

## VARIANCE, CONTINUED

7. the building is set back far enough so there will be no problem. Hiebert stated the only way this property could develop is with some kind of frontage road.

It was moved by Swedin, seconded by Holbrook and carried by unanimous vote to recommend that the City Council grant the variance to the subdivision regulations.

Gene Neal was present and asked about the traffic this would create on Piedmont Street which he said is a hazard at present and he asked if there will be provision made for this. Swedin replied the only access will be for a fire truck. Walsh stated petitioner is giving an easement for traffic through his lot. Coyle stated that the fire department had to have an access so an easement is required. Neal said as a property owner in the area he would like to put in curb and gutter and get rid of the dust situation. Engineer Meador stated that if more than one business goes in here, the area will have to be replatted.

## REZONING

9. Tract D, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Tract E and Tract F of SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Tract G, Tract H and Tract I of S $\frac{1}{2}$ NW $\frac{1}{4}$ , Plot 1 of NW $\frac{1}{4}$ SW $\frac{1}{4}$  east of Sheridan Lake Road and Plot 1 being the W $\frac{1}{2}$  of NE $\frac{1}{4}$ SW $\frac{1}{4}$ , all of Section 15, T1N, R7E, BHM, Pennington County, SD  
General Location: South and east of Arrowhead Country Club and east of Sheridan Lake Road. Petitioners: Buckingham Wood Products, Inc. and James Bell and J.L. Bell  
Requested Change of Zone: From No Use to MDR with a PRD designation

DeGooyer stated there was not much discussion on this item in subcommittee, the planning staff had advised it should be continued. It was moved by DeGooyer, seconded by Malon that this item be continued.

Petitioner Buckingham stated there is a question as to procedure -- ordinance requires platting before a building permit can be issued. He said the land area is considerable and it is anticipated will be developed over a time span of 10 years and possibly 20 years. He said the PRD designation looks reasonable but who knows what is going to happen five or ten years from now. Buckingham said petitioners plan to come before the Commission every three years as required by law and there is a good chance the Planning Commission may want to review the item more often. He said it is petitioners' thought that the plat that is required should be of only a very specific area that is to be developed at that particular time, and should be reviewed to ensure it conforms to the original plan. He said the city's control is through the issuing of a building permit only after the plat is approved. He said he has talked to his Denver Planner Godi who assured him this action is normal and the entire area need not be platted at this time. He said the PRD would be developed in clusters and petitioners envision 20 units initially. Buckingham said when petitioners determine where those 20 should be located they will come in with that plat and ask for plat approval at that time.

Swedin stated there are certain items that will be common to the whole development -- street plan, drainage, etc. Buckingham replied that, in regard to streets, petitioners do not know whether or not the project will "fly" -- they think the initial units will fly, but who knows? He said it is very possible that some time in the future petitioners will find the project is not feasible and they could have a future platting they do not want and petitioners would like to plat the areas in stages.

Wigen stated it is his understanding that the property must be zoned to a residential use, then the PRD will follow. That way, if the PRD is not feasible, the property

## REZONING, CONTINUED

9. would revert back to the residential zone. Hiebert replied a PRD is another layer of zoning, a layer on top of the Medium Density Residential Zone, for example. Hiebert stated that prior to granting the PRD, the city needs some form of adopted development plan. He said petitioners have shown the Planning Commission and Council the architectural renderings and site plan but a specific layout showing where the buildings are going to be is required. He said that if petitioners feel a change in the developmental plan is warranted an amendment to the plan can be asked for. Whiteface said that in the concept of a PRD there has to be a commitment of a total platting procedure and the question before the Commission is a zoning designation upon which you can place a PRD. Jim Bell stated he feels petitioners have the development plan right now, supported with information concerning streets, etc and that a dimension drawing is unnecessary. He stated getting into the design details is the type of thing petitioners would address themselves to after the property is zoned and financing obtained. Bell said for petitioners to block out with dimensions of exactly how the entire development will be (they may not be built for 10-15 years) would probably necessitate amending the plan many, many times.

Whiteface stated that it is his opinion a MDR zone would be most compatible for petitioners. It was pointed out that the general concept of the PRD has not been formally accepted by the Planning Commission or City Council. Hiebert stated that the ordinance requires for a PRD the street alignments, utility easements and open space and what the petitioners have presented thus far is an architectural rendering, rather than an engineering rendering. Malon commented that we have a concept but nothing legal. Hiebert stated the city has to have a specific development plan for this area. Buckingham said he understands the city wants something it can be comfortable with and petitioners wish to be as flexible as possible. He asked whether the concept presented thus far is not enough, how much further do petitioners have to go?

