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MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
July 22, 2010

MEMBERS PRESENT: Erik Braun, John Brewer, Eric Christianson, Julie Gregg, Doug Kinniburgh, Dennis Landguth, Linda Marchand, Dennis Popp, Kay Rippentrop, Steve Rolinger and Pat Wyss. Dave Davis, Council Liaison was also present

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

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

Elkins reviewed procedure regarding Alternates participating in discussion and voting on items presented to the Planning Commission. Discussion followed.

Brewer left the meeting at this time.

**Gregg 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 Item 11 be removed from the Consent Agenda for separate consideration.**

**A member of the audience requested that Items 13 and 14 be removed from the Consent Agenda for separate consideration.**

**Motion by Rolinger, Seconded by Kinniburgh and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 28 in accordance with the staff recommendations with the exception of Items 11, 13 and 14. (10 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, Rolinger and Wyss voting yes and none voting no)**

1. Approval of the July 8, 2010 Planning Commission Meeting Minutes.

\*2. 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** 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**

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attached garages and the construction of the utilities and roads to serve the townhomes to the August 5, 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.*

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

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Summary of Adoption action on an Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development** for that portion of the SW¼ of the NE¼, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota 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 S69°17'20"E, a distance of 133.11 feet, to the point of beginning; Thence first course: S00°00'01"E, a distance of 364.26 feet; Thence second course: N89°44'34"W, a distance of 81.20 feet; Thence third course: N12°34'45"E, a distance of 372.85 feet to the point of beginning, more generally described as being located northeast of the intersection of Stumer Road and Black Hills Boulevard.

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

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

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Summary of Adoption action on an Amendment to the Adopted Comprehensive Plan to change the land use designation from Office Commercial with a Planned Commercial Development 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 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.

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

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

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Summary of Adoption action on an Amendment to the Adopted Comprehensive Plan to change the land use designation from 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.

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

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

A request by Dream Design International, Inc. for THF Stoneridge Development, LLC to consider an application for a **Summary of Adoption action on an Amendment to the Adopted Comprehensive Plan to change the land use designation from 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

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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 at the intersection of Stumer Road and Fifth Street.

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

7. No. 10CA018 - Mt. Rushmore Road Corridor

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 adopt the Mount Rushmore Road Corridor Development Plan** located south of Omaha Street/SD Highway 44, north of Fairmont Blvd/Cathedral Drive, west of Fifth Street, and 1750 feet west of Mt Rushmore Road in Sections 35 and 36, Township 2 North, Range 7 East, BHM, Pennington County, South Dakota; and Sections 1, 2, 11 and 12, Township 1 North, Range 7 East, BHM, Pennington County, South Dakota and that portion of Sections 11 and 12 lying 1900 feet west of Mt Rushmore Road and east of 5th Street, Township 1 North, Range 7 East, BHM, Pennington County, South Dakota.

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

8. No. 10OA002 – Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment to revise the density requirements in the Canyon Lake Overlay District and the Fifth Street Overlay District by amending Chapter 17.60.060 and Chapter 17.62.060 of the Rapid City Municipal**.

**Planning Commission recommended approval of the Ordinance Amendment to revise the density requirements in the Canyon Lake Overlay District and the Fifth Street Overlay District by amending Chapter 17.60.060 and Chapter 17.62.060 of the Rapid City Municipal Code as attached.**

\*9. No. 10PD037 - Marshall Heights Tract

A request by Encompass Architects for Oglala Lakota College to consider an application for a **Major Amendment to a Planned Commercial Development** on Lot L-1BR of Marshall Heights Tract, located in the NE1/4 of the SE1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 127 Knollwood Drive.

**Planning Commission continued the Major Amendment to a Planned Commercial Development to the October 7, 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.***

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\*10. No. 10PD047 - Hamilton Subdivision

A request by Fisk Land Surveying & Consulting Engineers for Rapid City Columbian Club to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot A of Hamilton Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1220 East Minnesota Street.

