

**Draft**

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
March 4, 2010

MEMBERS PRESENT: Erik Braun, John Brewer, Gary Brown, Julie Gregg, Doug Kinniburgh, Dennis Landguth, Linda Marchand, Steve Rolinger and Andrew Scull. Karen Gunderson-Olsen, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Bob Dominicak, Monica Heller, Ali DeMersseman, Jim Flaaen, Mary Bosworth, Ted Johnson, Karley Halsted, Tim Behlings, Mike Schad and Carol Campbell.

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

**Scull 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.**

**Staff requested that Items 13, 14 and 23 be removed from the Consent Agenda for separate consideration.**

**Kinniburgh requested that Items 19 and 20 be removed from the Consent Agenda for separate consideration.**

**A member of the audience requested that Item 5 be removed from the Consent Agenda for separate consideration.**

**Motion by Brown, Seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 23 in accordance with the staff recommendations with the exception of Items 5, 13, 14, 19, 20 and 23. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

**---CONSENT CALENDAR---**

1. Approval of the February 18, 2010 Planning Commission Meeting Minutes.
2. No. 09CA001 - Spring Creek Neighborhood  
A request by City of Rapid City to consider an application for a **Summary of Adoption Action on an Amendment to the Comprehensive Plan adopting the Spring Creek Neighborhood Area Future Land Use Plan** on that portion of Sections 1, 3, 10, 11, 12, 14 and 15 lying south of Spring Creek, all of Sections 13, 22, 23, 24, 25, and 26, and all of Section 27 less Foster Lode Mineral Survey, Township 1 South, Range 6 East, BHM, Pennington County, South Dakota; that portion in the W1/2 of Section 4 and Sections 5, 6 and 7 lying south of Spring Creek, the W1/2 and SE1/4 of Section 9, the S1/2 of Sections 10 and 11, and all of Sections 1, 8, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, Township 1 South, Range 7 East, BHM, Pennington County, South

Dakota; the E1/2 and SW1/4 of Section 25 and all of Section 36, Township 1 North, Range 7 East, BHM, Pennington County, South Dakota; that portion of Sections 29 and 32 lying west of SD Highway 79 and all of Sections 30 and 31, Township 1 North, Range 8 East, BHM, Pennington County, South Dakota; that portion of Sections 5, 8, 17, 20 and 29 lying west of SD Highway 79 and all of Sections 6, 7, 18, 19 and 30, Township 1 South, Range 8 East, BHM, Pennington County, South Dakota, more generally described as being located generally south of Spring Creek, east of Boulder Hill Road, north of Knotty Pine Road and east of S.D. Highway 79.

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

3. No. 09CA002 - Spring Creek Neighborhood

A request by City of Rapid City to consider an application for a **Summary of Adoption Action on an Amendment to the Comprehensive Plan to Revise the Major Street Plan by eliminating, adding and realigning arterial and collector streets in the Spring Creek Neighborhood Area Future Land Use Plan** on that portion of Sections 1, 3, 10, 11, 12, 14 and 15 lying south of Spring Creek, all of Sections 13, 22, 23, 24, 25, and 26, and all of Section 27 less Foster Lode Mineral Survey, Township 1 South, Range 6 East, BHM, Pennington County, South Dakota; that portion in the W1/2 of Section 4 and Sections 5, 6 and 7 lying south of Spring Creek, the W1/2 and SE1/4 of Section 9, the S1/2 of Sections 10 and 11, and all of Sections 1, 8, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, Township 1 South, Range 7 East, BHM, Pennington County, South Dakota; the E1/2 and SW1/4 of Section 25 and all of Section 36, Township 1 North, Range 7 East, BHM, Pennington County, South Dakota; that portion of Sections 29 and 32 lying west of SD Highway 79 and all of Sections 30 and 31, Township 1 North, Range 8 East, BHM, Pennington County, South Dakota; that portion of Sections 5, 8, 17, 20 and 29 lying west of SD Highway 79 and all of Sections 6, 7, 18, 19 and 30, Township 1 South, Range 8 East, BHM, Pennington County, South Dakota, more generally described as being located generally south of Spring Creek, east of Boulder Hill Road, north of Knotty Pine Road and east of S.D. Highway 79.

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

\*4. No. 09PD053 - St. Martins Village

A request by FMG, Inc. for Good Samaritan Society to consider an application for a **Planned Residential Development - Final Development Plan** for an unplatted parcel of land located in the SE1/4 SW1/4 and the SW1/4 SE1/4 and the NE1/4 SE1/4 and the NW1/4 SE1/4 and the SW1/4 NE1/4 and less Lot A of the W1/2 SE1/4, Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of S.D. Highway 79 (Sturgis Road) and south of Hidden Valley Road.

**Planning Commission continued the Planned Residential Development - Final Development Plan to allow the construction of townhomes with attached garages and the construction of the utilities and roads to serve**

the townhomes to the March 25, 2010 Planning Commission meeting.

***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.***

\*6. No. 09PD097 - Big Sky Business Park

A request by Dennis Hettich for Conrads Big "C" Signs to consider an application for a **Major Amendment to a Planned Commercial Development** for Lot 2 of Block 1 of Big Sky Business Park, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 747 Timmons Boulevard.

