the Deadwood Avenue Neighborhood Area Future Land Use Plan and the Amendment to the Comprehensive Plan to revise the Major Street Plan by eliminating, adding and realigning arterial and collector streets in the Deadwood Avenue Neighborhood Area Future Land Use Plan be continued to a Special Planning Commission meeting on Tuesday, October 28, at 5:30 p.m. to allow the Future Land Use Committee to consider the public comments made on



September 22, 2008.

**Brewer moved, Hennies seconded to continue on the Amendment to the Comprehensive Plan adopting the Deadwood Avenue Neighborhood Area Future Land Use Plan and the Amendment to the Comprehensive Plan to revise the Major Street Plan by eliminating, adding and realigning arterial and collector streets in the Deadwood Avenue Neighborhood Area Future Land Use Plan to a Special Planning Commission meeting on Tuesday, October 28, at 5:30 p.m.**

Derby called for discussion on the motion.

Elkins clarified that the motion on the floor was to continue the Future Land Use Plan and the Major Street Plan for the Deadwood Avenue Neighborhood Area to a Special meeting on October 28, 2008.

Steve Mueller, area resident requested clarification on action by the Planning Commission. Elkins reviewed the action proposed by the Planning Commission noting it would allow the Future Land Use Committee to address the public comments. Discussion followed.

Derby stated that on the September 22, 2008 Special Planning Commission meeting, a quorum was not present. He stated that the motion is to address the continuation and would encourage public comment on the motion. Discussion followed.

Hennies requested action on the motion on the floor. Discussion followed.

In response to Mueller's question, Elkins stated that continuing the public hearing would allow the Future Land Use Committee to consider public testimony received to date and to make revisions to the plans to address those comments. Discussion followed.

**Substitute motion by Hennies, Scull seconded to take comment on the Amendment to the Comprehensive Plan adopting the Deadwood Avenue Neighborhood Area Future Land Use Plan and the Amendment to the Comprehensive Plan to revise the Major Street Plan by eliminating, adding and realigning arterial and collector streets in the Deadwood Avenue Neighborhood Area Future Land Use Plan for comment and continue the items to the October 28, 2008 Special Planning Commission meeting.** Discussion followed.

Mueller expressed his objections to the process.

Elkins suggested clarifying the motion to take public comment and then consider a separate motion to dispose of the items. Discussion followed.

**Substitute motion by Hennies, Marchand seconded to take comment on the Amendment to the Comprehensive Plan adopting the Deadwood Avenue**



**Neighborhood Area Future Land Use Plan and the Amendment to the Comprehensive Plan to revise the Major Street Plan by eliminating, adding and realigning arterial and collector streets in the Deadwood Avenue Neighborhood Area Future Land Use Plan for comment. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

Mueller stated that he would be able to present his comments at the October 28, 2008 Planning Commission meeting and continued to express his objections to the process. Discussion followed.

Darrell Hanson, area resident expressed his concern for the proposed extension of Disk Drive. Discussion followed.

Chuck Keummonle, area resident expressed his concerns for the process. Keummonle expressed concern with the proposed realignment of the Disk Drive road connection adjacent to the Interstate. Keummonle requested clarification on the purpose of the proposed road connection.

Ed Carpenter, representing Jim Bailey for Sweet Creek LLC, an area property owner, expressed his client's objection to the amended plan to relocate the collector street connection to his property. Carpenter requested that the City work with Mr. Bailey to fund an alternate road to provide access to his property. Discussion followed.

Sam Fischer, 1802 West Main, requested review of the revisions to the Major Street Plan. Fischer expressed his concern with adding the Sheridan Lake Road extension. Fischer stated his opinion that funding is not available at this time and adding the road to the Major Street Plan would inhibit the transfer of the property in the immediate future. Fischer commented on the possible negative impact and requested a maximum time for action by the City of Rapid City. Fischer expressed his opposition to the proposed revised Major Street Plan.

Steve Mueller, area resident expressed objections to the proposed rezoning of the Deadwood Avenue Neighborhood Area. Mueller expressed concern with environmental impacts on the adjacent properties as a result of proposed rezoning to accommodate development. Mueller expressed his opinion on the possible negative impact of the rezoning request. Discussion followed.

In response to Anderson's questions, Elkins stated that the Future Land Use Committee meeting is not open to the public. Elkins added that the Committee may wish to have a neighborhood meeting to take additional comments from the public.

Derby asked for any additional comments.

**Anderson moved, Scull seconded to continue the public hearings on the Amendment to the Comprehensive Plan adopting the Deadwood Avenue Neighborhood Area Future Land Use Plan and the Amendment to the Comprehensive Plan to revise the Major Street Plan by eliminating, adding**



and realigning arterial and collector streets in the Deadwood Avenue Neighborhood Area Future Land Use Plan to October 28, at 5:30 p.m. with the understanding that the comments presented will be reviewed by the Future Land Use Committee. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)

Anderson moved, Scull seconded to recess the September 22, 2008 Special Planning Commission meeting to the October 28, 2008 Special Planning Commission meeting at 5:30 p.m. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)

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

Hennies requested that Items 25, 26 and 27 be removed from the Consent Agenda for separate consideration.

Motion by Rolinger, seconded by Scull and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 36 in accordance with the staff recommendations with the exception of Items 25, 26 and 27. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the August 25, 2008, Special Planning Commission Meeting Minutes, the August 28, 2008, Continued Planning Commission Meeting Minutes and the September 4, 2008, Planning Commission Meeting Minutes.

2. 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 continued the Vacation of Section Line Highway request to the October 23, 2008 Planning Commission meeting.**

3. No. 07PL134 - Hyland Crossing Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** for proposed Lots 1 thru 12 of Block 1, Lots 1 thru 7 of Block 2,



Lots 1 thru 4 of Block 3, Lots 1 thru 15 of Block 4, and Lots 1 thru 31 of Block 5 of Hyland Crossing Subdivision and the dedicated Right-of-way, legally described as a portion of the unplatted W1/2 SE1/4; SE1/4 SE1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southern terminus of Dreamscape Drive.

**Planning Commission continued the Preliminary Plat to the October 23, 2008 Planning Commission meeting.**

4. No. 07SV057 - Hyland Crossing Subdivision

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 1 thru 12 of Block 1, Lots 1 thru 7 of Block 2, Lots 1 thru 4 of Block 3, Lots 1 thru 15 of Block 4, and Lots 1 thru 31 of Block 5 of Hyland Crossing Subdivision and the Dedicated Right-of-way, legally described as the unplatted W1/2 SE1/4; SE1/4 SE1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southern terminus of Dreamscape Drive.

**Planning Commission continued the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code to the October 23, 2008 Planning Commission meeting.**

5. No. 08CA025 - W-Y Addition

A request by G/GSA, 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 Industrial to General Commercial** on Lot 3 of Tract D of W-Y Addition, Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4507 South Interstate 90 Service Road.

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

6. No. 08CA031 - Rushmore Center

A request by Dream Design International, Inc. to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the future land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development** on a portion of Tract B of Rushmore Center, located in the SE¼, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northeasterly corner of Tract B of Rushmore Center, common to the southeasterly corner of Tract G of Rushmore Crossing, common to a point on the westerly edge of right-of-way of Luna Avenue, and the point of beginning. Thence, first course curving to the



right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 464.00 feet, a delta angle of 17°00'58", a length of 137.80 feet, a chord bearing of S11°46'03"E, and chord distance of 137.30 feet, to a corner of said Tract B, common to a corner on the westerly edge of said Luna Avenue right-of-way; Thence, second course: N86°44'26"E, along the easterly boundary of said Tract B, common to the westerly edge of right-of-way of said Luna Avenue right-of-way, a distance of 12.00 feet, to a corner of said Tract B, common to a corner on the westerly edge of said Luna Avenue right-of-way; Thence, third course curving to the right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 476.00 feet, a delta angle of 03°25'22", a length of 28.44 feet, a chord bearing of S01°32'53"E, and chord distance of 28.43 feet; Thence, fourth course: S00°09'48"W, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, a distance of 816.29 feet; Thence, fifth course curving to the right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 1970.00 feet, a delta angle of 01°48'09", a length of 61.97 feet, a chord bearing of S01°03'52"W, and chord distance of 61.97 feet; Thence, sixth course: S01°57'56"W, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, a distance of 23.04 feet; Thence, seventh course: N89°53'25"W, a distance of 192.65 feet; Thence, eighth course: N00°01'19"W, a distance of 909.25 feet; Thence, ninth course: N27°50'29"W, a distance of 175.08 feet to a point on the northerly boundary of said Tract B, common to a point on the southerly boundary of said Tract G; Thence, tenth course: S89°45'36"E, along the northerly boundary of said Tract B, common to the southerly boundary of said Tract G, a distance of 238.28 feet to the northeasterly corner of said Tract B, common to the southeasterly corner of said Tract G, common to a point on the westerly edge of right-of-way of said Luna Avenue, and the point of beginning, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of the intersection of East Anamosa Street and Luna Avenue.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the future land use designation from Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development be approved.**