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

1. **A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
2. **Prior to issuance of a building permit, an Erosion and Sediment Control Permit shall be obtained;**
3. **Prior to issuance of a building permit, an Air Quality Construction Permit shall be obtained for construction activities disturbing one acre or more of surface area;**
4. **The proposed structure shall conform architecturally to the plans and elevations and color palette reviewed and approved as part of this Planned Commercial Development. The expansion of the structure proposed as a part of Phase Two of the development, which the Growth Management Director determines to be consistent with the original approved elevations, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the expansion of the structure shall meet all requirements of the Rapid City Municipal Code or a Major Amendment shall be required;**
5. **Prior to issuance of a building permit for Phase Two of the development, a revised site plan, a revised parking plan, a revised landscape plan and a grading and drainage plan shall be submitted for review and approval for the proposed expansion. In addition, an Erosion and Sediment Control Permit and a Floodplain Development Permit shall be obtained;**
6. **All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. No electronic signs are being approved as a part of this sign package. The addition of electronic signs shall be considered a Major Amendment to the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. The Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. A sign permit shall also be obtained for each individual sign;**
7. **The dumpster shall be located as shown on the site plan as a part of Phase One of the development and screened along all four sides with a 5 foot high wood fence. The proposed relocation of the dumpster as a part of Phase Two of the development shall be outside of the 8**

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- foot wide minor drainage and utility easement located along the north lot line. In addition, the dumpster shall continue to be screened along all four sides;
8. The outdoor mechanical equipment shall be located as shown on the site plan and screened with a 5 foot high wood fence as proposed;
  9. A minimum of 42,593 landscaping points shall be provided for Phase One of the development. Changes to the landscape plan as a part of Phase Two of the development shall be allowed as a Minimal Amendment contingent upon all requirements of the Landscape Ordinance being met. In addition, a landscape island shall be provided when 50 or more parking spaces are being provided. A Major Amendment to the Planned Commercial Development shall be obtained if the landscape plan is not in compliance with the Landscape Ordinance. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
  10. A minimum of 32 parking spaces with two of the spaces being handicap accessible shall be provided as a part of Phase One of the Development. In addition, one of the handicap spaces shall be "van" handicap accessible. An additional 13 parking spaces shall be provided as a part of Phase Two of the Development for the proposed 2,500 square foot office expansion. Any other use within Phase Two of the development shall require that parking be provided in compliance with the Parking Regulations;
  11. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
  12. The currently adopted International Fire Code shall be continually met. In addition, the applicant shall coordinate any expansion or alterations of the project with the Fire Department;
  13. An Exception is hereby granted to reduce the minimum required side yard setback along the west lot line from 25 feet to 15 feet. All other provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Planned Commercial Development or a Major Amendment to the Planned Commercial Development;
  14. The Planned Commercial Development shall allow for an office building with a meeting area and storage to be located on the property. Any other use of the property shall require a Major Amendment to the Planned Commercial Development; and,
  15. An Exception is hereby granted to allow a time extension of 5 years from the date of approval of this Planned Commercial Development application to complete Phase One and 12 years from the date of approval of this Planned Commercial Development application to complete Phase Two of the development.

***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***

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***business on the seventh full calendar day following action by the Planning Commission.***

12. No. 10PL016 - Norman Ranch Subdivision

A request by Sperlich Consulting, Inc. for Scott Weyer of Weyer Creations to consider an application for a **Layout Plat** for proposed Lots A thru E of Lot 1 of Judicial Lot 4 of Norman Ranch Subdivision, legally described as Lot 1 of Judicial Lot 4, located in the NW1/4 of the NW1/4, Section 28, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1.424 miles southwest of the intersection of Old Folsom Road and S.D. South Highway 79.

**Planning Commission continued the Layout Plat to the August 5, 2010 Planning Commission meeting.**

15. No. 10PL032 - Tower Place

A request by Renner & Associates, LLC for Andrea K. Sabow to consider an application for a **Preliminary Plat** for proposed Tracts A, B and C of Tower Place, legally described as a portion of the E1/2 of the NW1/4 of the SW1/4 and a portion of the NE1/4 of the SW1/4, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Tower Road and north of Skyline Ranch Road.