**Planning Commission continued the Major Amendment to a Planned Commercial Development to revise the sign package to the March 25, 2010 Planning Commission meeting.**

***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.***

7. No. 09PL072 - Hillsvew Subdivision

A request by Renner & Associates for Royal Nielsen to consider an application for a **Preliminary Plat** for proposed Lots A and B of Lot 15 Revised of Hillsvew Subdivision, legally described as Lot 15 revised of Hillsvew Subdivision and the sought 293 feet of Lot 6 of Marshall Subdivision, located in the NE1/4 of the SE1/4 and in the SE1/4 of the NE1/4, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the north side of East S.D. Highway 44 between Rockhill Road and Hillside Drive.

**Planning Commission continued the Preliminary Plat to the March 25, 2010 Planning Commission meeting.**

8. No. 09PL083 - Mahoney Addition No. 2

A request by Fisk Land Surveying & Consulting Engineers for Stephen M. Gowan to consider an application for a **Preliminary Plat** for proposed Lots A and B of Mahoney Addition No. 2 and dedicated right-of-way, legally described as the east 90 feet of Block 122 and the west half of Block 123 of Mahoney Addition No. 2, located in the SE1/4, Section 25, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 134 Anamosa Street.

**Planning Commission recommended that the Preliminary Plat be continued to the April 8, 2010 Planning Commission meeting.**

9. No. 09PL086 - Spring Canyon Estates

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** for proposed Lots 1, 2 and 3 of Lots 5R and 6R of Block 1 of Spring Canyon Estates, legally described as Lots 5R and 6R of Block 1 of Spring Canyon Estates, Section 6, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 5703 and 5707 Pioneer Circle.

**Planning Commission recommended that the Layout Plat be continued to the March 25, 2010 Planning Commission meeting.**

10. No. 09SV028 - Spring Canyon Estates

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 20 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Pioneer Circle, to reduce the width of the private access and utility easement from 49 feet to a verifying width of 46.9 feet to five feet, to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the private access and utility easement, to reduce the width of the access easement from 49 feet to a verifying width of 40 feet to 20 feet and to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the access easement as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 1, 2 and 3 of Lots 5R and 6R of Block 1 of Spring Canyon Estates, legally described as Lots 5R and 6R of Block 1 of Spring Canyon Estates, Section 6, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 5703 and 5707 Pioneer Circle.

**Planning Commission continued the Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 20 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Pioneer Circle, to reduce the width of the private access and utility easement from 49 feet to a varying width of 46.9 feet to 5 feet, to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the private access and utility easement, to reduce the width of the access easement from 49 feet to a varying width of 40 feet to 20 feet and to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the access easement as per Chapter 16.16 of the Rapid City Municipal Code to the March 25, 2010 Planning Commission meeting.**

11. No. 09SR048 - Section 23, T2N, R7E

A request by Dream Design International, Inc. to consider an application for a **SDCL 11-6-19 Review to construct a public water main, storm sewer and drainage improvements** on the unplatted S1/2 NE1/4 less Rainbow Ridge Subdivision and less right-of-way, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of Sagewood Street and Alma Street.

**Planning Commission continued the SDCL 11-6-19 Review to construct a**

**public water main, storm sewer and drainage improvements to the March 25, 2010 Planning Commission meeting.**

12. No. 09SR123 - Section 35, T1N, R7E

A request by Kent Hagg for Hagg Development Inc. to consider an application for a **SDCL 11-6-19 Review to extend public utilities** on the SW1/4 NW1/4, Section 35, T1N, R7E, BHM, and the U.S. Highway 16 Right-of-way and Moon Meadows Right-of-way located adjacent to the SW1/4 NW1/4, Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of U.S. Highway 16 and Sammis Trail.

**Planning Commission continued the SDCL 11-6-19 Review to extend a public sewer main to the March 25, 2010 Planning Commission meeting.**

15. No. 10PL005 - Section 9, T1N, R7E

A request by Renner & Associates for Randy Ruthford to consider an application for a **Preliminary Plat** for proposed Lots A and B of Lot 9 of Lot 3 of Block 3 of the NE1/4 of the NW1/4, legally described as Lot 9 and the north 25 feet of Lot 10 of the Lot 3 of Block 3 of the NE1/4 of the NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2019 and 2021 Monte Vista Drive.

**Planning Commission continued the Preliminary Plat to the March 25, 2010 Planning Commission meeting.**

16. No. 10SV003 - Section 9, T1N, R7E

A request by Renner & Associates for Randy Ruthford to consider an application for a **Variance to the Subdivision Regulations to reduce the right-of-way width from 52 feet to 24 feet and to reduce the pavement width from 27 feet to 18 feet as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots A and B of Lot 9 of Lot 3 of Block 3 of the NE1/4 of the NW1/4, legally described as Lot 9 and the north 25 feet of Lot 10 of the Lot 3 of Block 3 of the NE1/4 of the NW1/4, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2019 and 2021 Monte Vista Drive.