7. No. 08CA032 - Rushmore Center

A request by Dream Design International, Inc. to consider an application for a **Amendment to the Adopted Comprehensive Plan to change the Future Land Use Designation from Medium Density Residential to General Commercial with a Planned Commercial Development** on Tract A and a portion of Tract B of Rushmore Center, located in the SE¼, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwesterly corner of Tract B of Rushmore Center, common to the northeasterly corner of Tract A of Rushmore Center, and common to a point on the southerly boundary of Tract G of Rushmore Crossing, and the point of beginning; Thence, first course: S89°45'36"E, along the northerly



boundary of said Tract B, common to the southerly boundary of said Tract G, a distance of 36.69 feet; Thence, second course: S27°50'29"E, a distance of 175.08 feet; Thence, third course: S00°01'19"E, a distance of 909.25 feet; Thence, fourth course: S89°52'30"W, a distance of 121.62, to a point on the westerly boundary of said Tract B, common to a point on the easterly boundary of Lot A of Lot 5R of Meridian Subdivision; Thence, fifth course: N00°09'06"E, along the westerly boundary of said Tract B, common to the easterly boundary of said Lot A of Lot 5R, a distance of 583.94 feet, to the northeasterly corner of said Lot A of Lot 5R, common to the southeasterly corner of said Tract A, and common to a point on the westerly boundary of said Tract B; Thence, sixth course: N00°09'06"E, along the westerly boundary of said Tract B, common to the easterly boundary of said Tract A, a distance of 480.53 feet, to the northwesterly corner of said Tract B, common to the northeasterly corner of said Tract A, common to a point on the southerly boundary of said Tract G, and the point of beginning, more generally described as being located southwest of the intersection of Eglin Street and Luna Avenue.

**Planning Commission recommended that the Amendment to the Adopted Comprehensive Plan to change the future land use designation from Medium Density Residential to General Commercial with a Planned Commercial Development be approved.**

8. No. 08RZ031 - Rushmore Center

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Agriculture District to General Commercial District** on a portion of Tract B of Rushmore Center, located in the SE¼, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southeasterly corner of Tract B of Rushmore Center, common to a point on the westerly edge of right-of-way of Luna Avenue, common to a point on the northerly edge of right-of-way of Anamosa Street, and the point of beginning, Thence first course: N89°50'44"W, along the southerly boundary of said Tract B, common to the northerly edge of right-of-way of said Anamosa Street, a distance of 159.72 feet; Thence, second course: N00°01'19"W, a distance of 1281.72 feet; Thence, third course: S89°25'05"E, distance of 197.25, to a point on the easterly boundary of said Tract B, common to a point on the westerly edge of right-of-way of said Luna Avenue; Thence, fourth course: curving to the right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 476.00 feet, a delta angle of 00°45'45", a length of 6.34 feet, a chord bearing of S00°13'05"E, and chord distance of 6.34 feet; Thence, fifth course: S00°09'48"W, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, a distance of 816.29 feet; Thence, sixth course: curving to the right, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, on a curve with a radius of 1970.00 feet, a delta angle of 01°48'09", a length of 61.97 feet, a chord bearing of S01°03'52"W, and chord distance of 61.97 feet; Thence, seventh course: S01°57'56"W, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, a distance of 375.85 feet, to a corner on the easterly boundary of said Tract B, common to a corner on the westerly edge of said Luna Avenue right-of-way;



Thence, eighth course: S46°03'36"W, along the easterly boundary of said Tract B, common to the westerly edge of said Luna Avenue right-of-way, a distance of 28.73 feet, to the southeasterly corner of said Tract B, common to a point on the westerly edge of right-of-way of said Luna Avenue, common to a point on the northerly edge of right-of-way of said Anamosa Street, and the point of beginning, more generally described as being located at the northwest corner of the intersection of East Anamosa Street and Luna Avenue.

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

9. No. 08RZ032 - Rushmore Center

A request by Dream Design International, Inc. to consider an application for a **Rezoning from Medium Density Residential District to General Commercial District** on Tract A of Rushmore Center located in the SE1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of the intersection of East Anamosa Street and Luna Avenue.

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

10. No. 08RZ033 - Rushmore Center

A request by Dream Design International, Inc. to consider an application for a **Rezoning from Medium Density Residential District to General Commercial District** on a portion of Tract B of Rushmore Center, located in the SE¼, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwesterly corner of Tract B of Rushmore Center, common to the northeasterly corner of Tract A of Rushmore Center, and common to a point on the southerly boundary of Tract G of Rushmore Crossing, and the point of beginning, Thence, first course: S89°45'36"E, along the northerly boundary of said Tract B, common to the southerly boundary of said Tract G, a distance of 118.40 feet; Thence, second course: S00°01'19"E, a distance of 1436.19 feet, to a point on the northerly edge of right-of-way of Anamosa Street; Thence, third course: N89°50'44"W, along the northerly edge of right-of-way of Anamosa Street, a distance of 122.75, to the southwest corner of said Tract B, common to the southeasterly corner of Lot A of Lot 5R of Meridian Subdivision; Thence, fourth course: N00°09'06"E, along the westerly boundary of said Tract B, common to the easterly boundary of said Lot A of Lot 5R, a distance of 955.83 feet, to the northeasterly corner of said Lot A of Lot 5R, common to the southeasterly corner of said Tract A, and common to a point on the westerly boundary of said Tract B; Thence, fifth course: N00°09'06"E, along the westerly boundary of said Tract B, common to the easterly boundary of said Tract A, a distance of 480.53 feet, to the northwesterly corner of said Tract B, common to the northeasterly corner of said Tract A,





common to a point on the southerly boundary of said Tract G, and the point of beginning, more generally described as being located at the northwest corner of the intersection of East Anamosa Street and Luna Avenue.

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

11. No. 08OA003 – Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment to amend Section 17.50.335 "Sight Triangles" of the Rapid City Municipal Code.**

**Planning Commission continued the Ordinance Amendment to amend Section 16.50.335 "Sight Triangles" of the Rapid City Municipal Code to the October 23, 2008 Planning Commission meeting.**

12. No. 08OA009 - Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment to Amend Section 17.50.320(A) Swimming Pools of the Rapid City Municipal Code.**

**Planning Commission recommended that the Ordinance Amendment to Amend Section 17.50.320(A) Swimming Pools of the Rapid City Municipal Code be approved.**

\*13. No. 08PD046 - Gemstone Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc. for Lawrence Petters to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Lots 2, 3, 4, 5, 9, 10, and 11 of Block 2 of Gemstone Subdivision, Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 409, 415, 423 and 503 Topaz Lane and 422, 418 & 414 Sapphire Lane.

**Planning Commission approved the Planned Residential Development - Initial and Final Development Plan with the following stipulations:**

1. **A minimum 18 foot front yard setback shall be provided in front of each residence;**
2. **All provisions of the Low Density Residential II District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Residential Development or a subsequent Major Amendment;**
3. **The proposed structures shall conform architecturally to the plans and elevations submitted;**
4. **All currently adopted and applicable International Fire Codes shall be continually met;**
5. **Prior to issuance of a building permit the driveways shall be revised to comply with the Rapid City Street Design Criteria Manual or an Exception to the Rapid City Street Design Criteria Manual shall be**



obtained to allow a 44 foot wide driveway in lieu of a 24 foot wide driveway; and,

6. **The Planned Residential Development shall allow for the construction of fourteen townhome units on the property. Any change in use shall require a Major Amendment. In addition, the Planned Residential Development shall expire if the use is not undertaken within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.**

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

14. No. 08PL061 - Race Track Subdivision

A request by Kadrmas, Lee and Jackson for Speedway Enterprises, LLC to consider an application for a **Layout Plat** for proposed Lots 1 and 2 of Race Track Subdivision, legally described as the unplatted portion of the S1/2 SW/14 NW1/4 and a portion of the NW1/4 SW1/4, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of the intersection of East S.D. Highway 44 and Jolly Lane.

**Planning Commission continued the Layout Plat to the October 9, 2008 Planning Commission meeting.**

15. No. 08SV028 - Race Track Subdivision

A request by Kadrmas, Lee and Jackson for Speedway Enterprises, LLC 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 and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 1 and 2 of Race Track Subdivision, legally described as the unplatted portion of the S1/2 SW/14 NW1/4 and a portion of the NW1/4 SW1/4, Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of the intersection of East S.D. Highway 44 and Jolly Lane.

**Planning Commission continued the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code to the October 9, 2008 Planning Commission meeting.**

16. No. 08PL098 - Homestead Plaza Subdivision

A request by Dream Design International Inc. to consider an application for a **Preliminary Plat** for proposed Lots 29 thru 33 of Block 3 of Homestead Plaza Subdivision, legally described as a portion of Tract A of F&N Subdivision, the balance of the E1/2 SW1/4 NW1/4, the balance of the SE1/4 NW1/4, located in



the S1/2 NW1/4 and the N1/2 SW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located East of Timmons Boulevard, south of Neel Street and west of Big Sky Drive.