**Planning Commission continued the Preliminary Plat to the August 5, 2010 Planning Commission meeting.**

16. No. 10SV009 - Tower Place

A request by Renner & Associates, LLC for Andrea K. Sabow to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, streetlight conduit, water, sewer and additional pavement along Tower Road, Skyline Ranch Road and to waive the requirement to install curb, gutter, sidewalk streetlight conduit, water, sewer and pavement along Hanks Drive as they abut the property as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Tracts A, B and C of Tower Place, legally described as The E1/2 E1/4 NW1/4 SW1/4, Section 14, T1N, R7E, BHM, Pennington County, South Dakota, excepting there from Lot B of the S1/4 NW1/4, N1/4 SW1/4, Section 14, shown on the plat filed in Plat Book 3, Page 155, and also excepting there from Lot A, Section 14, shown on the plat filed in Plat Book 3, Page 17, and that part of the NE1/4 SW1/4, Section 14, bounded on the north by Lot B of the S1/4 NW1/4 and the N1/4 of the SW1/4, Section 14, shown on the plat filed in Plat Book 3, page 155, and bounded on the east by the right-of-way for "Old U.S. Highway 16" shown on the plat filed in Highway Plat Book 2, Page 48, and bounded on the south by Lot A, Section 14, shown on the plat filed in Plat Book 3, Page 17, and bounded on the west by the west boundary line of said NE1/4 SW1/4, more generally described as being located west of Tower Road and north of Skyline Ranch Road.

**Planning Commission continued the Variance to the Subdivision**

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**Regulations to waive the requirement to install curb, gutter, sidewalk, streetlight conduit, water, sewer and additional pavement along Tower Road and Skyline Ranch Road and to waive the requirement to install curb, gutter, sidewalk, streetlight conduit, water, sewer and pavement along Hanks Drive as they abut the property to the August 5, 2010 Planning Commission meeting.**

17. No. 10PL037 - Red Rock Meadows Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** for proposed Lots 14 thru 22 of Block 7 and Lots 14 thru 21 of Block 8 of Red Rock Meadows Subdivision, legally described as a portion of the NW1/4 of the NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northern terminus of Seminole Lane.

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

1. **Prior to Preliminary Plat approval by the City Council, a copy of the recorded drainage easement for the 36 inch storm sewer pipe located on an adjacent property shall be submitted for review and approval;**
2. **Prior to submittal of a Final Plat application, the applicant shall enter into an agreement with the City for the installation and maintenance of decorative street lights if utilized;**
3. **Prior to submittal of a Final Plat application, the lift station shall be accepted by the City;**
4. **Prior to submittal of a Final Plat application, the drainage issues located at the west end of Poppy Trail shall be addressed and the second lift of asphalt shall be installed on Poppy Trail;**
5. **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;**
6. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,**
7. **The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within 2 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 2 year period, request a 1 year extension subject to approval by the City Council.**

18. No. 10PL041 - Baxter Subdivision

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** for proposed Lots 1 and 2 of Baxter Subdivision, legally described as an unplatted parcel of land located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 7601 Pioneer Circle.

**Planning Commission continued the Layout Plat to the August 5, 2010 Planning Commission meeting.**



19. No. 10SV014 - Baxter Subdivision

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 as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 1 and 2 of Baxter Subdivision, legally described as an unplatted parcel of land located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 7601 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 as per Chapter 16.16 of the Rapid City Municipal Code to the August 5, 2010 Planning Commission meeting.**

20. No. 10PL042 - Vista Ridge Subdivision

A request by Sperlich Consulting, Inc. for Century Resources, Inc. to consider an application for a **Preliminary Plat** for proposed Lots 2 thru 5 and Lots 7 thru 9 of Vista Ridge Subdivision and Lots 5, 8 and 9 of Block 1 of Menard Subdivision, legally described as a portion of Lot 3 and all of the adjacent alley of the NW1/4 of the SW1/4, less Lot H1, a portion of the NW1/4 of the SW1/4 and a portion of the NE1/4 of the SW1/4, located in the N1/2 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of East North Street and East Anamosa Street.

**Planning Commission continued the Preliminary Plat to the August 5, 2010 Planning Commission meeting.**

21. No. 10PL048 - Attic Subdivision

A request by Sperlich Consulting, Inc. for Larry and Gayle Motsick to consider an application for a **Preliminary Plat** for proposed Lots A and B of Attic Subdivision, legally described as Lot DS-2 Revised, Lot DS-3, Lot H-3, a portion of Lien Street right-of-way and a portion of the previously vacated section line right-of-way located in the SW1/4 of the SW1/4 and the SE1/4 of the SW1/4, Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1339 Deadwood Avenue.