**Planning Commission continued the Variance to the Subdivision Regulations to reduce the right-of-way width from 52 feet to 24 feet and to reduce the pavement width from 27 feet to 18 feet to the March 25, 2010 Planning Commission meeting.**

17. No. 10PL006 - East Mall Business Center Subdivision

A request by Renner & Associates for Robert Akers to consider an application for a **Preliminary Plat** for proposed Lots 1R and 2R of Block 1 of East Mall Business Center Subdivision, legally described as Lots 1 and 2 of Block 1 of East Mall Business Center Subdivision, located in the W1/2 of the NE1/4 and the E1/2 of the NW1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of North LaCrosse Street between East Mall Drive and East Disk Drive.

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

- 1. Prior to Preliminary Plat approval by the City Council, road construction plans for the common access easements shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 59 foot wide easement and constructed with a sidewalk along both sides of the easement, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
- 2. Prior to Preliminary Plat approval by the City Council, road construction plans for Disk Drive shall be submitted for review and approval. In particular, the road construction plans shall show the installation of a sewer main to the eastern terminus of the street and a sidewalk along the north side of the street or a Variance to the Subdivision Regulations shall be obtained;**
- 3. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow access to Lot 2R from Mall Drive, the higher traveled street, or the plat document shall be revised to show a non-access easement along all of Lot 2R as it abuts Mall Drive;**
- 4. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow the approach to Lot 1R to be located 452.43 feet from the intersection of Mall Drive and LaCrosse Street in lieu of 460 feet as per the Street Design Criteria Manual or the plat document shall be revised to comply with the requirement;**
- 5. Prior to Preliminary Plat approval by the City Council, a grading plan, including cut and fill quantities, shall be submitted for review and approval if subdivision improvements are required;**
- 6. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;**
- 7. Prior to Preliminary Plat approval by the City Council, a cost estimate of the required subdivision improvements shall be submitted for review and approval;**
- 8. Prior to submittal of a Final Plat application, the plat document shall be revised to show the proposed 12.5 foot wide utility easement along the east lot line of proposed Lot 2R as a minimum 20 foot wide utility easement;**
- 9. Prior to submittal of a Final Plat application, the applicant shall demonstrate that the existing gravity sewer main located along the west lot line of proposed Lot 1R is within the existing utility easement or the plat document shall be revised to dedicate an additional utility easement as needed;**
- 10. Prior to submittal of a Final Plat application, the plat title shall be revised to read "Formerly Lots 1 and 2 of Block 1" in lieu of "Formerly the balance of Lots 1 and 2 of Block 1";**
- 11. Prior to submittal of a Final Plat application, the plat document shall be revised to show the book and page of the previously vacated**



**March Avenue right-of-way;**

12. **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;**
13. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,**
14. **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.**

18. **No. 10SV004 - East Mall Business Center Subdivision**

A request by Renner & Associates for Robert Akers to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install water, sewer, sidewalk and street light conduit along the access easements, to reduce the width of the access easements from 59 feet to 35 feet and to waive the requirement to install sewer along a portion of Disk Drive as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 1R and 2R of Block 1 of East Mall Business Center Subdivision, legally described as Lots 1 and 2 of Block 1 of East Mall Business Center Subdivision, located in the W1/2 of the NE1/4 and the E1/2 of the NW1/4, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of North LaCrosse Street between East Mall Drive and East Disk Drive.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install water, sewer, sidewalk and street light conduit along the access easements and to reduce the width of the access easements from 59 feet to 35 feet be approved with the following stipulation:**

1. **That a sidewalk be provided along one side of the access easement(s); and,**

**That the Variance to the Subdivision Regulations to waive the requirement to install sewer along the eastern portion of Disk Drive be approved with the following stipulation:**

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

21. **No. 10RZ009 - Well Addition**

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Public District** of Lot 1 of Well Addition less Lot H1 and less dedicated right-of-way, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3030 Orchard Lane.

**Planning Commission recommended that the Rezoning from No Use District to Public District be approved.**

22. No. 10RZ010 - Melody Acres No. 2

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Mobile Home Residential District** of Lots 21 thru 23 of Melody Acres No. 2, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2811 Cactus Drive.

**Planning Commission recommended that the Rezoning from No Use District to Mobile Home Residential District be approved.**

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

\*5. No. 09PD096 - Black Hills Center

A request by FourFront Design, Inc. for Eagle Ridge Properties, LLC to consider an application for a **Major Amendment to a Planned Residential Development** for Lots 2A and 2B of Block 1 of Black Hills Center, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 121 Stumer Road.

Charity Doyle, area resident expressed her concern for the proposed development of a "Wal-Mart" on the subject property. Doyle expressed her opinion that the possible negative impact from the due to increased traffic from the proposed development. Doyle further requested that traffic impact studies be conducted. Doyle addressed several other areas of concern with proposed development of "Wal-Mart" on the subject property. Doyle requested that the Planning Commission consider seriously the location of the proposed development.

Scully added that the comments presented by Ms. Doyle may be more pertinent to Items 13 and 14 regarding the Wal-Mart subject property.

Elkins presented the staff recommendation to continue the Major Amendment to a Planned Residential Development request to the March 25, 2010 Planning Commission meeting.