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

1. **Prior to Preliminary Plat approval by the City Council, Rapid Valley Sanitary District and the City of Rapid City shall enter into an agreement to allow the City of Rapid City to provide sanitary sewer and water service to those lots located within the Rapid Valley Sanitary District service boundary area;**
2. **Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;**
3. **Prior to submittal of a Final Plat application, the plat document shall be revised to show the lots as Lots 1 thru 5 of Block 3 in lieu of Lots 29 thru 33 of Block 3;**
4. **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;**
5. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,**
6. **The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.**

17. No. 08PL099 - Homestead Plaza Subdivision

A request by Dream Design International Inc. to consider an application for a **Preliminary Plat** for proposed Lots 1 thru 28 of Block 3; Tracts A, B, C and D of Block 4 of Homestead Plaza Subdivision, legally described as a portion of Tract A of F&N Subdivision, the balance of the E1/2 SW1/4 NW1/4, the balance of the SE1/4 NW1/4, located in the S1/2 NW1/4 and the N1/2 SW1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Timmons Boulevard, south of Neel Street and west of Big Sky Drive.

**Planning Commission continued the Preliminary Plat to the October 9, 2008 Planning Commission meeting.**

18. No. 08PL116 - Elks Country Estates

A request by Sperlich Consulting, Inc. for Zandstra Real Estate Holdings to consider an application for a **Preliminary Plat** for proposed Lots 8 thru 12 of Block 8, Lots 5 thru 9 of Block 9, Lots 17 thru 23 of Block 10, Lots 4 thru 18 of Block 11 and Lots 1 thru 10 of Block 13 of Elks Country Estates, located in a portion of Tract 1 of the E1/2, Section 16, T1N, R8E, BHM, legally described as a portion of Tract 1 of the E1/2, Section 16, T1N, R8E, BHM, located in the SE1/4,



Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the north and south sides of the intersection of Jolly Lane and Padre Drive and adjacent to Forest Oaks Court.

**Planning Commission continued the Preliminary Plat to the October 9, 2008 Planning Commission meeting.**

19. No. 08PL122 - SSJE Subdivision

A request by Mary Klozenbucher for Western Area Power Administration to consider an application for a **Layout Plat** for proposed Lot 6 of SSJE Subdivision, legally described as a portion of the unplatted portion of the SW1/4 of the SW1/4, Section 32 and a portion of the remaining balance of Lot A of D.D.E. Subdivision, located in the SW1/4 of the SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Jess Street and east of Kermit Lane.

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

1. **Upon submittal of a Preliminary Plat application, a drainage and grading plan, shall be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary;**
2. **Upon submittal of the Preliminary Plat application, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;**
3. **Upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;**
4. **Upon submittal of the Preliminary Plat application, a revised plat document providing the required right-of-way and road construction plans for Creek Drive be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
5. **Upon submittal of the Preliminary Plat application, a revised plat document providing the required right-of-way and road construction plans for Jess Street be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In particular, the road shall be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**



6. Upon submittal of the Preliminary Plat application, , the road construction plans for the section line highway shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. In particular, the road shall be located in a minimum 66 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  7. Upon submittal of the Preliminary Plat application, the applicant shall verify the location of all existing and proposed easements and the need for the temporary drainage easements;
  8. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;
  9. Prior to Preliminary Plat approval by City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
  10. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees be paid as required;
  11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
  12. The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.
20. No. 08PL124 - Morningstar Subdivision  
A request by CETEC Engineering Services, Inc. for OS Development, Inc. to consider an application for a **Preliminary Plat** for proposed Lot 1 of Block 1, Lot 1 of Block 2, Lots 1 thru 40 of Block 3, Lots 1 thru 7 of Block 4, Lots 1 thru 10 of Block 5, Lots 1 thru 6 of Block 6, Lots 1 thru 12 of Block 7, Lots 1 thru 8 of Block 8, Lots 1 thru 10 of Block 9, Tracts A and B and the dedicated public Right-of-way, legally described as a tract of land located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 22 and the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , of Section 27, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Commencing at the East  $\frac{1}{4}$  Corner of said Section 22, said point being monumented with a nail in the surface of the asphalt of Reservoir Rd and having two reference monuments consisting of a brass cap and iron pipe, one bears N40°53'23"W 46.84 feet, the second bears S42°28'55"W 47.86 feet; Thence S11°01'40"W 211.80 feet the True Point of Beginning, said point is on the westerly Right-of-Way line of said Reservoir Rd; Thence N88°20'56"W 42.22 feet to the beginning of a curve concave to the northeast having a radius of 454.00 feet; Thence along said curve a distance of 240.79 feet to the beginning point of a reverse curve having a radius of 666.00 feet; Thence along said curve a distance of 763.21 feet to a point; Thence N42°15'21"W 103.29 feet to the



beginning of a curve concave to the northeast having a radius of 740.00 feet; Thence along said curve a distance of 109.90 feet to a point; Thence N04°01'19"W 212.28 feet to a point; Thence S55°45'42"W 75.36 feet to a point; Thence N86°53'21"W 134.46 feet to a point; Thence S10°21'24"E 98.19 feet to a point; Thence S35°06'10"W 63.00 feet to a point; Thence S46°21'05"E 109.89 feet to a the beginning of a non-tangent curve concave to the southwest having a radius of 936.00 feet and a chord bearing of S45°14'35"E; Thence along said curve a distance of 97.60 feet to a point; Thence S42°15'21"E 82.00 feet to a point; Thence S47°44'39"W 267.00 feet to a point; Thence S42°15'21"E 318.00 feet to the beginning of a curve concave to the southwest having a radius of 669.00 feet; Thence along said curve a distance of 415.25 feet to a point; Thence S04°27'54"E 52.00 feet to the beginning of a non-tangent curve concave to the west having a radius of 669.00 feet and a chord bearing of S00°04'26"E ; Thence along said curve a distance of 50.53 feet to a point; Thence S02°05'22"W 618.45 feet to a point; Thence N87°54'38"W 157.00 feet to a point; Thence S02°05'22"W 82.00 feet to a point; Thence S47°05'22"W 14.14 feet to a point; Thence N87°54'38"W 95.00 feet to a point; Thence S02°05'22"W 89.55 feet to the beginning of a curve concave to the northwest having a radius of 407.00 feet; Thence along said curve a distance of 283.67 feet to a point; Thence S42°01'34"W 129.91 feet to a point; Thence S47°44'39"W 76.00 feet to a point; Thence S42°15'21"E 25.35 feet to the beginning of a curve concave to the northeast having a radius of 1238.00 feet; Thence along said curve a distance of 692.63' to a point; Thence S32°05'22"W 61.42 feet to the beginning of a curve concave to the northwest having a radius of 2060.00 feet; Thence along said curve a distance of 464.18 feet to a point; Thence S45°00'00"W 183.94 feet to a point; Thence S45°00'00"E 172.00 feet to a point; Thence N45°00'00"E 86.99 feet to a point; Thence S90°00'00"E 14.14 feet to a point; Thence S45°00'00"E 100.00 feet to a point; Thence N45°00'00"E 478.38 feet to a point; Thence S64°12'57"E 223.55 feet to the beginning of a non-tangent curve concave to the southwest having a radius of 254.00 feet and a chord bearing of S28°27'35"E; Thence along said curve a distance of 263.73 feet to a point; Thence S88°42'49"E 120.00 feet to the beginning of a non-tangent curve concave to the west having a radius of 374.00 feet and a chord bearing of S01°38'45"W; Thence along said curve a distance of 4.69 feet to a point; Thence S02°00'19"W 29.40 feet to a point; Thence S87°59'41"E 199.00 feet to a point along the westerly Right-of-Way line of said Reservoir Road; Thence N02°00'19"E 678.41 feet along said Right-of-Way where it intersects the South line of the Southeast quarter of said Section 22, from which the Southeast corner of said section 22 bears S88°27'49"E 33.00 feet, said point being monumented with an iron rod below the surface of the asphalt; Thence N02°03'51"E 38.00 along the Right-of-Way of said Reservoir Rd to a point; Thence N88°27'48"W 515.70 feet to the beginning of a curve concave to the northeast having a radius of 1162.00 feet; Thence along said curve a distance of 264.57 feet to a point; Thence N32°05'22"E 194.31 feet to the beginning of a curve concave to the northwest having a radius of 1066.00 feet; Thence along said curve a distance of 465.06 feet to a point; Thence S87°56'54"E 23.94 feet to the southwest corner of Tract 1 of the Bradeen Subdivision, said point being monumented with an iron rod and cap stamped "Cetec Eng LS 4725"; Thence N02°05'22"E 986.42 feet along the west line of said Tract 1 to the beginning of a non-tangent curve concave to the southwest having a radius of 1014.96 feet and a chord bearing N22°20'38"W said point is



also the northwest corner of said Tract 1 and being monumented with an iron rod and cap stamped "Cetec Eng LS 4725"; Thence along said curve a distance of 695.42 feet to a point; Thence N42°03'11"W 203.20 feet to a point; Thence N41°26'28"W 12.09 feet to the beginning of a non-tangent curve concave to the south having a radius of 613.96 feet and a chord bearing of S89°59'42"E; Thence along said curve a distance of 686.58 feet to the beginning point of a reverse curve having a radius of 506.00 feet; Thence along said curve a distance of 268.36 feet to a point; Thence S88°20'56"E 41.85 feet to a point on the westerly Right-of-Way line of said Section 22; Thence N02°03'51"E 52.00 feet along said Right-of-Way line to the True Point of Beginning, Section 27, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Reservoir Road and south of the intersection of S.D. Highway 44 and Reservoir Road.