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

1. **Prior to Preliminary Plat approval by the City Council, construction plans for the existing driveway located on proposed Lot B extending to proposed Lot A shall be submitted for review and approval. In particular, the construction plans shall show the street located within a minimum 59 foot wide access easement or right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance**

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- to the Subdivision Regulations shall be obtained or the site plan shall be revised to show the driveway being removed;
2. Prior to Preliminary Plat approval by the City Council, a landscaping plan shall be submitted for review and approval demonstrating that the subdivision of the property continues to provide landscaping in compliance with the Landscape Ordinance or additional landscaping shall be provided or a Variance shall be obtained from the Zoning Board of Adjustment if needed;
  3. Prior to Preliminary Plat approval by the City Council, a site plan showing the location of the all existing signage shall be submitted for review and approval to determine if the proposed subdivision of the property creates any violations of the Sign Code Ordinance or the signage and/or plat shall be revised as needed or an Exception shall be obtained to allow an off-premise sign as a result of platting the property;
  4. Prior to Preliminary Plat approval by the City Council, water data with anticipated usage or service information shall be submitted for review and approval to determine if adequate supply and pressure is available for commercial and fire flows;
  5. Prior to Preliminary Plat approval by the City Council, estimated sanitary sewer flows shall be submitted for review and approval to determine that adequate sewer capacity is available;
  6. Prior to Preliminary Plat approval by the City Council, an Approach Permit shall be obtained from the South Dakota Department of Transportation. In addition, the plat document shall be revised to show the approved approach location(s). If the South Dakota Department of Transportation approves the existing approach locations then an Exception shall be obtained from the City to allow a 40 foot wide approach to Lot A and Lot B, respectively, or the two existing approaches shall be revised to provide a maximum 28 foot width. The plat document shall also be revised to show a non-access easement along Deadwood Avenue except for the approved approach location(s);
  7. Prior to Preliminary Plat approval by the City Council, a Vacation of Right-of-way petition shall be signed by the adjacent property owners for the proposed vacation of a portion of Lien Street or the plat document shall be revised to show retaining Lien Street as right-of-way. In addition, written documentation shall be submitted from all of the affected utility companies indicating concurrence with the proposed vacation of this portion of Lien Street right-of-way. If the Lien Street right-of-way is retained, then construction plans shall be submitted for review and approval showing the street located within a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
  8. Prior to Preliminary Plat approval by the City Council, construction plans for Deadwood Avenue showing a sidewalk along both sides of the street shall be submitted for review and approval or an

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- Exception shall be obtained to waive the requirement;
9. 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;
  10. Prior to Preliminary Plat approval by the City Council, a grading plan and a drainage plan shall be submitted for review and approval if subdivision improvements are required;
  11. Prior to Preliminary Plat approval by the City Council, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
  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.

22. No. 10RD003 - Meadowwood and NWE Subdivision

A request by South Dakota Game Fish and Parks to consider an application for a **Resolution for a Road Name Change from Dean Lane to Adventure Trail** on Dean Lane right-of-way adjacent to Lot 1 of NWE Subdivision, Lot 2 of Tract F of the SE1/4 NW1/4 (including vacated portion of W. Madison Street) of Meadowwood and Block 2 of Tract G of Meadowwood all located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located approximately 2,000 feet north of the intersection of West Chicago Street and Sturgis Road.

**Planning Commission recommended that the portion of Dean Lane located adjacent to the South Dakota Game Fish and Parks Outdoor Campus West be renamed Adventure Trail.**

\*23. No. 10UR017 - Dakota Subdivision No. 1

A request by Sara Merkel to consider an application for a **Conditional Use Permit to allow a Child Care Center** on Lots 1 and 3 of Dakota Subdivision No. 1, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2601 Haines Avenue.

