

DRAFT

MINUTES OF THE
RAPID CITY SPECIAL PLANNING COMMISSION
April 8, 2010 at 7:00 p.m.

MEMBERS PRESENT: Erik Braun, John Brewer, Gary Brown, Barb Collins, Doug Kinniburgh, Dennis Landguth, Linda Marchand, Andrew Scull and Pat Wyss. Karen Gunderson-Olsen, Council Liaison was also present

STAFF PRESENT: Marcia Elkins, Bob Dominicak, Monica Heller, Vicki Fisher, Jim Flaaen, Ted Johnson, Tim Behlings, Mike Schad and Carol Campbell.

OTHERS PRESENT: Mayor Alan Hanks, Council Members Ron Kroeger, Ron Weifenbach and Deb Hadcock.

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

---BEGINNING OF REGULAR AGENDA ITEMS---

*1. 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** 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, 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.

2. 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 and 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., more generally described as being located

northwest of the intersection of Fifth Street and Stumer Road.

Scull opened the Agenda on all items 1 thru 10.

Brown disclosed that he attended a neighborhood meeting at Dream Design International.

Fisher presented the Planned Commercial Development and Layout Plat applications. Fisher noted that the applicant has withdrawn the Planned Commercial Development and the Layout Plat. In addition Fisher noted that the applicant has submitted a new Planned Commercial Development application.

Fisher presented the Amendment to the Comprehensive Plan and Rezoning requests. Fisher added that the Future Land Use Committee's recommendation that the Amendment to the Comprehensive Plans and Rezoning requests go forward with the newly submitted Planned Commercial Development to a date specific meeting identified by the Planning Commission. Fisher stated that as a result of the Planning Commission site visit on April 6, 2010 issues specific to the revised site plan were brought forward.

Fisher presented the previously submitted site plan and the revised site plan that will come forward at a date specified by the Planning Commission. Fisher reviewed proposed landscaping and landscaping islands. Fisher identified the proposed grading and fill to create building pad and access isles. Fisher reviewed the elevations. Fisher identified the types of building materials and coloring that will be utilized. Fisher presented site line perspectives. Fisher added that staff has recommended that the applicant conduct a noise study. Fisher reviewed the location and depth and aquifers in respect to the proposed location of WalMart. Fisher stated that the traffic impact study is currently being reviewed by staff.

Scull opened up the floor for public comment.

Tom Loff, 302 Enchanted Pines Drive, thanked staff and the Planning Commission for the opportunity for the site visit. Loff expressed his opinion that the proposed development does not fit with the vision for future development of the area. Loff requested information regarding the land use studies of the focus of the Robbinsdale area.

Elkins reviewed the South Robbinsdale Future Land Use Plan noting that this area has been planned as a node of commercial development. Elkins further noted that the node was subsequently increased to accommodate larger commercial development. Elkins stated that Tax Increment funding was used to extend the Fifth Street extension and has been envisioned to be a major commercial node. Elkins added that Fifth Street was constructed to provide a major access to the hospital.

Loff requested that the Planning Commission consider a balance between residential and commercial development. Loff requested that the Developer consider that there be a reduction in store hours.

Jay Alderman, 303 Enchantment Road, expressed concern with possible negative impact to the adjacent residential neighborhood from the increased traffic on Stumer Road as a result of development on the subject property. Alderman suggested that Stumer Road be closed and that other possible alternatives be considered.

Roger Schara, 505 Minnesota Street, expressed his concern with the possible negative impact to the environment of the surrounding area from the proposed development.

Kim Schara, 505 Minnesota Street, expressed her concern with the proposed new development and the possible negative impact from the increased traffic. Schara expressed her opinion regarding the increased hazards from existing traffic volume. Schara expressed concern with emergency traffic's inability to access the hospital and the affect to emergency response time.

Maren Ward, 306 Stumer Road, read a letter from a neighbor to the Planning Commission from Arbedela Schmidt expressing her concern with the proposed development of WalMart. Ward expressed her opinion that the neighborhood was not informed of the possibility of this type of large commercial development. Ward stated that she envisioned a park like development on the subject property. Ward commented on the current negative aspects from an adjacent low income residential development.