**Rolinger moved, Brewer seconded and unanimously carried to continue the Major Amendment to a Planned Residential Development to the March 25, 2010 Planning Commission meeting. (9 to 0 with Braun, Brewer, Brown, Collins, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scully 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.***

Elkins requested that items 13 and 14 be taken concurrently.

\*13. No. 10PD011 - Black Hills Center

A request by Dream Design International, Inc. for THF Stoneridge Development,



LLC to consider an application for a **Planned Commercial Development - Initial Development Plan** on for a portion of the S½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at southeasterly corner of Lot 21 of Block 4 of Eastridge Estates Subdivision, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 39.94 feet, and the point of beginning; Thence first course: S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 327.91 feet, to the southeasterly corner of said Lot 4 of Block 2, common to the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°56'11"E, along the southerly boundary of said Lot 3 of Block 2, a distance of 205.60 feet, to the southeasterly corner of said Lot 3 of Block 2, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence third course: S81°55'52"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2 of Block 2; Thence fourth course: S72°01'35"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2 of Block 2; Thence fifth course: N17°47'24"E, along the easterly boundary of said Lot 2 of Block 2, a distance of 7.95 feet; Thence sixth course: S72°47'30"E, a distance of 215.27 feet; Thence seventh course: S12°34'57"W, a distance of 65.81 feet; Thence eighth course: S55°01'52"E, a distance of 472.79 feet; Thence ninth course: S00°19'04"W, a distance of 384.24 feet; Thence tenth course: S73°23'42"E, a distance of 44.41 feet, to a point on the northerly edge of Stumer Road right-of-way; Thence eleventh course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 35°02'55", a length of 226.03 feet, a chord bearing of S72°48'06"W, and chord distance of 222.52 feet; Thence twelfth course: N89°40'48"W, along the northerly edge of said Stumer Road right-of-way, a distance of 730.69 feet; Thence thirteenth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 30°00'39", a length of 193.54 feet, a chord bearing of N74°39'10"W, and chord distance of 191.33 feet; Thence fourteenth: N59°42'02"W, along the northerly edge of said Stumer Road right-of-way, a distance of 434.65 feet; Thence fifteenth course: N30°09'50"E, a distance of 114.26 feet; Thence sixteenth course: N13°16'45"W, a distance of 109.95 feet; Thence seventeenth course: N12°34'56"E, a distance of 475.15 feet, to the point of beginning, said Parcel contains 1,093,923 square feet or 25.11 acres more or less, more generally described as being located northwest of the intersection of Fifth Street and Stumer Road.

***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. 10PL007 - Black Hills Center

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Layout Plat** for proposed Lots 1 thru 4 of

Block 4 of Out lots 1 and 11 of Block 4 of Black Hills Center, legally described as Lot 1 of Block 2 of Fifth Street Office Plaza, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota and a portion of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeasterly corner of Lot 1 of Block 3 of Black Hills Center, common to a point on the southerly boundary of Lot 18 of Block 4 of Eastridge Estates Subdivision, and the point of beginning; Thence first course: S89°51'59"E, along the southerly boundary of said Lot 18 of Block 4, a distance of 21.44 feet, to the southeasterly corner of said Lot 18 of Block 4, common to the southwesterly corner of Lot 19 of Block 4 of Eastridge Estates Subdivision; Thence second course: S89°36'10"E, along the southerly boundary of said Lot 19 of Block 4, a distance of 74.99 feet, to the southeasterly corner of said Lot 19 of Block 4, common to the southwesterly corner of Lot 20 of Block 4 of Eastridge Estates Subdivision; Thence third course: S89°40'39"E, along the southerly boundary of said Lot 20 of Block 4, a distance of 147.46 feet, to the southeasterly corner of said Lot 20 of Block 4, common to the southwesterly corner of Lot 21 of Block 4 of Eastridge Estates Subdivision; Thence fourth course: S89°40'11"E, along the southerly boundary of said Lot 21 of Block 4, a distance of 29.5 feet, to the southeasterly corner of said Lot 21 of Block 4, common to the southwesterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza; Thence fifth course: S89°37'17"E, along the southerly boundary of said Lot 4 of Block 2, a distance of 367.85 feet, to the southeasterly corner of said Lot 4 of Block 2, common to the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza; Thence sixth course: S81°56'11"E, along the southerly boundary of said Lot 3 of Block 2, a distance of 205.60 feet, to the southeasterly corner of said Lot 3 of Block 2, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence seventh course: S81°55'52"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2 of Block 2; Thence eighth course: S72°01'35"E, along the southerly boundary of said Lot 2 of Block 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2 of Block 2; Thence ninth course: N17°47'24"E, along the easterly boundary of said Lot 2 of Block 2, a distance of 29.78 feet, to a corner on the easterly boundary of said Lot 2 of Block 2, common to the southwesterly corner of Lot 1 of Block 2 of Fifth Street Office Plaza; Thence tenth course: S73°48'28"E, along the southerly boundary of said Lot 1 of Block 2, a distance of 459.73 feet, to the southeasterly corner of said Lot 1 of Block 2; Thence eleventh course: N38°50'34"E, along the easterly boundary of said Lot 1 of Block 2, a distance of 222.04 feet, to the northeasterly corner of said Lot 1 of Block 2, common to a point on the westerly edge of Fifth Street right-of-way; Thence twelfth course: S62°29'05"E, along the westerly edge of said Fifth Street right-of-way, a distance of 134.83 feet; Thence thirteenth course: curving to the right, along the westerly edge of said Fifth Street right-of-way, on a curve with a radius of 909.00 feet, a delta angle of 14°12'45", a length of 225.48 feet, a chord bearing of S55°23'16"E, and chord distance of 224.91 feet; Thence fourteenth course: S42°58'26"W, along the westerly edge of said Fifth Street right-of-way, a distance of 12.00 feet; Thence fifteenth course: curving to the right, along the westerly edge of said Fifth Street right-of-way, on a curve with a radius of 897.00 feet, a delta angle of 33°48'02", a length of 529.17 feet, a chord bearing of S31°23'49"E, and chord distance of 521.53 feet, to a point on the northerly edge of Stumer Road right-of-way; Thence sixteenth course:

S78°50'25"W, along the northerly edge of said Stumer Road right-of-way, a distance of 27.69 feet; Thence seventeenth course: S11°17'34"E, along the northerly edge of said Stumer Road right-of-way, a distance of 19.61 feet; Thence eighteenth course: S78°40'30"W, along the northerly edge of said Stumer Road right-of-way, a distance of 268.21 feet; Thence nineteenth course: curving to the left, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 430.50 feet, a delta angle of 31°38'12", a length of 237.71 feet, a chord bearing of S62°53'56"W, and chord distance of 234.70 feet; Thence twentieth course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 43°15'37", a length of 278.99 feet, a chord bearing of S68°41'45"W, and chord distance of 272.41 feet; Thence twenty-first course: N89°40'48"W, along the northerly edge of said Stumer Road right-of-way, a distance of 730.69 feet; Thence twenty-second course: curving to the right, along the northerly edge of said Stumer Road right-of-way, on a curve with a radius of 369.50 feet, a delta angle of 30°00'39", a length of 193.54 feet, a chord bearing of N74°39'10"W, and chord distance of 191.33 feet; Thence twenty-third: N59°42'02"W, along the northerly edge of said Stumer Road right-of-way, a distance of 434.65 feet; Thence twenty-fourth course: N59°37'19"W, along the northerly edge of said Stumer Road right-of-way, a distance of 190.11 feet; Thence twenty-fifth course: N61°06'58"W, along the northerly edge of said Stumer Road right-of-way, a distance of 179.95 feet; Thence twenty-sixth course: N59°37'27"W, along the northerly edge of said Stumer Road right-of-way, a distance of 26.58 feet, to the southeasterly corner of said Lot 1 of Block 3; Thence twenty-seventh course: N30°17'20"E, along the easterly boundary of said Lot 1 of Block 3, a distance of 329.68 feet, to a corner on the easterly boundary of said Lot 1 of Block 3; Thence twenty-eighth course: N00°10'07"E, along the easterly boundary of said Lot 1 of Block 3, a distance of 190.19 feet, to the northeasterly corner of said Lot 1 of Block 3 and the point of beginning, said Parcel contains 1,668,361 square feet or 38.30 acres more or less, more generally described as being located northwest of the intersection of Fifth Street and Stumer Road.

Elkins presented the staff recommendation to continue the Planned Commercial Development and Layout Plat request to a special April 8, 2010 Planning Commission meeting at 7:00 p.m. Elkins added that staff suggests a special meeting to allow ample time for public comment. Elkins noted that the applicant is in the process of submitting a revised site plan.

Tom Loff, 302 Enchanted Pines Drive, expressed his opposition to the proposed development. Loff noted concerns with a possible negative impact from the increased traffic from the development on the subject property. Loff requested that the Planning Commission carefully consider the proposed development.

**Rolinger moved, Brown seconded and unanimously carried to continue the Planned Commercial Development - Initial Development Plan and the Layout Plat to a Special Planning Commission meeting on April 8, 2010 at 7:00 p.m. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

19. No. 10RZ007 - Johnson School Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** of Lots 6 and 7 less Lot H1 of Block 2 of Johnson School Subdivision, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to Elk Vale Road between School Drive and Lancer Drive.

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

**Brown moved, Rolinger seconded and carried to recommended that the Rezoning from No Use District to General Commercial District be approved. (8 to 0 to 1 with Braun, Brewer, Brown, Gregg, Landguth, Marchand, Rolinger and Scull voting yes and none voting no and Kinniburgh abstaining)**

20. No. 10RZ008 - Wood Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** of the east 88 feet of Lot D of the NE1/4 NW1/4 less Lot H1 and Lot 6 of Wood Subdivision, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to the west side of Elk Vale Road and north of School Drive.

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

**Braun moved, Gregg seconded and carried to continue the Rezoning from No Use District to General Commercial District to the March 25, 2010 Planning Commission meeting. (8 to 0 to 1 with Braun, Brewer, Brown, Gregg, Landguth, Marchand, Rolinger and Scull voting yes and none voting no and Kinniburgh abstaining)**

23. No. 10SR009 - Rapid City Greenway Tract

A request by Mitch Johnson for Baseball 320, Inc. to consider an application for a **SDCL 11-6-19 Review to replace an existing sign on public property** on Tract 8 of Rapid City Greenway Tract, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2601 Canyon Lake Drive.