**Planning Commission continued the Preliminary Plat to the October 23, 2008 Planning Commission meeting at the applicant's request.**

21. No. 08PL125 - East Mall Business Center Subdivision

A request by Ferber Engineering Co., Inc. for FMLC, Inc. to consider an application for a **Layout Plat** for proposed Lots 1 and 2 of Block 5 of East Mall Business Center Subdivision and dedicated public right-of-way for East North Street, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the SE1/4 north of Interstate 90 less Tract A of the NE¼ SE¼ and less lots H5, H6, H7, H8 and H9 but including that part of vacated East Mall Drive being part of the outside edge of Lot H5; and part of the SW¼ north of Interstate 90 including vacated East Mall Drive within said SW¼ and less Lot 1 of NE¼ SW¼ and less Lots 1 and 2 of NW¼ SW¼ and less Lot H5 and less lot H8; and part of Lot 1 of the NE¼ SW ¼ including vacated East Mall Drive within said Lot 1 and less Lot H7; and part of NW¼ including vacated East Mall Drive within said NW¼ less Lots AR, B, C and less E½ NE¼ NW¼ and less E½ NW¼ NE¼ NW¼ and less Lots H2 and H4; and part of Lot C of NW¼ less Lot H3 and less Lot H1; and part of Lot 1 of Silver Strike Subdivision; and all located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of East North Street and East Mall Drive.

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

1. **Upon submittal of a Preliminary Plat application, a drainage and grading plan, must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary;**
2. **Upon submittal of the Preliminary Plat application, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;**
3. **Upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the**



source and demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;

4. Upon submittal of the Preliminary Plat application, road construction plans for East Mall Drive shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  5. Upon submittal of the Preliminary Plat application, road construction plans for East North Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  6. Upon submittal of the Preliminary Plat application, the plat document shall be revised to show the required non-access easements except at the approved approach locations;
  7. Upon submittal of the Preliminary Plat application, a different road name shall be submitted for review and approval for East North Street;
  8. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;
  9. Prior to Preliminary Plat approval by City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;
  10. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees be paid as required;
  11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
  12. The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.
22. No. 08PL126 - East Mall Business Center Subdivision  
A request by Ferber Engineering Co., Inc. for FMLC, Inc. to consider an application for a **Layout Plat** on a portion of the SE1/4 north of Interstate 90 less Tract A of the NE1/4 SE1/4 and less Lots H5, H6, H7, H8 and H9 but including that part of vacated East Mall Drive being part of the outside edge of Lot H5, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of the





intersection of East North Street and East Mall Drive.

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

- 1. Upon submittal of a Preliminary Plat application, a drainage and grading plan, must be submitted for review and approval. In addition, the plat document must be revised to provide drainage easements as necessary;**
- 2. Upon submittal of the Preliminary Plat application, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained;**
- 3. Upon submittal of the Preliminary Plat application, water system plans prepared by a Registered Professional engineer verifying the source and demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;**
- 4. Upon submittal of the Preliminary Plat application, road construction plans for East Mall Drive shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
- 5. Upon submittal of the Preliminary Plat application, road construction plans for East North Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
- 6. Upon submittal of the Preliminary Plat application, road construction plans for Dyess Avenue shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In particular, the road shall be located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
- 7. Upon submittal of the Preliminary Plat application, the plat document shall be revised to show the required non-access easements except at the approved approach locations;**
- 8. Upon submittal of the Preliminary Plat application, a revised road name shall be submitted for review and approval for East North Street;**
- 9. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;**
- 10. Prior to Preliminary Plat approval by City Council, an Erosion and**



**Sediment Control Permit in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval;**

11. **Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and subdivision inspection fees be paid as required;**
12. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,**
13. **The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.**

23. No. 08PL127 - Elks Crossing

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** for proposed Lots 1 thru 4 of Block 1, Lots 1 thru 7 of Block 2, Lots 1 and 2 of Block 3, Lots 1 and 2 of Block 4, Lots 1 thru 36 of Block 5, Lots 1 thru 39 of Block 6, Lots 1 thru 29 of Block 7, Lots 1 thru 21 of Block 8, Drainage Lot 1, Elks Crossing, legally described as a portion of the unplatted balance located in the SW1/4, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and south of Existing Plum Creek Development.

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

1. **Prior to submittal of a Preliminary Plat application, the applicant shall obtain approval of the associated SDCL 11-6-19 Review application for the construction of Minnesota Street from Elk Vale Road to the eastern boundary of the SE1/4SW1/4, T1N, R8E, Section 16 or construction plans shall be submitted for review and approval as a part of the Preliminary Plat application. In particular, the construction plans shall show the street located within a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained;**
2. **Prior to submittal of a Preliminary Plat application, the plat document shall be revised eliminating one of the three street connections of Fieldstone Drive, Duckhorn Street or Vinecliff Drive to Minnesota Street. In addition, the lots shall be reconfigured as needed to accommodate the elimination of the street;**
3. **Prior to submittal of a Preliminary Plat application, the plat document shall be revised to show access to Lots 1 and 2, Block 3 from Sand Cherry Lane in lieu of Marlin Drive or an Exception shall be obtained to allow access from a higher order street;**
4. **Prior to submittal of a Preliminary Plat application, the plat document shall be revised to show a 10 foot wide planting screen easement along Minnesota Street or a Variance to the Subdivision Regulations shall be obtained;**



5. Upon submittal of a Preliminary Plat application, a phasing plan shall be submitted for review and approval;
6. Upon submittal of a Preliminary Plat application, a Traffic Impact Study shall be submitted for review and approval;
7. Upon submittal of a Preliminary Plat application, all red line comments to the geotechnical report shall be addressed and a revised report shall be submitted for review and approval;
8. Upon submittal of a Preliminary Plat application, all red line comments to the drainage report shall be addressed and a revised report submitted for review and approval. In addition, the plat document shall be revised to show drainage easements as needed;
9. Upon submittal of a Preliminary Plat application, the applicant shall identify ownership of the proposed drainage lot. If the applicant intends for the lot to be owned and maintained by the City, then the applicant shall obtain City Council approval prior to Preliminary Plat approval by the City Council;
10. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the sewer plans shall demonstrate that the existing lift station and sanitary sewer main(s) have the capacity to serve the proposed development. If needed, sewer plans to provide additional wastewater capacity to serve this phase of the development must be submitted for review and approval;
11. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the water analysis shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall provide utility easements as needed;
12. Upon submittal of a Preliminary Plat application, street construction plans for Marlin Drive shall be submitted for review and approval. In particular, the street shall be located in a minimum 76 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
13. Upon submittal of a Preliminary Plat application, street construction plans for Fieldstone Drive, Duckhorn Street and Vinecliff Drive shall be submitted for review and approval. In particular, the streets shall be located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
14. Upon submittal of a Preliminary Plat application, street construction plans for Rust Ridge Court and Saintbury Court shall be submitted for review and approval. In particular, the streets shall be located in a minimum 49 foot wide right-of-way and constructed with a minimum



- 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the construction plans shall the cul-de-sac bulb located within a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations must be obtained;
15. Upon submittal of a Preliminary Plat application, street construction plans for Sand Cherry Lane shall be submitted for review and approval. In particular, the street shall be located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  16. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the existing 52 foot wide Rocky Mountain Pipeline Easement located along the east lot line of Block 8. In addition, the applicant shall provide documentation that the pipeline currently has a minimum 48 inches of cover or the plat document must be revised, if and as needed, to ensure that building envelopes exist on each of the adjacent lots with a 50 foot separation from the location of the pipeline;
  17. Upon submittal of a Preliminary Plat application, a utility master plan shall be submitted for review and approval. In particular, the utility master plan shall provide for the extension of utilities through the property as well as to adjacent properties;
  18. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show non-access easements in compliance with the Street Design Criteria Manual;
  19. Upon submittal of a Preliminary Plat application, a cost estimate for the subdivision improvements shall be submitted for review and approval;
  20. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement;
  21. Prior to Preliminary Plat approval by the City Council, an Approach Permit from the South Dakota Department of Transportation shall be obtained for the street connection to Elk Vale Road;
  22. All currently adopted Fire Codes shall be continually met;
  23. Prior to submittal of a Final Plat application, the plat document shall be revised to read "E. Minnesota Street". In addition, a different street name for Duckhorn Street shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall also be revised to show the approved street name;
  24. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  25. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Permit in compliance with the adopted Stormwater



**Quality Manual shall be submitted for review and approval;**

26. **Prior to submittal of a Final Plat application, an H Lot for Minnesota Street shall be recorded at the Register of Deed's Office or the plat document shall be revised to include Minnesota Street right-of-way;**
27. **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;**
28. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,**
29. **The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.**

24. No. 08RD003 - Section 7, T1N, R8E

A request by City of Rapid City to consider an application for a **Resolution for Road Name Change from South Highway 79 Service Road to Bridge View Drive** on Right-of Way lying adjacent to Lot 12 Less Lot H-1, Lot 11 Less Lot H1, Lot 10 Less Lot H1, Lot 9 Less, Lot H-1, Lot 8 Less Lot H1, Lot 7 Less Lot H1, Lot 6 Less Lot H1, Lot 5 Less Lot H1, Lot 4 Less Lot H1, Lot 3 Less Lot H1, Lot 1 Less Lot H1; Lot 2 Less Lot H1 all of Block 1; Lot 1, Lot 2, Lot 3a of Lot 3, Lot 3b of Lot 3 Less Lot H1, Lot 4R Less Lot H1 all of Polar Bear Subdivision; and the West 650 feet of East 700 feet of the South 372.5 feet of NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to South S.D. Highway 79 and East St. Joseph Street and east of Wilma Street.