Duke Doering, 125 Savoy Circle, expressed his concern with the possibility of rejecting WalMart and the construction of a more negative type of commercial development. Doering stated that additional commercial development may follow as a result of the construction of the proposed WalMart. Doering expressed his support for the proposed development.

Deb Baker, 325 Stumer Road, reviewed the City's objective policy statement. Baker expressed her opposition to the proposed construction of WalMart on the subject property. Baker expressed her concern with the possible negative impact from the increased traffic on the proposed development.

Dan Baker, 325 Stumer Road, commented on the City's commitment to maintain appropriate policies to retain the quality of neighborhoods. Baker expressed his opposition to the proposed development. Baker asked that a long range traffic study be conducted. Baker asked for a thorough review of the proposed development on the subject property.

Bob Drew, 121 Stumer Road, owner of Eagle Ridge Apartments, commented on the support of the residents of the Eagle Ridge Apartments for the proposed WalMart development. Drew expressed his opinion that the proposed development would provide necessary additional services for area residents. Drew expressed support for the proposed WalMart development. Drew stated that he would be opposed to the option of closing Stumer Road.

Dale Landis, 209 Enchantment Road, expressed his opposition to the proposed

WalMart on the subject property. Landis further expressed concern with reduction in the parking size. Landis requested that the developer address truck traffic to the proposed development. Landis expressed his concern with the storm water runoff from the proposed development on the subject property. Landis expressed concern with the possible negative impact to the school bus traffic. Landis requested that overnight camping not be allowed at the proposed development.

Diedre Budahl, 320 Enchantment Road, expressed her appreciation to the developer in addressing the concerns of the residential neighborhood. Budahl expressed her opinion regarding the possible negative impact from the increased traffic and the complications of traffic signaling. Budahl expressed her concern with the possibility of an increase in crime adding that a reduction in store hours may mitigate the possibility of increased crime.

Toinette Brown, 210 Enchantment Road, expressed her concerns with the possible negative impact from the proposed development. Brown added her concern with regard to noise and light pollution. Brown further commented on the possible increase in crime from the proposed development.

Mayline Biltoft, area resident expressed her concern with the possible negative impact from increased traffic from the proposed development.

Mark Stulken, 307 Enchantment Road, expressed his opinion that the proposed WalMart is not suited to the location. Stulken requested that additional traffic studies be conducted. Stulken requested that consideration be given to other options for the location of the proposed WalMart.

Tom Striegel, 480 Sarita Court, expressed his opinion regarding the development history of the Fifth Street and Catron Boulevard location. Striegel expressed concern with the possible increase in noise pollution. Striegel requested that the Planning Commission and staff consider alternative locations for the proposed WalMart.

Kathleen Wold, 320 Stumer Road, presented a written request to consider a different location for the proposed WalMart. Wold expressed concern with the proposed development on the subject property. Wold expressed her concern with the proposed roundabout on Stumer and the negative impact to the adjacent residences from the increased traffic.

Charity Doyle, Mandalay Lane, expressed her concern that the proposed development is unprecedented with the close proximity to an upscale residential neighborhood. Doyle expressed her opinion regarding difficulties the City faces in trying to mitigate the negative impact of the proposed development on the neighboring properties. Doyle commented on the Future Land Use Plan for the area.

Wes Brown, 210 Enchantment Road, expressed his opinion on the possibility that the proposed development will take away business from the downtown shopping center district.

Tom Loff requested that the Planning Commission consider a more extensive area regarding the traffic study, specifically identifying the area of Rapid City Regional Hospital.

Scull recessed the meeting at 8:21 p.m. Scull called the meeting back to order at 8:26 p.m.

Robert Green, THF Realty representing the applicant, expressed thanks to the Planning Commission, staff and the public. Green reviewed THF Realty holdings. Green stated that this is the first project by THF in South Dakota. Green stated that THF is committed to the community. Green stated that THF sees the location as an appropriate site for WalMart. Green stated that a new traffic study has been submitted to staff for review and consideration. Green reviewed the phasing process of the proposed development on the subject property. Green identified questions and concerns presented by the public. Green added that there have been numerous meetings with adjacent property owners. Green commented on the willingness of the applicant to address neighborhood concerns. Green suggested to the Planning Commission that a committee be formed to address traffic impact concerns.

In response to Scull's question regarding traffic impact, Elkins stated that staff has discussed a possible modification to Stumer Road and are willing to consider design alternatives that would benefit area property owners.