Flaaen presented the staff recommendation to continue the SDCL 11-6-19 Review request to the April 30, 2010 Planning Commission meeting. Flaaen noted an error on the staff report and requested that the SDCL 11-6-19 Review request be continued to the April 22, 2010 Planning Commission meeting.

**Brown moved, Marchand seconded and unanimously carried to continue the SDCL 11-6-19 Review to replace an existing sign on public property to the April 22, 2010 Planning Commission meeting. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

---BEGINNING OF REGULAR AGENDA ITEMS---

24. No. 09SR124 - Section 20, T1N, R9E

A request by Rapid City Regional Airport to consider an application for a **SDCL 11-6-19 Review to construct a sign on public property** on Lot A located in the SW1/4 of Section 20, T1N, R9E, BHM, Rapid City and the S.D. Highway 44 right-of-way lying adjacent to Lot A located in the SW1/4 of Section 20, T1N, R9E, BHM, all located in Pennington County, South Dakota, more generally described as being located at 4550 Terminal Road.

DeMersseman presented the staff recommendation to approve the SDCL 11-6-19 Review to construct a sign on public property request.

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

**Gregg moved, Brewer seconded and carried to approve the SDCL 11-6-19 Review to construct a sign on public property. (8 to 0 to 1 with Braun, Brewer, Brown, Gregg, Landguth, Marchand, Rolinger and Scull voting yes and none voting no and Kinniburgh abstaining)**

\*25. No. 10PD009 - Copperfield Vistas Subdivision

A request by Jerry Peterson for J & J Enterprises to consider an application for a **Major Amendment to a Planned Residential Development** for Lot 2 of Block 4 of Copperfield Vistas Subdivision, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1023 Copperfield Drive.

Elkins presented the staff recommendation to continue the Major Amendment to a Planned Residential Development to the March 25, 2010 Planning Commission meeting.

In response to Gary McKinnon's question, Elkins stated that the applicant is proposing to build a deck on the rear of the structure that would increase the lot coverage on the subject property and reduce the minimum required rear yard setback.

**Rolinger moved, Braun seconded and unanimously carried to continue the Major Amendment to a Planned Residential Development to the March 25, 2010 Planning Commission meeting. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, 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.***



\*26. No. 10PD010 - Autumn Hills Subdivision

A request by Fisk Land Surveying and Consulting Engineers for Bob Westlake to consider an application for a **Major Amendment to a Planned Residential Development** for Lot 3R of Block 1 of Autumn Hills Subdivision, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4733 Summerset Drive.

DeMersseman presented the staff report noting that if the Planning Commission determines it is appropriate to reduce the front yard setbacks the request should be approved with stipulations.

Finck, Fisk Land Surveying and Consulting Engineers, expressed her opinion that land owners need to be provided a means of recourse resulting in prior construction errors.

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

1. **The front yard setback from the property line is hereby reduced from 15 feet to 13.5 feet for the existing attached garage and the front yard setback from the back of the curb is reduced from 27 feet to 26 feet for the existing attached garage on Lot 3R of Block 1 of the Autumn Hills Subdivision. The existing attached garage shall not be expanded to encroach any further into the required setbacks, and in the event that the existing attached garage is removed, new construction on the property shall comply with all required setbacks, or a Major Amendment to the Planned Residential Development shall be obtained. In addition, the interior side yard minimum on the property shall be 3 feet from one property line only and the opposite side yard shall be not less than 10 feet. The minimum rear yard setback on the property shall be 10 feet from the property line;**
2. **All provisions of the Low Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Residential Development or a subsequent Major Amendment to the Planned Residential Development;**
3. **A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
4. **The use on the site shall be a single family residence only;**
5. **The structure shall continue to conform architecturally to the submitted elevations and design plans; and,**
6. **The Planned Residential Development shall expire if the use has not commenced 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. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, 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.***

\*27. No. 10PD012 - Melody Acres No. 2

A request by Kenneth and Renee Rose to consider an application for a **Planned Residential Development - Initial and Final Development Plan** for Lot 31 of Melody Acres No. 2, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2708 Cactus Drive.

Flaen presented the staff recommendation to approve the Planned Residential Development request with stipulations.

**Rolinger moved, Marchand seconded and unanimously carried to approve the Planned Residential Development - Initial and Final Development Plan with the following stipulations:**

- 1. Prior to Planning Commission approval, a grading and drainage plan shall be submitted for review and approval;**
- 2. All provisions of the Mobile Home Residential Zoning District shall be continually met;**
- 3. A Building Permit shall be obtained prior to construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 4. A Mobile Home Hookup Permit shall be obtained prior to locating a mobile home on the property;**
- 5. Two off-street parking spaces shall be provided and the off-street parking spaces and the driveway shall be paved as per the City's adopted parking regulations;**
- 6. The mobile home shall be installed and the property shall be developed as per the approved site plan; and,**
- 7. 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. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, 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.***

28. No. 10SE001 - Rapid City Greenway Tract

A request by City of Rapid City for Mark Olson and Leonard Novak for the Black Hills Farmers Market to consider an application for a **Special Exception to the Flood Area Construction Regulations** 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.