**Planning Commission approved the Conditional Use Permit to allow a Child Care Center with the following stipulations:**

1. Prior to issuance of a Building Permit, the owner shall enter into a

- Developmental Lot Agreement. In addition, the agreement shall be recorded at the Register of Deed's Office and a copy of the recorded document submitted to the Growth Management Department;
2. Prior to issuance of a Building Permit, an Exception to the Street Design Criteria Manual shall be obtained to allow for the three driveway approaches or the third driveway approach shall be closed as per City standards;
  3. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
  4. All applicable provisions do the currently adopted International Fire Code shall be continually met. Specifically, the structure shall be protected throughout with an approved fire sprinkler system and fire detection and alarm system;
  5. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscaping plan. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
  6. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan. A minimum of 5 parking spaces, including one van accessible handicap space shall be provided. In addition, two unloading spaces shall be maintained in the parking area as shown on the submitted plans;
  7. A minimum of 1,050 square feet of indoor play space and 1,500 square feet of outdoor play space shall be provided on the site as per Section 17.50.150.C of the Rapid City Municipal Code;
  8. Prior to any future site development including expansion and/or reconstruction of the parking lot on the property, the applicant shall submit grading and drainage plans for review and approval;
  9. The Conditional Use Permit shall allow the property to be used as a child care center. A maximum of 30 children and two staff members shall be allowed at the child care center. The hours of operation for the child care center shall be from 7:30 a.m. to 6:00 p.m.;
  10. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Conditional Use Permit. No Light-Emitting-Diode (LED) reader board signs shall be allowed. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Conditional Use Permit. No electronic signs are being approved as part of this sign package. The addition of electronic signs and LED signs shall be considered a Major Amendment to the Conditional Use Permit. The Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
  11. The child care center shall be operated in compliance with Chapter 17.50.150 of the Rapid City Municipal Code;

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12. All provisions of the Neighborhood Commercial Zoning District shall be continually met; and,
13. The Conditional Use Permit shall expire if the use as approved 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.

***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.***

\*24. No. 10UR018 - Section 12, T1N, R7E

A request by Verizon Wireless to consider an application for a **Conditional Use Permit to allow a Cellular Communication Tower in a High Density Residential Zoning District** on Tract A of Lot 2 of the NW1/4 SW1/4, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 636 Cathedral Drive.

**Planning Commission continued the Conditional Use Permit to allow a cellular communication tower in a High Density Residential Zoning District to the August 5, 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.***

\*25. No. 10UR019 - Section 2, T1N, R7E

A request by Verizon Wireless to consider an application for a **Conditional Use Permit to allow a Cellular Communication Tower in Central Business Zoning District** on Lots 1 thru 16 of Block 91 of the Original Town of Rapid City, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 909 St. Joseph Street.

**Planning Commission continued the Conditional Use Permit to allow a cellular communication tower in Central Business Zoning District to the August 5, 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.***

26. 10TP018 – RapidTRIP 2035 – Draft Report

**Draft**

**Planning Commission recommended approval of the RapidTRIP 2035 – Draft Report.**

27. 10TP020 – 2011-2015 Transportation Improvement Program – Draft Report

**Planning Commission recommended approval of the 2011-2015 Rapid City Area Transportation Improvement Program – Draft Report.**

28. 10TP021 – 2010-2014 Transportation Improvement Program Amendment #10-004R

**Planning Commission recommended approval of the 2010-2014 Transportation Improvement Program Amendment #10-004R.**

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

- \*11. No. 10PD048 - Nowlin and Wood Addition

A request by Michael M. Hickey and Walgreen Co. to consider an application for a **Major Amendment to a Planned Commercial Development** on the north 318.90 feet of Lot 16 of the replat of Block 31 of Nowlin and Wood Addition excepting therefrom Lots H1 and H2 and shown on the plat recorded in Book 7 of Highway Plats on page 53 and also excepting therefrom Lot H3 and shown on the plat recorded in Book 10 of Highway Plats on page 110 in the Office of the Register of Deeds, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1125 North La Crosse Street.

Fisher reviewed a revised staff report addressing the criteria for the review of on-sale liquor establishments. Fisher recommended that the Major Amendment to a Planned Commercial Development request be approved with stipulations.