**Planning Commission recommended that the Resolution for a road name change from South Highway 79 Service Road at the intersection of E Saint Joseph Street to the intersection of the old portion of Highway 79 be renamed to Bridge View Drive.**

28. No. 08SR033 - Section 35, T1N, R7E

A request by Dream Design International, Inc. to consider an application for a **SDCL 11-6-19 Review to allow the construction of a lift station** on a portion of the unplatted balance of the W $\frac{1}{2}$  SE $\frac{1}{4}$ ; SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 35, T1N, R7E, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Sammis Trail and Vilrickson Place.

**Planning Commission continued the SDCL 11-6-19 Review to allow the construction of a lift station to the October 23, 2008 Planning Commission meeting.**

29. No. 08SR044 - Sections 15 and 22, T1N, R8E

A request by CETEC Engineering Services, Inc. for OS Development, Inc. to consider an application for a **SDCL 11-6-19 Review to construct a water main** on the E $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 15 and the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 22, T1N, R8E,



BHM, Pennington County, South Dakota, more generally described as being located adjacent to Reservoir Road and south of the intersection of Reservoir Road and East Highway 44 approximately 2.1 miles.

**Planning Commission continued the SDCL 11-6-19 Review to allow the construction of a water main to the October 9, 2008 Planning Commission meeting.**

30. No. 08SR060 - Original Town of Rapid City

A request by Advanced Engineering and Environmental Services for the City of Rapid City to consider an application for a **SDCL 11-6-19 Review to allow construction of public utility vaults** on Block 5 of Flormann Addition and Lots 11 thru 32 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Columbus Street and Third Street on Second Street and Third Street.

**Planning Commission continued the SDCL 11-6-19 Review to allow the construction of public utility vaults to the October 23, 2008 Planning Commission meeting.**

31. No. 08SR063 - McMahon Industrial Park No. 2

A request by Quinn Kayser-Cochran for SWS, LLC to consider an application for a **SDCL 11-6-19 Review to allow a telecommunication tower** on Lot 2 of Block 9 of McMahon Industrial Park No. 2, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3060 Haines Avenue.

**Planning Commission continued the SDCL 11-6-19 Review to allow a telecommunication tower to the October 23, 2008 Planning Commission meeting.**

32. No. 08SR065 - North Haines Subdivision

A request by Buell Consulting, Inc. for Cellular Inc. Network Corporation d/b/a Verizon Wireless to consider an application for a **SDCL 11-6-19 Review to allow the construction of a telecommunication tower** on Lot 1 of North Haines Subdivision, Section 18, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 1290 Country Road.

**Planning Commission continued the SDCL 11-6-19 Review to allow the construction of a telecommunications tower to the December 4, 2008 Planning Commission meeting with the applicant's concurrence.**

33. No. 08SR071 - Rapid City Greenway Tract

A request by Mark Olson for Black Hills Farmers Market to consider an application for a **SDCL 11-6-19 Review to allow a farmers market in a public place from 2009 through 2011** on Tract 17 less Lot H1 (also in Section 34, T2N, R7E) of the Rapid City Greenway Tract, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at



1520 West Omaha Street.

**Planning Commission continued the SDCL 11-6-19 Review to allow a farmers market in a public place from 2009 through 2011 to the October 23, 2008 Planning Commission meeting.**

34. No. 08SR074 - Section 32, T2N, R7E

A request by City of Rapid City to consider an application for a **SDCL 11-6-19 Review to allow a structure in a public park** on City Springs in the unplatted portion of the S1/2 of the NE1/4 and the NE1/4 of the SE1/4, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 514 City Springs Road.

**Planning Commission continued the SDCL 11-6-19 Review to allow a structure in a public park to the October 9, 2008 Planning Commission meeting.**

35. No. 08SR082 - Section 21, T2N, R8E

A request by City of Rapid City to consider an application for a **SDCL 11-6-19 Review to authorize the acquisition of land** on the south 464.64 feet of the SE1/4NW1/4NE1/4 of Section 21, the south 464.64 feet of the NE1/4NE1/4, less Lot H1 of Section 21 and the SE1/4NE1/4 of Section 21, all located in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of the intersection of County Road and Elk Vale Road a distance of approximately 850 feet on the east side of Elk Vale Road.

**Planning Commission approved the SDCL 11-6-19 Review to authorize the acquisition of land.**

36. No. 08VE022 - Meadows Subdivision

A request by Jason Hagen to consider an application for a **Vacation of a Portion of Non-Access Easement** on Lot 20 of Block 8 of Meadows Subdivision, located in the SE1/4 NW1/4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 608 Field View Drive.

**Planning Commission continued the Vacation of Easement to the October 9, 2008 Planning Commission meeting.**

---END OF CONSENT CALENDAR---

25. No. 08SR017 - Rapid City Greenway Tract

A request by City of Rapid City to consider an application for a **SDCL 11-6-19 Review to allow the construction of a sign on public property** on Tract 27 of Rapid City Greenway Tract, Section 31, T2N, R8E, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 300 E. Omaha Street.



Hennies expressed opposition to encroachment into the floodway.

**Scull moved to approve the SDCL 11-6-19 Review to allow the construction of a sign on public property. The motion died for the lack of a second.**  
Discussion followed.

Ball presented the applicant's request to place a sign on public property. Ball stated that the applicant has obtained a flood plain development permit.  
Discussion followed.

Elkins requested that the Planning Commission continue Items 25, 26 and 27 to the October 9, 2008 Planning Commission meeting to allow staff to make corrections to the staff report and the related exhibits.

26. No. 08SR018 - Rapid City Greenway Tract

A request by City of Rapid City to consider an application for a **SDCL 11-6-19 Review to allow the construction of a sign on public property** on Tract 8 of Rapid City Greenway Tract, Sections 3, 4 and 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3040 Jackson Boulevard.

27. No. 08SR020 - Rapid City Greenway Tract

A request by City of Rapid City to consider an application for a **SDCL 11-6-19 Review to allow construction of a sign on public property** on Tract 1 thru 3 and Lot A-B of Tract 3, Section 9, T1N, R7E, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2902 Park Drive.

**Anderson moved, Rolinger seconded and unanimously carried to continue the SDCL 11-6-19 Review requests items 25, 26 and 27 to allow the construction of a sign on public property to the October 9, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

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

37. No. 08OA008 - Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment to Amend Section 16.12 of the Rapid City Municipal Code to require Parkland Dedication.**

Heller presented the staff's recommendation to approve the Ordinance Amendment to require Parkland Dedication.

In response to Scull's questions, Heller stated that the Ordinance allows a "fee in lieu of" of land dedication for smaller developments, and the City would determine if adequate acreage has been provided.





In response to Brewer's question, Heller stated that there has been no developer input. Discussion followed.

Elkins suggested that the Planning Commission continue the Ordinance Amendment and request that staff notify developers.

**Brewer moved, Hennies seconded and unanimously carried to continue the Ordinance Amendment to Amend Section 16.12 of the Rapid City Municipal Code to require Parkland Dedication to the October 23, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

\*38. No. 08PD012 - WREA Subdivision

A request by Geiger Architecture for West River Electric Association to consider an application for a **Planned Light Industrial Development - Initial and Final Development Plan** on Lots 1 and 2 of WREA Subdivision, located in the NW1/4 NE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3250 East Highway 44 and 3454 Twilight Drive.

Fisher presented the staff's recommendation to continue the Planned Light Industrial Development request to the October 23, 2008 Planning Commission meeting.

**Brewer moved, Marchand seconded and unanimously carried to continue the Planned Industrial Development - Initial and Final Development Plan to the October 23, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull 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. 08PD047 - Section 3, T1N, R7E

A request by FourFront Design, Inc. for Clarkson Mountain View Health Care Facility to consider an application for a **Planned Residential Development - Final Development Plan** on Lot 2 of the SE1/4 of the NE1/4, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 1015 Mountain View Road.

Fisher presented the staff's recommendation to approve the Planned Residential Development request with revised stipulations as presented on the dais.

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



In response to Hennies questions, Fisher stated that the applicant is working with Federal Management Agency to obtain a Conditional Letter of Map Amendment and that the applicant must obtain a floodplain development permit from the City.