Dale Tech presented the staff recommendation to deny the Special Exception request. Tech further noted that the Planning Commission has previously approved similar requests with stipulations. Tech added that prior to the event; the applicant would be required to apply for a temporary use permit if the Planning Commission chose to approve the Special Exception request.

In response to Kinniburgh's question, Elkins stated the SDCL 11-6-19 Review was the item that the Planning Commission previously approved. Elkins further noted that staff has identified an error in the map used identifying that the area is inside the floodway. Elkins stated that the SDCL 11-6-19 Review request identifies a two year permitted use at this location.

In response to Rolinger's question, Tech stated that staff recommends that the Special Exception request be denied. Elkins noted that the Planning Commission has previously approved similar requests with stipulations. Discussion followed.

In response to Braun's question, Tech stated that the chances that granting the exception would affect of the City's rating in the Federal Flood Insurance Program are quite low.

In response to Brewer's question, Elkins stated that the Planning Commission would be recommending to the Council that they approve the Special Exception to Flood Area Construction Regulations.

**Brown moved, Rolinger seconded and unanimously carried to recommend that the Special Exception to the Flood Area Construction Regulations to allow temporary structures in the floodplain be approved for a two year period with the following stipulations:**

- 1. That the event will be stopped and the structures removed if ordered by the Police Chief, Fire Chief, Mayor, Emergency Management Director or the Public Works Director; and,**
- 2. That the structures for the event be removed that evening after the event has ceased. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

29. No. 10SE002 - Rapid City Greenway Tract

A request by City of Rapid City to consider an application for a **Special Exception to the Flood Area Construction Regulations** 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.

Tech presented the staff recommendation to deny the Special Exception to the Flood Area Construction Regulations for the Fat Tire event to be held in Founders Park. Tech noted that in the past the Planning Commission has previously approved similar requests.

In response to Brewer's question, Elkins stated that the Planning Commission has recommended allowing applicant to leave structures over the evening and

provide a staff member for notification purposes.

**Brewer moved, Brown seconded and unanimously carried to recommend that the Special Exception to the Flood Area Construction Regulations to allow temporary structures in the floodplain be approved with the following stipulations:**

- 1. That the event will be stopped and the structures removed if ordered by the Police Chief, Fire Chief, Mayor, Emergency Management Director or the Public Works Director; and,**
- 2. That the applicant have someone available on call 24 hours a day to take the tent down should the need arise. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

30. No. 10SR008 - Sunnyside Replat Subdivision

A request by Rich Marsh of CETEC Engineering for the City of Rapid City to consider an application for a **SDCL 11-6-19 to construct a public street, to install water and sewer and to install ADA curb ramps** on East St. Andrew Right-of-way adjacent to Lots 22 thru 42 of Block 27, Lots 28 thru 53 of Block 28, Lots 1 thru 26 of Block 29 and Lots 1 thru 21 of Block 30 all of Sunnyside Replat Subdivision, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the East St. Andrew Right-of-way between Elm Avenue and Lincoln Avenue.

Flaaen presented the staff recommendation to approve the SDCL 11-6-19 to construct a public street, to install water and sewer and to install ADA curb ramps.

**Gregg moved, Rolinger seconded and unanimously carried to approve the SDCL 11-6-19 to construct a public street, to install water and sewer and to install ADA curb ramps. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

\*31. No. 10UR002 - Wesleyan Christian Center

A request by Mary Sateren and Holly Cole for Generations Care, LLC to consider an application for a **Major Amendment to a Conditional Use Permit to allow a childcare center** on Tract B (also in Section 27) Wesleyan Christian Center, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2000 Wesleyan Boulevard.

DeMersseman presented the staff recommendation to approve the Major Amendment to a Conditional Use to allow a child care center with stipulations.

**Marchand moved, Rolinger seconded and unanimously carried to approve the Major Amendment to a Conditional Use Permit to allow a child care center with the following stipulations:**

- 1. Prior to Planning Commission approval, a revised landscaping plan shall be submitted for review and approval that clearly demonstrates the development area and identifies the size, number and species of**

- all plantings that are proposed to fulfill landscaping requirements;
2. The currently adopted International Fire Code and Building Code shall be continually met;
  3. A minimum of 39 parking spaces, including 2 accessible spaces shall be provided. In addition, an unloading zone shall be maintained at the entrance to the building as shown on the submitted plans;
  4. A minimum of 35 square feet of indoor play space and 50 feet of fenced outdoor play space shall be provided per child as per Section 17.50.150.C of the Rapid City Municipal Code;
  5. The Major Amendment to a Conditional Use Permit shall allow the property to be used as a skilled nursing facility with a child care center. A maximum of 17 children and four staff members shall be allowed at the child care center. The hours of operation for the child care center shall be from 5:30 a.m. to 3 p.m., Monday through Friday. In addition, the child care center shall be operated in compliance with Chapter 17.50.150 of the Rapid City Municipal Code;
  6. All provisions of the Medium Density Residential District shall be met unless specifically authorized as a stipulation of this Major Amendment to a Conditional Use Permit, or a subsequent Major Amendment; and,
  7. The Major Amendment to a Conditional Use Permit to allow a child care center in conjunction with a skilled nursing facility shall expire if the use is not undertaken within two years of the date of approval by the Planning Commission, or if the use has ceased for a period of two years. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, 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.***

\*32. No. 10UR003 - Original Town of Rapid City

A request by Al Rodriquez for Curry Masala to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment** on Lot 28 of Block 85 of the Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 510 St. Joseph Street.