**Rolinger moved, Braun seconded and unanimously carried to approve the Major Amendment to a Planned Commercial Development with the following stipulations:**

1. The uses allowed within the Planned Commercial Development shall be limited to a retail store and off-premise wine and malt beverage sales with no on-premise liquor consumption allowed;
2. A building permit shall be obtained for any construction;
4. The proposed structure shall continually conform architecturally to the approved plans and elevations;
5. A minimum front yard and side yard setback of 25 feet shall be provided. In addition, a minimum 30 foot rear yard setback along the west lot line shall be provided;
6. The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved Parking Plan. In particular, a minimum of 61 parking spaces with two handicap accessible spaces shall be provided. One of the handicap spaces shall be “van” accessible. In addition, three stacking spaces per drive up window shall be provided;

**Draft**

7. The landscaping plan shall continually comply with all requirements of the Zoning Ordinance and the approved Landscaping Plan. In particular, a minimum of 40,500 landscape points shall be provided;
8. The driveway located on the east side of North LaCrosse Street shall be allowed as per the previously approved Exception request;
9. The lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
10. All signage shall conform to the design, color and location as shown in the previously approved sign package. Changes to the sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
11. A maximum four foot high screening fence shall continually be provided within the 25 foot front yard setback as per the previously approved Exception request;
12. All applicable provisions of the currently adopted International Fire Code shall be continually met; and,
13. The Planned Commercial 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. (10 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, Rolinger and Wyss 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.***

Hani Shafai requested that Items 13 and 14 be taken concurrently.

13. No. 10PL028 - White Eagle Ranch  
A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** for proposed Lots A and B of White Eagle Ranch, legally described as a portion of the NE1/4 of the SE1/4, Section 19, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 14870 East Highway 44.
14. No. 10SV007 - White Eagle Ranch  
A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install**

**Draft**

**pavement, curb, gutter, sidewalk, street light conduit, water and sewer at the Section Line Highway and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer at Airport Road as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots A and B of White Eagle Ranch, legally described as a portion of the NE1/4 of the SE1/4, Section 19, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 14870 East Highway 44.

Hani Shafai, Dream Design International, Inc. reviewed the Preliminary Plat and Variance to the Subdivision Regulations requests. Shafai expressed his opinion that there are discrepancies on Airport Road. Shafai stated that a request has been presented to the Airport Board to utilize access to Airport Road and has subsequently been denied. Shafai expressed his opinion that access from Airport Road should be allowed because it is identified as a public road. Shafai requested that the Planning Commission discuss and approve the access request to Airport Road submitted through the Plat and Variance to the Subdivision Regulations requests. Shafai stated that the applicant will bond for construction of the access. Shafai requested that Planning Commission forward the Plat and the Variance to the Subdivision Regulations requests to the City Council.

Ed Carpenter, Legal Council for the applicant, reviewed the history of the acquisition of the property adjacent to the subject property by the City of Rapid City. Carpenter expressed his opinion that Airport Road is a Major Arterial identified by the Major Street Plan; Carpenter further identified the location of collector streets on the subject property. Carpenter requested that the Planning Commission review and forward the requests to City Council for determination.

Elkins stated that the resolution for the access issues lies with the Airport Board and the City Attorney's Office. Elkins added that the Planning Commission would not be able to make a determination that would allow access from Airport Road.

Schad stated that action on the Preliminary Plat request is not permissible for the Planning Commission until the access issue has been resolved. Schad added that the Airport Board has determined that Airport Road is a private access. Schad recommended that the Planning Commission continue the Plat and Variance to the Subdivision Regulations requests to the August 5, 2010 Planning Commission meeting.

In response to Braun's question, Elkins stated that the Department of Transportation would need to review the access to S.D. Highway 44 from the section line highway.

In response to Braun's question regarding construction of a section line road parallel to Airport Road, Elkins stated that the Department of Transportation would probably have significant concerns with construction of the proposal. Elkins further reviewed access options available to the applicant. Discussion followed regarding Airport Road.



**Draft**

Shafai requested that the Planning Commission forward the Plat and Variance to the Subdivision Regulations requests to City Council without further recommendation. Shafai expressed his concern with the time delay in moving the project forward. Shafai further reviewed ownership identified through the Rapid Map program. Shafai expressed his opinion that Airport Road is shown as public right-of-way similar to other rights-of-way and is not identified as being owned by the City of Rapid City through the RapidMap program.

Elkins concurred with Shafai that the information available on RapidMap is inaccurate. Elkins further noted that staff agrees that Mr. Shafai needs to take the issue forward to the Airport Board and further review by City Council.