**Brewer moved, Scull seconded and carried to approve the Planned Residential Development - Final Development Plan with the following stipulations:**

- 1. Prior to Planning Commission approval, the location, screening and noise rating of any exterior mechanical equipment shall be submitted for review and approval;**
- 2. Prior to Planning Commission approval, water supply information with fire flow data and calculations shall be submitted for review and approval;**
- 3. Prior to Planning Commission approval, additional sanitary sewer information shall be submitted for review and approval verifying that adequate capacity exists for the additional flows;**
- 4. Prior to Planning Commission approval, a revised site plan shall be submitted for review and approval demonstrating that the truck loading area functions correctly with the proposed improvements in place;**
- 5. Prior to any construction within the 100 year federally designated floodplain, a Floodplain Development Permit shall be obtained;**
- 6. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 7. Prior to issuance of a building permit, an Erosion and Sediment Permit shall be obtained;**
- 8. Prior to issuance of a building permit, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Development Service Center Division;**
- 9. A Permit to Work in the Right-of-way shall be obtained prior to the start of any construction in the street rights-of-way;**
- 10. An Air Quality Permit shall be obtained prior to any surface disturbance in excess of one acre;**
- 11. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of the Residential Development Plan;**
- 12. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Residential Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Residential Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the sign(s) shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained;**
- 13. All fencing shall conform architecturally to the proposed elevations,**



- color palette and design plans submitted as part of this Initial and Final Planned Residential Development;
14. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way to preclude creating a hazard to the passing motorist or constituting a nuisance of any kind;
  15. The dumpster(s) shall be located as shown on the site plan and screened on all four sides as proposed;
  16. All currently adopted Fire Codes shall be met;
  17. A minimum of 202,210 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
  18. A minimum of 29 parking spaces shall be provided. In addition, 2 of the parking spaces shall be handicap accessible spaces. One of the handicap spaces shall be "van accessible". All provisions of the Off-Street Parking Ordinance shall be continually met;
  19. The Planned Residential Development shall be used as a maximum 52 occupancy skilled nursing facility with administrative offices and two assisted living rooms. Any other use shall require a Major Amendment to the Planned Residential Development. In addition, any expansion in the occupancy of the nursing facility shall require a Major Amendment to the Planned Residential Development and shall be subject to the State's current skilled nursing bed moratorium being lifted;
  20. All provisions of the Medium Density Residential District shall be met unless an exception is specifically authorized as a stipulation of this Final Residential Development Plan or a subsequent Major Amendment; and,
  21. The Planned Residential Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. A one year time extension may be granted if a written request is submitted to the Growth Management Director prior to the Final Residential Development Plan approval expiration date. (6 to 0 to 1 with Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no and Anderson 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.***

- \*40. No. 08PD048 - Minnesota Ridge Subdivision  
A request by Sperlich Consulting, Inc. for Black Hills Surgery Center to consider an application for a **Major Amendment to a Planned Commercial Development** on Lot 2 of Tract A of Minnesota Ridge Subdivision, located in the NW1/4 of the SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington



County, South Dakota, more generally described as being located at 4015 Fifth Street.

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

Tegethoff presented the staff's recommendation to continue the Major Amendment request to the October 9, 2008 Planning Commission meeting.

Pat Tlustos, member of Black Hills Surgery Center Management team, stated that the parking lot was constructed to remove cars parked on the street during business hours and would be used primarily for staff parking. Tlustos expressed his opposition that to the screening fence requirement stating it was unnecessary. Tlustos stated his opposition to the landscaping island requirement in the parking lot.

Elkins stated that staff supports waiving the screening fence requirement and referenced the recommended stipulation granting an exception. Elkins added that staff would support the location of the handicapped spaces at the Surgery Center site in the parking lot; however, staff has not received a revised parking plan indicating the location of these handicapped spaces. Elkins stated that the original site plan indicated that landscaping islands would be installed.

In response to Derby's questions, Elkins reviewed the stipulation regarding the handicapped parking spaces. Elkins added that a revised site plan relocating the handicapped parking spaces has not been submitted for review and approval.

Tegethoff identified the location of the proposed landscaping islands on the site plan.

In response to Anderson's question, Tlustos stated that it was not his understanding that the islands on the original plan were planting islands. Discussion followed.

Tlustos requested that the item be continued to the October 9, 2008 Planning Commission meeting.

Brewer requested that the handicapped parking requirement be met at an alternative site.

**Brewer moved, Rolinger seconded and carried to continue the Major Amendment to a Planned Commercial Development to the October 9, 2008 Planning Commission meeting. (6 to 0 to 1 with Anderson, Brewer, Derby, Hennies, Marchand and Rolinger voting yes and none voting no and Scull 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.***

Fisher requested that items 41 and 42 be taken concurrently.

41. No. 08PL112 - Regional Hospital Addition

A request by Renner & Associates for Vern Osterloo to consider an application for a **Preliminary Plat** for proposed Tracts H and I of Regional Hospital Addition, , legally described as vacated Third Street Right-of-way, Tracts AR-1 thru AR-6, Tract B and Tract E of Regional Hospital Addition, and a part of the unplatted portion of the SE1/4 SW1/4 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Fifth Street and Fairmont Boulevard.

42. No. 08SV042 - Regional Hospital Addition

A request by Renner & Associates for Vern Osterloo to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install sewer along a portion of Fifth Street and Elk Street and to install sidewalk along Third Street as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Tracts H and I of Regional Hospital Addition, legally described as vacated Third Street Right-of-way, Tracts AR-1 thru AR-6, Tract B and Tract E of Regional Hospital Addition, and a part of the unplatted portion of the SE1/4 SW1/4 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Fifth Street and Fairmont Boulevard.

Fisher presented the staff's recommendation to approve the Preliminary Plat and Variance to the Subdivision Regulations requests.

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

Karen Gunderson-Olsen, alderperson asked when sidewalks would be provided. Fisher stated that as building permits are issued sidewalks will be installed.

**Brewer moved, Marchand seconded and carried to recommend that the Preliminary Plat be approved with the following stipulations:**

1. **Prior to Preliminary Plat approval by the City Council, the drainage report shall be stamped and signed by a Professional Engineer;**
2. **Prior to Preliminary Plat approval by the City Council, a grading permit and an Erosion and Sediment Control Permit for the existing rubble and dirt pile located in the southwest corner of the property shall be submitted for review and approval. In addition, the applicant must submit plans showing the reclamation and vegetation of the site;**
3. **Prior to Preliminary Plat approval by the City Council, a revised Master Utility Plan clearly identifying private and public utilities, including water and sewer services, shall be submitted for review and approval. In addition, the plat document shall be revised to provide utility easements as needed;**



4. Prior to Preliminary Plat approval by the City Council, the applicant shall provide or demonstrate existence of back flow prevention at the looped connection of the private 8 inch water main extending into the property from City mains located in 5<sup>th</sup> Street and 3<sup>rd</sup> Street.
5. Prior to Preliminary Plat approval by the City Council, construction plans showing sewer along 5<sup>th</sup> Street from Fairmont Boulevard to Lot 2 of Tract C, Regional Hospital Subdivision, shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
6. Prior to Preliminary Plat approval by the City Council, construction plans showing sewer along Elk Street from 5<sup>th</sup> Street to the Tract F of the Regional Hospital Subdivision shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
7. Prior to Preliminary Plat approval by the City Council, construction plans showing a sidewalk along both sides of 3<sup>rd</sup> Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
8. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
9. Prior to submittal of a Final Plat application, the plat title shall be revised to include "vacated Third Street Right-of-way" and "Tracts AR-1 thru AR-6";
10. 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;
11. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
12. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

That the Variance to the Subdivision Regulations to waive the requirement to install sewer along a portion of Fifth Street and Elk Street be approved with the following stipulation:

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

That the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Third Street be denied. (6 to 0 to 1 with Anderson, Brewer, Derby, Hennies, Marchand and Rolinger voting yes and none voting no and Scull abstaining)

43. No. 08PL113 - Villaggio at Golden Eagle

A request by Sperlich Consulting, Inc. for Roy Burr to consider an application for a **Preliminary Plat** on Lot 8 of Block 2 of the Villaggio at Golden Eagle, located in the W1/2 of the NW1/4 of the SE1/4, Section 22, T1N, R7E, BHM, Rapid City,



Pennington County, South Dakota, legally described as a portion of the W1/2 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 at 5617 Villaggio Lane.

Fisher requested that the Preliminary Plat request be continued to October 23, 2008 Planning Commission meeting.

**Marchand moved, Hennies seconded and unanimously carried to continue the Preliminary Plat to the October 23, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

Tegethoff requested that Items 44 and 45 be taken concurrently.

44. No. 08PL115 - Estes Subdivision

A request by D.C. Scott Surveyors, Inc. for Thomas Estes to consider an application for a **Layout Plat** for proposed Lot 6 of Estes Subdivision, legally described as the unplatted parcel of land lying north of Neck Yoke Road east of Aero Road and south of Lot 1 of Estes Subdivision, located in the W1/2 W1/2 SW1/4, Section 15, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located northeast and northwest of the intersection of Neck Yoke Road and Aero Road.