DeMersseman presented the staff recommendation to approve the Conditional Use Permit to allow an on-sale liquor establishment with stipulations.

**Rolinger moved, Brewer seconded and unanimously carried to approve the Conditional Use Permit to allow an on-sale liquor establishment with stipulations. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, 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.***

33. No. 10VE003 - Stoney Creek South Subdivision

A request by Sperlich Consulting, Inc. for J. Scull Construction to consider an application for a **Vacation of Private Access and Public Utility Easement** on Lots 1A, 2A of Block 1 and Lot 7 of Block 2 of Stoney Creek South Subdivision, located in the NW1/4 SW1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard between Sheridan Lake Road and Bendt Drive.

DeMersseman presented the staff recommendation to approve the Vacation of Private Access and Public Utility Easement with stipulations.

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

**Brown moved, Marchand seconded and carried to recommend that the Vacation of Private Access and Public Utility Easement be approved with the following stipulations:**

- 1. Prior to City Council approval, the applicant shall submit a revised Access Easement document to the Growth Management Department that shows a 26 foot wide access easement adjacent to the proposed 90 degree parking stalls as per Section 17.50.270.F.2 of the Rapid City Municipal Code; and,**
- 2. Prior to Planning Commission approval, the applicant shall submit a revised response from Knology to the Growth Management Department indicating that an easement has been retained for facilities located in the area of the proposed vacation, or that there are no conflicts with the proposed vacation. (8 to 0 to 1 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand and Rolinger voting yes and none voting no and Scull abstaining)**

**ADDENDUM TO**

**AGENDA**

**CITY OF RAPID CITY PLANNING COMMISSION**

**March 4, 2010 at 7:00 a.m.**

33A. 10TP007 – Mount Rushmore Corridor Development Plan – Draft Report

Elkins presented additional information and changes provided by staff for the Mount Rushmore Corridor Development Plan. Discussion followed.

Elkins stated that if the Planning Commission wishes to approve the Draft Mount Rushmore Corridor Development Plan, the Planning Commission may want to follow up with a separate motion to request that staff pursue a consultant contract to draft design guidelines to begin for implementation of the

plan.

In response to Scull's question, Elkins reviewed the land use boundary map and existing lot lines. Discussion followed.

In response to Brewer's question regarding design standards, Elkins stated that an important part of the process is for public input. Elkins further noted that there will be additional meetings to provide information to the public. Discussion followed regarding parking and pedestrian access. Discussion followed.

**Brown moved, Marchand seconded and unanimously carried to recommend approval of the Draft Mount Rushmore Road Corridor Development Plan. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

**Landguth moved, Rolinger seconded and unanimously carried to request staff bring proposals for consideration for Design Guidelines to implement the Plan. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

34. Discussion Items

35. Staff Items

A. Special Public Hearings for Wal-Mart Applications.

Elkins noted the direction by the Planning Commission to conduct a Special Planning Commission meeting on April 8, 2010 at 7:00 p.m.

In response to Scull's question, Elkins identified additional Rezoning and Comprehensive Plan Amendment applications that have been submitted by the applicant.

Rolinger requested a time that the Planning Commission view the property of the proposed Wal-Mart location as a group. Discussion followed.

**Rolinger moved, Brown seconded and unanimously carried to direct staff to provide a time to view the property regarding the proposed Wal-Mart location. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

B. Sidewalk Policy.

Heller presented the sidewalk requirements proposed Ordinance Amendments.

In response to Brewer's question, Heller stated that an existing Planned Residential Development would have its own requirements. Discussion followed.



Gunderson-Olsen expressed her concern regarding the management of storm water other than with curb and gutter in neighborhoods that provide topographic challenges.

**Brown moved, Marchand seconded and unanimously carried to authorize staff to hold a public meeting on the proposed draft Ordinance Amendments for review by the Planning Commission. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

C Work Program Update.

Elkins requested that the Planning Commission continue the Work Program update to the April 8, 2010 Planning Commission meeting.

**Brown moved, Gregg seconded and unanimously carried to continue the Work Program Update to the April 8, 2010 Planning Commission meeting. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**

36. Planning Commission Items

In response to Landguth's question, Elkins stated that staff would review access of Founders Park items.

In response to Landguth's question, Elkins identified the additional types of application submitted regarding the "Wal-Mart". Elkins stated that staff will have a meeting with the applicant to address having all of the items heard at one time.

37. Committee Reports

A. City Council Report (February 16, 2010)

The City Council concurred with the recommendations of the Planning Commission.

**There being no further business, Marchand moved, Rolinger seconded and unanimously carried to adjourn the meeting at 8:30 a.m. (9 to 0 with Braun, Brewer, Brown, Gregg, Kinniburgh, Landguth, Marchand, Rolinger and Scull voting yes and none voting no)**