Scull expressed his support for a panel; Elkins stated that staff would initiate that conversation with a review panel.

In response to Scull's questions regarding emergency response, Elkins stated that staff would work with emergency responders to provide the information.

In response to Landguth's question regarding possibility of expanding the scope of the Traffic Study and the validity of that impact, Shawn White, the Professional Traffic Engineer, stated that there have been discussions regarding the necessity of increasing the scope of the Traffic Study and determined that the study only includes the signalized intersections in proximity to the property, noting the area analyzed is larger than the area reviewed in the previous Traffic Impact Study. Discussion followed.

In response to Landguth's question regarding the close proximity of the intersection of Stumer Road and the intersection of Catron Boulevard, White reviewed the distance requirement. White further commented on signalize coordination and timing.

In response to Landguth's question, White expressed her opinion on the positive effect of a roundabout in handling traffic. Discussion followed.

In response to Brown's question regarding the truck delivery route procedure, Green stated that WalMart has a logistics company that determines and coordinates deliveries. Green reviewed the flow of delivery traffic to the proposed

WalMart. Green further addressed the sizes and number of delivery vehicles.

In response to Wyss' question regarding alternative access for pedestrian and bicycle routes, Green commented that all existing WalMart developments address pedestrian and cycling traffic.

In response to Brewer's question regarding the policy of idling trucks, Green reviewed the delivery operational plan and times of deliveries, stacking and staging. Discussion followed.

In response to Braun's question regarding the intersection of Stumer Road and Fifth Street, White reviewed traffic count currently at the intersection and added there does not seem to have an operational issue.

In response to Scull's question, Elkins stated that the issue is not a capacity issue but more of a livability issues relating to the issue of mixing commercial traffic flow in residential areas. Elkins further reviewed the level of service classifications.

Collins expressed her support for a possible North access onto Fifth Street by the detention pond.

In response to Gundersen-Olson's questions, Elkins stated that the truck delivery information is based on the size of the building not on layout of the site. She confirmed that the truck delivery information is linked on line.

In response to Gundersen-Olson comment regarding overnight camping, Green deferred to a local Ordinance adding that WalMart would review overnight camping policies.

Elkins reviewed the City of Rapid City's temporary overnight vehicle parking ordinance. Elkins further added that the developer is on notice that they would need to submit a request to allow overnight parking as a part of the Planned Commercial Development application.

Scull commented on On-Star tracking issue, Shawn White stated that the applicant would review the information with the GPS tracking providers. Discussion followed.

In response to Scull's question, Elkins stated that Rapid Ride does not provide bus service to this area. Elkins further noted that information regarding the amount of school bus traffic would be researched. Discussion followed.

In response to Landguth's question regarding truck noise, Green stated that staff is requiring a noise impact study to the building. Green further noted that acoustic engineers can provide information regarding the noise levels from truck traffic. Green addressed the concern with regard to snow removal vehicles. Discussion followed.

In response to Wyss' question regarding the visual impact of mature growth trees

and landscaping, Green commented on future growth of landscaping and that the developer would utilize the types of trees that provide adequate buffering.

In response to Scull's question regarding the reduction in parking and storm water control, Elkins stated that staff is currently reviewing the new submittal for parking and the storm water detention plan. Discussion followed.

Gundersen-Olson requested that the applicant consider utilizing the storm water retention policies implemented by the City of Rapid City. Discussion followed.

In response to Braun's question regarding the necessity for a 24 hour a day store, Green reviewed WalMart's policy regarding store hours.

In response to Wyss' question regarding building elevations, Green stated that he would present the request to the WalMart architect.

In response to Wyss's question regarding off-premise advertising, Elkins stated that a Conditional Use Permit would be required. Elkins stated that staff would review signage with the applicant.

In response to Landguth's question regarding lighting, Green commented on public safety issues and that the developer would address issues relative to lighting that would mitigate light spillage over the property line. Discussion followed.

In response to Scull's question regarding intrusiveness into an existing residential neighborhood's property values, Green reviewed the existing and recent past market downturn. Green stated that the applicant would be using harmonious architectural features to compliment the neighborhood.

Collins expressed her opinion regarding the issue of crime and requested that staff review the impact of lighting and the association to increased crime.