45. No. 08SV044 - Estes Subdivision

A request by D.C. Scott Surveyors, Inc. for Thomas Estes to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to dedicate additional public right-of-way, to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement as per Chapter 16 of the Rapid City Municipal Code** for proposed Lot 6 of Estes Subdivision, legally described as the unplatted parcel of land lying north of Neck Yoke Road east of Aero Road and south of Lot 1 of Estes Subdivision, located in the W1/2 W1/2 SW1/4, Section 15, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located northeast and northwest of the intersection of Neck Yoke Road and Aero Road.

Tegethoff presented the staff's recommendation to deny the Layout Plat and the Variance to the Subdivision Regulations requests without prejudice with the applicant's concurrence.

**Hennies moved, Rolinger seconded and unanimously carried to recommend that the Layout Plat and the Variance to the Subdivision Regulations to waive the requirement to dedicate additional public right-of-way, to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement as per Chapter 16 of the Rapid City Municipal Code be denied without prejudice. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**



46. No. 08PL123 - Section 3, T1S, R7E

A request by Henriksen, Inc. for Oliver A. Freimark to consider an application for a **Layout Plat** for proposed Lots A, B, C, D, E of Block 1, Lots 1 thru 7 of Block 2, Lots 1 thru 13 of Block 3, Lots 1 thru 16 of Block 4, Lots 1 thru 14 of Block 5, Lots 1 thru 13 of Block 6, Lots 1 thru 12 of Block 7, Lots 1 thru 7 of Block 8 of F-H Spring Creek Estates Subdivision, legally described as Tracts B, C, D and F and Lot 4 of Tract E and Lot 1 in Tract D and in the NE1/4 SE1/4 and the NE1/4 SE1/4 and the N1/2 of the SE1/4 of the SE1/4, all in Government Lot 2 of the N1/2 of the SE1/4 and in the N1/2 of the S1/2 of the SE1/4 of Section 3, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 8800 South Highway 16.

Fisher presented the staff's recommendation to deny the Layout Plat request.

In response to Derby's questions, Fisher stated that there is no fee for a Layout Plat application and the applicant would not be required to pay another fee. Discussion followed.

**Rolinger moved, Scull seconded and unanimously carried to recommend that the Layout Plat be denied. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

47. No. 08SR081 - Morningstar Subdivision

A request by CETEC Engineering Services, Inc. for OS Development, Inc. to consider an application for a **SDCL 11-6-19 Review to construct public streets and utilities** for proposed Lot 1 of Block 1, Lot 1 of Block 2, Lots 1 thru 40 of Block 3, Lots 1 thru 7 of Block 4, Lots 1 thru 10 of Block 5, Lots 1 thru 6 of Block 6, Lots 1 thru 12 of Block 7, Lots 1 thru 8 of Block 8, Lots 1 thru 10 of Block 9, Tracts A and B and the dedicated public Right-of-way, legally described as a tract of land located in the SW¼ NE¼, SE¼ NE¼, SE¼ of Section 22 and the NE¼ NE¼, of Section 27, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Commencing at the East ¼ Corner of said Section 22, said point being monumented with a nail in the surface of the asphalt of Reservoir Rd and having two reference monuments consisting of a brass cap and iron pipe, one bears N40°53'23"W 46.84 feet, the second bears S42°28'55"W 47.86 feet; Thence S11°01'40"W 211.80 feet the True Point of Beginning, said point is on the westerly Right-of-Way line of said Reservoir Rd; Thence N88°20'56"W 42.22 feet to the beginning of a curve concave to the northeast having a radius of 454.00 feet; Thence along said curve a distance of 240.79 feet to the beginning point of a reverse curve having a radius of 666.00 feet; Thence along said curve a distance of 763.21 feet to a point; Thence N42°15'21"W 103.29 feet to the beginning of a curve concave to the northeast having a radius of 740.00 feet; Thence along said curve a distance of 109.90 feet to a point; Thence N04°01'19"W 212.28 feet to a point; Thence S55°45'42"W 75.36 feet to a point; Thence N86°53'21"W 134.46 feet to a point; Thence S10°21'24"E 98.19 feet to a point; Thence S35°06'10"W 63.00 feet to a point; Thence S46°21'05"E 109.89 feet to a the beginning of a non-tangent curve concave to the southwest having a radius of 936.00 feet and a chord bearing of S45°14'35"E; Thence along said curve a distance of 97.60 feet to a point; Thence S42°15'21"E 82.00 feet to a point; Thence S47°44'39"W 267.00 feet to a





point; Thence S42°15'21"E 318.00 feet to the beginning of a curve concave to the southwest having a radius of 669.00 feet; Thence along said curve a distance of 415.25 feet to a point; Thence S04°27'54"E 52.00 feet to the beginning of a non-tangent curve concave to the west having a radius of 669.00 feet and a chord bearing of S00°04'26"E ; Thence along said curve a distance of 50.53 feet to a point; Thence S02°05'22"W 618.45 feet to a point; Thence N87°54'38"W 157.00 feet to a point; Thence S02°05'22"W 82.00 feet to a point; Thence S47°05'22"W 14.14 feet to a point; Thence N87°54'38"W 95.00 feet to a point; Thence S02°05'22"W 89.55 feet to the beginning of a curve concave to the northwest having a radius of 407.00 feet; Thence along said curve a distance of 283.67 feet to a point; Thence S42°01'34"W 129.91 feet to a point; Thence S47°44'39"W 76.00 feet to a point; Thence S42°15'21"E 25.35 feet to the beginning of a curve concave to the northeast having a radius of 1238.00 feet; Thence along said curve a distance of 692.63' to a point; Thence S32°05'22"W 61.42 feet to the beginning of a curve concave to the northwest having a radius of 2060.00 feet; Thence along said curve a distance of 464.18 feet to a point; Thence S45°00'00"W 183.94 feet to a point; Thence S45°00'00"E 172.00 feet to a point; Thence N45°00'00"E 86.99 feet to a point; Thence S90°00'00"E 14.14 feet to a point; Thence S45°00'00"E 100.00 feet to a point; Thence N45°00'00"E 478.38 feet to a point; Thence S64°12'57"E 223.55 feet to the beginning of a non-tangent curve concave to the southwest having a radius of 254.00 feet and a chord bearing of S28°27'35"E; Thence along said curve a distance of 263.73 feet to a point; Thence S88°42'49"E 120.00 feet to the beginning of a non-tangent curve concave to the west having a radius of 374.00 feet and a chord bearing of S01°38'45"W; Thence along said curve a distance of 4.69 feet to a point; Thence S02°00'19"W 29.40 feet to a point; Thence S87°59'41"E 199.00 feet to a point along the westerly Right-of-Way line of said Reservoir Road; Thence N02°00'19"E 678.41 feet along said Right-of-Way where it intersects the South line of the Southeast quarter of said Section 22, from which the Southeast corner of said section 22 bears S88°27'49"E 33.00 feet, said point being monumented with an iron rod below the surface of the asphalt; Thence N02°03'51"E 38.00 along the Right-of-Way of said Reservoir Rd to a point; Thence N88°27'48"W 515.70 feet to the beginning of a curve concave to the northeast having a radius of 1162.00 feet; Thence along said curve a distance of 264.57 feet to a point; Thence N32°05'22"E 194.31 feet to the beginning of a curve concave to the northwest having a radius of 1066.00 feet; Thence along said curve a distance of 465.06 feet to a point; Thence S87°56'54"E 23.94 feet to the southwest corner of Tract 1 of the Bradeen Subdivision, said point being monumented with an iron rod and cap stamped "Cetec Eng LS 4725"; Thence N02°05'22"E 986.42 feet along the west line of said Tract 1 to the beginning of a non-tangent curve concave to the southwest having a radius of 1014.96 feet and a chord bearing N22°20'38"W said point is also the northwest corner of said Tract 1 and being monumented with an iron rod and cap stamped "Cetec Eng LS 4725"; Thence along said curve a distance of 695.42 feet to a point; Thence N42°03'11"W 203.20 feet to a point; Thence N41°26'28"W 12.09 feet to the beginning of a non-tangent curve concave to the south having a radius of 613.96 feet and a chord bearing of S89°59'42"E; Thence along said curve a distance of 686.58 feet to the beginning point of a reverse curve having a radius of 506.00 feet; Thence along said curve a distance of 268.36 feet to a point; Thence S88°20'56"E 41.85 feet to a point on the westerly Right-of-Way line of said Section 22; Thence



N02°03'51"E 52.00 feet along said Right-of-Way line to the True Point of Beginning, Section 27, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Reservoir Road and south of the intersection of S.D. Highway 44 and Reservoir Road.

Fisher presented the staff's recommendation to continue to the SDCL 11-6-19 Review request to the October 9, 2008 Planning Commission meeting.

