



MINUTES OF THE
RAPID CITY PLANNING COMMISSION
SPECIAL MEETING
October 28, 2008

MEMBERS PRESENT: Tom Hennies, Karen Waltman, Dennis Landguth, John Brewer, Frank Etter and Linda Marchand

STAFF PRESENT: Monica Heller, Marcia Elkins, Patsy Horton, Mike Schad and Jeanne Nicholson

Waltman called the meeting to order at 5:30 p.m.

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.

Horton presented the Deadwood Avenue Neighborhood Area Future Land Use Plan, reviewed the boundaries of the study area and identified the changes that were made to the Future Land Use Plan map.

Darrell Hanson, area resident, expressed concern about the extension of Howard Street through his property and the increased truck traffic through the neighborhood.

Elkins explained that Laurel Heights Drive is being designated as a collector street and that a note has been added to the plan indicating that the street will not be allowed to be used as a truck route. She added that the exact location of the road will be determined when the corridor analysis is completed and that the extension of the road will be development driven.

Steve Mueller, area resident, also expressed concern about increased truck traffic on the proposed extension of Laurel Heights Drive. Discussion followed regarding truck route regulations and enforcement of those regulations.

In response to a question from Mueller, Elkins reviewed the provisions of South Dakota Codified Law 11-4-30 regarding the use of the land previously owned by the South Dakota Cement Plant. A lengthy discussion followed.

Mueller provided samples of sand that had been removed from the Cement Plant to the Committee. He expressed concern about the sand extraction causing health issues for the neighborhood.

Elkins informed the Committee that GCC Dacotah submitted a letter on October 27, 2008 requesting changes to the plan noting that copies had been distributed on the dais for the Planning Commission's review.

Hennies moved, Brewer seconded and unanimously carried to recommend approval of the Deadwood Avenue Neighborhood Area Future Land Use Plan. (6 to 0 with Brewer, Etter, Hennies, Landguth, Marchand and Waltman voting yes and none voting no)

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.

Horton reviewed the proposed changes to the Major Street Plan within the Deadwood Avenue Neighborhood Area.

Ed Carpenter, attorney for James Bailey, advised that his client owns 40 acres north of the intersection of Mountain View Road and Omaha Street. He stated that his client objects to the removal of the proposed collector street extending north along the section line at the intersection of Omaha Street and Mountain View Road. He added that his client has received notification from the South Dakota Department of Transportation denying his access application at the U-Haul property. Carpenter added that his client has visited with Montana Dakota Utilities and that access across their property is not a viable option.

Jim Bailey, area property owner, provided a copy of a Parking Lot Development Agreement and a letter from the Abourezk Law Firm opposing the extension of Mountain View Road to the north to the Committee. He expressed his objection to the removal of the proposed collector street extending north along the section line at the intersection of Omaha Street and Mountain View Road from the Major Street Plan. Discussion followed.

In response to Brewer's question regarding legal and constitutional issues, Schad advised that the removal of the proposed collector street from the Major Street Plan does not vacate the section line. He added that he would need to further review the Parking Lot Development Agreement to be able to provide a legal analysis of the issues.

In response to a question from Brewer, Elkins confirmed that the City Attorney's staff would have the opportunity to review the legal issues in more detail prior to any action by the City Council.

In response to a question from Brewer about whether or not the Planning Commission could forward the Major Street Plan amendment to the City Council without a recommendation, Elkins outlined the variety of actions available to the Planning Commission including continuing the action on the plan, approving or denying the plan. She recommended that the two items on the agenda be acted on at the same time because the amendments to the Major Street Plan are incorporated in the Future Land Use Plan. A lengthy discussion followed.

In response to Darrell Hanson's question regarding whether or not the proposed collector street north of the interstate could be moved to the section line at Mall Drive, Elkins advised that it was staff's opinion that it is not feasible to build Mall Drive over Cabot Hill.

Brewer moved to recommend that 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 forwarded to the City Council without a recommendation. The motion failed due to a lack of a second.

Additional discussion followed.

Hennies moved, Landguth seconded and unanimously carried to recommend approval of the Deadwood Avenue Neighborhood Area Major Street Plan Amendments. (6 to 0 with Brewer, Etter, Hennies, Landguth, Marchand and Waltman voting yes and none voting no)

Landguth moved, Etter seconded and unanimously carried to adjourn the meeting at 6:49 p.m.