Toinette Brown expressed her concern regarding the construction of a WalMart discount store in a higher income neighborhood. Discussion followed.

Ward expressed her concern with noise levels associated with truck traffic. Ward expressed her opinion regarding heating and cooling and refrigeration units noise levels resulting from the equipment. Ward also expressed concern with overnight camping.

Elkins requested that the Planning Commission take items 1 and 2 concurrently.

Brewer moved, Brown seconded and unanimously carried to acknowledge the applicant's withdrawal of the Planned Commercial Development - Initial Development Plan and the Layout Plat. (9 to 0 with Braun, Brewer, Brown, Collins, Kinniburgh, Landguth, Marchand, Scull and Wyss voting yes and none voting no)

Elkins requested that the Planning Commission take Items 3 through 10 concurrently.

3. No. 10CA005 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development** on a portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 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 S54°58'38"E, a distance of 42.23 feet, to the point of beginning; Thence first course: S89°44'01"E, a distance of 29.43 feet; Thence second course: N80°14'20"E, a distance of 61.38 feet; Thence third course: S00°00'01"E, a distance of 397.37 feet; Thence fourth course: N89°44'34"W, a distance of 176.15 feet; Thence fifth course: N12°34'56"E, a distance of 395.82 feet, to the point of beginning, more generally described as being located northeast of the intersection of Stumer Road and Black Hills Boulevard.

4. No. 10RZ017 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from Office Commercial District to General Commercial District** of a portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 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 S54°58'38"E, a distance of 42.23 feet, to the point of beginning; Thence first course: S89°44'01"E, a distance of 29.43 feet; Thence second course: N80°14'20"E, a distance of 61.38 feet; Thence third course: S00°00'01"E, a distance of 397.37 feet; Thence fourth course: N89°44'34"W, a distance of 176.15 feet; Thence fifth course: N12°34'56"E, a distance of 395.82 feet, to the point of beginning, more generally described as being located northeast of the intersection of Stumer Road and Black Hills Boulevard.

5. No. 10CA006 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development** on a portion of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 175.21 feet, to the point of beginning; Thence first course: S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 30.39 feet, to the southeasterly

corner of said Lot 3, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°55'52"E, along the southerly boundary of said Lot 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2; Thence third course: S72°01'35"E, along the southerly boundary of said Lot 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2; Thence fourth course: N17°47'24"E, along the easterly boundary of said Lot 2, a distance of 2.28 feet; Thence fifth course: curving to the left, on a curve with a radius of 220.67 feet, a delta angle of 09°04'29", a length of 34.95 feet, a chord bearing of S07°51'03"W, and chord distance of 34.92 feet; Thence sixth course: S03°19'17"W, a distance of 6.07 feet; Thence seventh course: N83°19'13"W, a distance of 116.68 feet; Thence eighth course: N54°45'41"W, a distance of 151.94 feet, to the point of beginning, more generally described as being located north of Stumer Road and south of Fifth Street.

6. No. 10RZ016 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from Office Commercial District to General Commercial District** of 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 the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 175.21 feet, to the point of beginning; Thence first course: S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 30.39 feet, to the southeasterly corner of said Lot 3, common to the southwesterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza; Thence second course: S81°55'52"E, along the southerly boundary of said Lot 2, a distance of 60.98 feet, to a corner on the southerly boundary of said Lot 2; Thence third course: S72°01'35"E, along the southerly boundary of said Lot 2, a distance of 161.84 feet, to the southeasterly corner of said Lot 2; Thence fourth course: N17°47'24"E, along the easterly boundary of said Lot 2, a distance of 2.28 feet; Thence fifth course: curving to the left, on a curve with a radius of 220.67 feet, a delta angle of 09°04'29", a length of 34.95 feet, a chord bearing of S07°51'03"W, and chord distance of 34.92 feet; Thence sixth course: S03°19'17"W, a distance of 6.07 feet; Thence seventh course: N83°19'13"W, a distance of 116.68 feet; Thence eighth course: N54°45'41"W, a distance of 151.94 feet, to the point of beginning, more generally described as being located north of Stumer Road and south of Fifth Street.