**Brewer moved, Hennies seconded and unanimously carried to continue the SDCL 11-6-19 Review to construct public streets, utilities and drainage improvements to the October 9, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

48. No. 08SR049 - Robbinsdale Addition No. 10

A request by Dave Mueller for Rapid City Girls Junior Olympic ASA to consider an application for a **SDCL 11-6-19 Review to allow the installation of a sign on public property** on Lot 2 of Block 26 of Robbinsdale Addition No. 10, located in the E1/2, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4415 Parkview Drive.

Ball presented the staff's recommendation to approve the SDCL 11-6-19 Review request.

**Rolinger moved, Scull seconded and unanimously carried to approve the SDCL 11-6-19 Review. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

49. No. 08SR059 - Section 34, T2N, R8E

A request by Advanced Engineering and Environmental Services for the City of Rapid City to consider an application for a **SDCL 11-6-19 Review to allow construction of a public water reservoir** on a portion of the SW1/4 NW1/4 and the NW1/4 SW1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of North Elk Vale Road and Cheyenne Boulevard.

Fisher presented the staff's recommendation to continue the SDCL 11-6-19 Review request to the October 9, 2008 Planning Commission meeting.

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

**Hennies moved, Marchand seconded and carried to continue the SDCL 11-6-19 Review to allow construction of a public water reservoir to the October 9, 2008 Planning Commission meeting. (6 to 0 to 1 with Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no and Anderson abstaining)**

50. No. 08SR062 - Section 10, T1N, R7E



A request by Rapid City Area School District No. 51/4 to consider an application for a **SDCL 11-6-19 Review to allow the construction of a storage shed on public property** on Lot A of the SW1/4 NW1/4 and the south ten feet of the vacated West Flormann Street, Section 10, unplatted, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3125 West Flormann Street.

Ball presented the staff's recommendation to approve the SDCL 11-6-19 Review request.

In response to Brewer's questions, Ball identified the proposed location of the storage shed on the subject property. Ball further reviewed the existing use of the adjacent properties. Discussion followed.

Ball requested that the Planning Commission continue the he SDCL 11-6-19 Review request to the October 9, 2008 Planning Commission meeting. Discussion followed.

**Rolinger moved, Brewer seconded and unanimously carried to continue the SDCL 11-6-19 Review to allow the construction of a storage shed on public property to the October 9, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

51. No. 08SR064 - Trailwood Village Subdivision

A request by Quinn Kayser-Cochran for SWS, LLC to consider an application for a **SDCL 11-6-19 Review to allow a telecommunication tower** on Lot BR of Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 3003 Covington Street.

Ball presented the staff's recommendation to approve the SDCL 11-6-19 Review request.

**Brewer moved, Marchand seconded and unanimously carried to approve the SDCL 11-6-19 Review to allow a telecommunication tower. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

52. No. 08SR072 - Marshall Heights Subdivision No. 2

A request by Centerline, Inc. for Rapid City Implement Company to consider an application for a **SDCL 11-6-19 Review to extend a public utility** on Tract F of Marshall Heights Subdivision No. 2, Lot 2 less Lot H1, East Mall Business Center Subdivision and the unplatted portion of NE1/4 lying north of Interstate 90, less Lot H2, Lot H3 and Lot H4, all located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of E. Mall Drive and east of E. Disk Drive.

Fisher presented the staff's recommendation to approve the SDCL 11-6-19



Review request.

**Hennies moved, Scull seconded and unanimously carried to approve the SDCL 11-6-19 Review to extend a public utility. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

53. No. 08SR073 - Rapid City Greenway Tract

A request by Lynn Von Wald for South Dakota Cares - Daisy House to consider an application for a **SDCL 11-6-19 Review to allow a temporary structure in a public park** on Tract 8 (also in Sections 4 and 10, T1N, R7E) of Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2900 Jackson Boulevard.

Ball presented the staff's recommendation to approve the SDCL 11-6-19 Review request. Ball stated that the applicant has obtained a Floodplain Development Permit

**Brewer moved, Hennies seconded and unanimously carried to approve the SDCL 11-6-19 Review to allow a temporary structure in a public park. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

54. No. 08SR075 - Section 32, T2N, R8E

A request by Sperlich Consulting, Inc. for Tom Farrar to consider an application for a **SDCL 11-6-19 Review to allow improvements in a public right-of-way** on Lot B of Lot 1 of the NW1/4 of the SW1/4 less Lot H1 and Lot H2, located in the NW1/4 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of the intersection of North Campbell Street and East North Street.

Tegethoff presented the staff's recommendation to continue the SDCL 11-6-19 Review request to the October 9, 2008 Planning Commission meeting.

**Brewer moved, Hennies seconded and unanimously carried to continue the SDCL 11-6-19 Review to allow improvements in a public right-of-way to the October 9, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

55. No. 08SR076 - Sections 16 and 21, T1N, R8E

A request by Dream Design International, Inc. to consider an application for a **SDCL 11-6-19 Review to allow the acquisition of right-of-way and construction of Minnesota Street** on right-of-way located in the NW1/4 of the SW1/4 and in the S1/2 of the S1/2, Section 16, T1N, R8E, also in the NE1/4 of the NW1/4 and in the N1/2 of the NE1/4 of Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and south of the Existing Plum Creek



Development.

Fisher presented the staff's recommendation to continue the SDCL 11-6-19 Review request to the October 9, 2008 Planning Commission meeting.

**Brewer moved, Scull seconded and unanimously carried to continue the SDCL 11-6-19 Review to allow the acquisition of right-of-way and construction of Minnesota Street to the October 9, 2008 Planning Commission meeting. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

56. No. 08SR077 - Rapid City Greenway Tract

A request by Tyler Rchetto for Stevens High School to consider an application for a **SDCL 11-6-19 Review to allow temporary structures on public property** on Tract 4 and the north 27 feet of the vacated Flormann Street (also in Section 10, T1N, R7E) of the Rapid City Greenway Tract, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2330 Arrowhead Drive.

Tegethoff presented the staff's recommendation to approve the SDCL 11-6-19 Review request. Tegethoff stated that the applicant is working with staff to obtain a Floodplain Development Permit.

**Brewer moved, Hennies 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, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

57. No. 08TI011 - Section 21, 22, 28

A request by Brian Pitts for Dr. William Cross for Soccer Rapid City to consider an application for a **Creation of Tax Increment District - Elk Vale Road Soccer Complex** on all of Section 21 less Beard Sub, to include I-90 Heartland Business Park and Reardon Court, Elk Vale Road, and Dyess Avenue right-of-way, Section 21, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, W1/2SW1/4; SE1/4SW1/4; all located in Section 22, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 – 5, Block 2, I-90 Heartland Business Park, Reardon Court and Seger Drive, all located in Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 1 and 2, Block 7, I-90 Heartland Business Park, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, NE1/4NW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 to include the W530' and Lot 2, RCI Addition, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, The west 33 feet of North Elk Vale Road right-of-way lying east of Lot 1, Block 2, I-90 Heartland Business Park, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota., more generally described as being located north of U.S. Interstate 90 and west of Elk Vale Road and east of Dyess Avenue.

Bulman presented Tax Increment Finance Committee's recommendation to



approve the District Creation with the stipulation that a Project Plan be submitted and approved within six months.

**Rolinger moved, Marchand seconded and unanimously carried to recommend that the Resolution Creating Elk Vale Road Soccer Complex Tax Increment District be approved with the stipulation that the District be dissolved if a Project Plan is not approved by the City Council within six months of the creation of the District. (7 to 0 with Anderson, Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

Anderson left the meeting at this time.

**Scull moved, Brewer seconded and unanimously carried to continue the Planning Commission meeting past the 9:00 a.m. deadline. (6 to 0 with Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

58. Discussion Items

- A. An Ordinance Amendment to relocate the seven foot screening fence requirement in the Light Industrial Zoning District.

Bulman presented staff's request to advertise for an Ordinance Amendment to revise the seven foot screening fence requirement in the Light Industrial Zoning District.

**Scull moved, Brewer seconded and unanimously carried to authorize staff to advertise for a public hearing to consider a Zoning Ordinance Amendment to remove the requirement for a seven foot screening fence for outdoor storage in the Permitted Use section of the Light Industrial Zoning District and create a new section in the Light Industrial Zoning District for the screening fence requirement. (6 to 0 with Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**

- B. An Ordinance Amendment to delete Public Parks and/or Playgrounds as a Conditional Use in the General Agriculture Zoning District.

Bulman presented staff's request to advertise for an Ordinance Amendment to delete Public Parks and/or Playgrounds as a Conditional Use in the General Agriculture Zoning District as it duplicates a permitted use. Discussion followed.

**Brewer moved, Marchand seconded and unanimously carried to authorize staff to advertise for a public hearing to consider a Zoning Ordinance Amendment to delete "Public parks and/or playgrounds" as a Conditional Use in the General Agriculture Zoning District of the Rapid City Municipal Code. (6 to 0 with Brewer, Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**



Brewer left the meeting at this time.

59. Staff Items

60. Planning Commission Items

61. Committee Reports

- A. City Council Report (September 2, 2008)  
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, Rolinger moved, Scull seconded and unanimously carried to adjourn the meeting at 9:03 a.m. (5 to 0 with Derby, Hennies, Marchand, Rolinger and Scull voting yes and none voting no)**