Shafai further expressed his opinion regarding the access issues on the subject property and adjacent properties. Shafai reiterated his request that the Planning Commission forward the requests to the City Council without recommendation.

Landguth questioned whether the Airport Board was aware of the access on the east side. Elkins stated that they were not aware of the related access issues until the Plat was pulled and reviewed. Landguth stated that the legal matter needs to be addressed through the Airport Board and legal counsel.

**Landguth moved to continue the Preliminary Plat and the Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer at the Section Line Highway and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer at Airport Road as per Chapter 16.16 of the Rapid City Municipal Code to the August 5, 2010 Planning Commission.**

Rolinger agreed that the legal issue is not for determination by the Planning Commission; however that Council should be the entity that makes the determination.

Elkins presented an alternative suggestion that the Planning Commission continue the Plat and the Variance to the Subdivision Regulations requests to the August 5, 2010 Planning Commission. Elkins further suggested that Planning Commission request that the City Council determine whether or not Airport Road should be dedicated as the right-of-way or other alternative access easements granted to the adjacent landowner.

Carpenter reviewed possible legal procedures to address the issues presented by the applicant.

**Substitute motion by Rolinger moved, seconded by Braun and unanimously carried to continue the Preliminary Plat and the Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer at the Section Line Highway and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer at Airport Road as per Chapter 16.16 of the Rapid City Municipal Code to the August 5, 2010 Planning Commission**

**Draft**

meeting and to request that the City Council to determine whether it should be dedicated as right-of-way or an access easement granted to the adjacent property owner. (10 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, Rolinger and Wyss voting yes and none voting no)

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

Fisher requested that items 29 and 30 be taken concurrently.

29. No. 10PL033 - North Rapid Addition

A request by Sperlich Consulting, Inc. for Daene Boomsma to consider an application for a **Preliminary Plat** for proposed Lots 27R and 29R of Block 25 of North Rapid Addition, legally described as Lots 27, 28 and 29 of Block 25 of North Rapid Addition, located in the E1/2 of the SW1/4 of the NE1/4, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 724 Lemmon Avenue.

30. No. 10SV010 - North Rapid Addition

A request by Sperlich Consulting, Inc. for Daene Boomsma to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to pave the alley right-of-way and to waive the requirement to increase the existing pavement width of Lemmon Avenue from 24.1 feet to 27 feet as they abut the property pursuant to Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 27R and 29R of Block 25 of North Rapid Addition, legally described as Lots 27, 28 and 29 of Block 25 of North Rapid Addition, located in the E1/2 of the SW1/4 of the NE1/4, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 724 Lemmon Avenue.

Fisher presented the Preliminary Plat and Variance requests to the August 5, 2010 Planning Commission meeting. Fisher added that additional information is required to be submitted by the applicant.

Daene Boomsma, the applicant stated that they have conducted a neighborhood meeting. Boomsma stated that the goal is to provide home ownership for individuals that would not otherwise be able to afford one.

**Rolinger moved, Marchand seconded and unanimously carried to continue the Preliminary Plat and the Variance to the Subdivision Regulations to waive the requirement to pave the alley right-of-way and to waive the requirement to increase the existing pavement width of Lemmon Avenue from 24.1 feet to 27 feet as they abut the property pursuant to Chapter 16.16 of the Rapid City Municipal Code to the August 5, 2010 Planning Commission meeting. (10 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, Rolinger and Wyss voting yes and none voting no)**

31. No. 10SE006 - Rapid City Greenway Tract

A request by Mona Drolc for Ups of Downs Family Support Group to consider an application for a **Special Exception to the Flood Area Construction Regulations to allow temporary structures in the flood plain** on Tract 20 of the Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the Memorial Park Bandshell.

Schelske, Public Works Department presented the recommendation that the Special Exception to the Flood Area Construction Regulations to allow temporary structures in the flood plain. Schelske further noted that the applicant has requested that the Special Exception be approved for the years 2010 and 2011. Schelske stated that the staff recommendation is that the Special Exception to the Flood Area Construction Regulations to allow temporary structures in the flood plain be denied. Schelske further identified stipulations of approval that the Planning Commission implemented previously on a similar request in 2009.