7. No. 10CA007 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from Public to General Commercial with a Planned Commercial Development** on 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 the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 65.73 feet, to the point of beginning; Thence First course: S81°56'11"E, along the

southerly boundary of said Lot 3, a distance of 109.48 feet; Thence Second course: S54°45'40"E, a distance of 151.94 feet; Thence Third course: S83°19'13"E, a distance of 383.89 feet; Thence Fourth course: S06°40'47"W, a distance of 50.00 feet; Thence Fifth course: N83°19'18"W, a distance of 396.61 feet; Thence Sixth course: N54°45'41"W, a distance of 262.07 feet, to the point of beginning, more generally described as being located north of Stumer Road and west of Fifth Street.

8. No. 10RZ018 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from Public District to General Commercial District** of 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 the southwesterly corner of Lot 3 of Block 2 of Fifth Street Office Plaza, common to the southeasterly corner of Lot 4 of Block 2 of Fifth Street Office Plaza, thence S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 65.73 feet, to the point of beginning; Thence First course: S81°56'11"E, along the southerly boundary of said Lot 3, a distance of 109.48 feet; Thence Second course: S54°45'40"E, a distance of 151.94 feet; Thence Third course: S83°19'13"E, a distance of 383.89 feet; Thence Fourth course: S06°40'47"W, a distance of 50.00 feet; Thence Fifth course: N83°19'18"W, a distance of 396.61 feet; Thence Sixth course: N54°45'41"W, a distance of 262.07 feet, to the point of beginning, more generally described as being located north of Stumer Road and west of Fifth Street.

9. No. 10CA008 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for an **Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial with a Planned Commercial Development to Public** on a portion of the E½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the northwesterly corner of Lot 1 of Block 2 of Fifth Street Office Plaza, common to the northeasterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza, common to a point on the southerly edge of Fifth Street right-of-way, thence S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way, a distance of 268.61 feet, to the point of beginning; Thence First course: S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way a distance of 203.98 feet; Thence Second course: S27°26'24"W, a distance of 200.74 feet; Thence Third course: N83°19'13"W, a distance of 218.49 feet; Thence Fourth course: N27°30'19"E, a distance of 278.42 feet, to the point of beginning, more generally described as being located north of the intersection of Parkview Drive and Fifth Street on the west side of Fifth Street.

10. No. 10RZ019 - Section 24, T1N, R7E

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Rezoning from General Commercial District to Public District** of a portion of the E½ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, More fully described

as follows: Commencing at the northwesterly corner of Lot 1 of Block 2 of Fifth Street Office Plaza, common to the northeasterly corner of Lot 2 of Block 2 of Fifth Street Office Plaza, common to a point on the southerly edge of Fifth Street right-of-way, thence S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way, a distance of 268.61 feet, to the point of beginning; Thence First course: S62°29'41"E, along the northerly boundary of said Lot 1, common to the southerly edge of said Fifth Street right-of-way a distance of 203.98 feet; Thence Second course: S27°26'24"W, a distance of 200.74 feet; Thence Third course: N83°19'13"W, a distance of 218.49 feet; Thence Fourth course: N27°30'19"E, a distance of 278.42 feet, to the point of beginning, more generally described as being located north of the intersection of Parkview Drive and Fifth Street on the west side of Fifth Street.

Elkins requested that the Planning Commission make a motion to continue the items 3 thru 10 to a date specific. Discussion followed.

Wyss moved, Brown seconded and unanimously carried to continue the Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development, Rezoning from Office Commercial District to General Commercial District, Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development, Rezoning from Office Commercial District to General Commercial District, Amendment to the Adopted Comprehensive Plan to change the land use designation from Public to General Commercial with a Planned Commercial Development, Rezoning from Public District to General Commercial District, Amendment to the Adopted Comprehensive Plan to change the land use designation from General Commercial with a Planned Commercial Development to Public, Rezoning from General Commercial District to Public District to a Special Planning Commission meeting on Wednesday May 5, 2010 at 7:00 p.m. (9 to 0 with Braun, Brewer, Brown, Collins, Kinniburgh, Landguth, Marchand, Scull and Wyss voting yes and none voting no)

There being no further business, Landguth moved, Brown seconded and unanimously carried to adjourn the meeting at 10:12 p.m. (9 to 0 with Braun, Brewer, Brown, Collins, Kinniburgh, Landguth, Marchand, Scull and Wyss voting yes and none voting no)