**Kinniburgh moved, Rolinger seconded and unanimously carried to recommend that the Special Exception to the Flood Area Construction Regulations to allow temporary structures in the flood plain 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 structures for the event be removed that evening after the event has ceased. (10 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, Rolinger and Wyss voting yes and none voting no)**

\*32. No. 10UR016 - Original Town of Rapid City

A request by Brian Winckel and Charles Desmond to consider an application for a **Major Amendment to a Conditional Use Permit** on Lot 11 of Block 93 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 725 St. Joseph Street.

Flaaen presented the staff recommendation to approve the Major Amendment to a Conditional Use Permit request. Flaaen noted that the adjacent businesses have been notified as requested by Alderman Brown.

Pat Burchill, President of US Bank expressed his concern with a public safety issue with regard to the outdoor dining adjacent to the bank and other neighborhood businesses. Burchill expressed his concern with the possible obstruction of the bank driveways. Burchill expressed concerns with limited parking available to serve the concentration of businesses in the area.

Brian Winckel identified the proposed location of the sidewalk café. Winckel addressed concerns with the limited parking available. Winckel stated that he and his staff are diligent to ensure that trash is removed.

**Draft**

In response to Braun's question, Winckel stated that the increase in hours is to remain competitive with a similar establishment.

**Rolinger moved, Christianson seconded and unanimously carried to approve the Major Amendment to a Conditional Use Permit with the following stipulations:**

- 1. The hours of operation shall be limited to 11:00 a.m. to 4:00 a.m. Monday through Sunday. Any expansion of the hours of operation will require a Major Amendment to the Conditional Use Permit;**
- 2. The sale of alcohol shall be limited to on-sale beer and wine sales in conjunction with the business operating as a smoke or hookah lounge. The addition of alcohol sales beyond on-sale beer and wine will require a Major Amendment;**
- 3. The proposed structure shall conform architecturally to the plans and elevations submitted. Any expansion of the use will require a Major Amendment to the Conditional Use Permit;**
- 4. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Conditional Use Permit. No Light-Emitting-Diode (LED) reader board signs shall be allowed. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Conditional Use Permit. No electronic signs are being approved as part of this sign package. The addition of electronic signs and LED signs shall be considered a Major Amendment to the Conditional Use Permit. The Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;**
- 5. All applicable provisions of the currently adopted International Fire Code shall be continually met; and,**
- 6. The Conditional Use Permit shall expire if the use ceases for a period of 2 years. (10 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, Rolinger and Wyss 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. Discussion Items

- A. Approve the **2011-2015** Capital Improvement Plan.

Pauline Sumption, Finance Officer for the City of Rapid City reviewed the **2011-2015** Capital Improvement Plan budget and expenditures.

**Draft**

Rolinger left the meeting.

**Braun moved, Christianson seconded and unanimously carried to Approve the 2011-2015 Capital Improvement Plan. (9 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop and Wyss voting yes and none voting no)**

34. Staff Items

- A. Gregg recognized Marcia Elkins' service to the Growth Management and further noted that she will be celebrating 20 years with the City of Rapid City. Gregg acknowledged the dedication of Elkins.

Elkins expressed her appreciation and support for Growth Management staff and the terrific job they do.

Rolinger returned to the meeting.

- B. Gregg reminded the Planning Commission of the Special Planning Commission meeting for July 27, 2010 in Council Chambers to take public hearing on 10TP017 – the Chapel Valley Access and Route Alignment Study – Draft Report.

35. Planning Commission Items

36. Committee Reports

- A. City Council Report (July 6, 2010)  
The City Council concurred with the recommendations of the Planning Commission.
- B. Sign Code Board of Appeals
- C. Zoning Board of Adjustment
- D. Capital Improvements Subcommittee
- E. Drinking Water Protection Committee
- F. Tax Increment Financing Committee
- G. Infrastructure Development Partnership Fund Committee

**There being no further business, Kinniburgh moved, Rolinger seconded and unanimously carried to adjourn the meeting at 7:57 a.m. (10 to 0 with Braun, Christianson, Gregg, Kinniburgh, Landguth, Marchand, Popp, Rippentrop, Rolinger and Wyss voting yes and none voting no)**