Walsh stated the Planning Commission has recognized the general concept is desirable but asked what petitioner needs in order to obtain the correct zone. Hiebert replied the entire project needs more specificity, the street necessary to achieve access would have to be platted, we need an adopted development plan stating what the particular areas will be, giving setbacks and dedication of open spaces, specific lines on a map. Malon stated we have to have the artist's concept on file when we are putting the pieces of the puzzle together. Bell interjected that if petitioners calculate engineering geometry of the streets and drives it would be premature, they may have to be moved. Hiebert stated this is an administrative problem.

Mr. Taylor, representing Arrowhead Country Club, stated he is 100% behind petitioners' project. After more discussion, petitioners agreed to meet with the planning staff to reach an agreement regarding the type of plan that must be filed. Planning Commission directed staff to place the General Concept of the Fairway Hills Development on as a regular item for the February 10, 1976 meeting.

The question was called on motion to continue this item and the motion carried by unanimous vote.

## PLANNED RESIDENTIAL DEVELOPMENT

11. Fairway Hills, a Planned Residential Development

Tract D, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$  & SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Tract E and Tract F of SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; Tract G, Tract H and Tract I of S $\frac{1}{2}$ NW $\frac{1}{4}$ , Plot 1 of the E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  & W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , all of Section 15, T1N, R7E, BHM, Pennington County, South Dakota. Petitioners: Buckingham Wood Products, Inc. and James Bell and Jean Lee Bell

Van Gerpen said this is an area developed in terms of general landscape and usage of terrain in the best possible manner and the Commission has reviewed the concept before this time. He said the Commission hopes the project will reach fruition as soon as possible although it is cognizant that the state of the economy will dictate how the PRD will progress. He stressed that petitioners need to recognize that each time a phase of the PRD is developed the Commission will examine it closely to determine if it follows the general developmental plan. Van Gerpen stated the Commission wants to approve the PRD so petitioners can proceed with their planning; however, he specified that each additional area will have to tie in with the developmental package that has been presented to the Planning Commission; also, the Planning Commission will require specific and detailed engineering information in relation to existing and proposed drainage patterns, on the site and further downstream; slopes, geology and soils; provision of open space and land use intensities in the development.

Hiebert noted that the subject PRD is a package -- one sheet shows proposed densities and parking spaces, number of units; the other rights-of-way and general areas of usage. He said that in the future when petitioners come in for building permits, there will be more detailed engineering information, slope information and soil information available and the Commission will be better able to determine the density at which petitioners can develop. He said more specific information will be required for individual units in order to justify the high density development. He said the high density is possible but no commitment can be made without more detailed information.

Whiteface stated we are using the developmental plan map as a base of reference and are not trying to tie the petitioners down to an exact unit. He said they show a density ratio of 7.2 units per acre total, including open space. Hiebert stressed the Planning Commission would not be accepting the exact placement of each building as the site engineering has not been done. He said the different phases will have to conform with the information that has been given unless petitioners come back for a review. Walsh said that as the PRD develops, petitioners must come back before the Commission with full engineering data. Coyle stated he did not agree with the figure of 7.2, that this figure could not be very realistic. Hiebert answered this is the figure for building units per gross acre. Coyle said he could approve the general concept but that 7.2 is not a realistic density factor.

Petitioner Buckingham stated the PRD is a general plan, the project will be developed in segments, it will be brought to the Planning Commission and Common Council for review. He said this is necessary for the financing. He said that while individual segments may not

## PLANNED RESIDENTIAL DEVELOPMENT, CONTINUED

11. reach 7.2 units per acre, the overall general concept will and that petitioners will maintain the integrity of the completed unit. He said were petitioners to try to site each individual unit on a very high density their options would be quite limited. Buckingham said it is petitioners' thought that the PRD is very exciting, salable and consistent with the interest of the general public. He said petitioners will present detailed engineering information, soils analysis, the "whole ball of wax" when developing each phase of the project.

It was moved by Van Gerpen, seconded by Wigen and carried by unanimous vote to recommend approval of the Planned Residential Development.

## REZONING

12. Tract D, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$  & SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Tract E and Tract F of SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Tract G, Tract H & Tract I of S $\frac{1}{2}$ NW $\frac{1}{4}$ , Plot 1 of NW $\frac{1}{4}$ SW $\frac{1}{4}$  east of Sheridan Lake Road and Plot 1, being the W $\frac{1}{2}$  of NE $\frac{1}{4}$ SW $\frac{1}{4}$ , all of Section 15, T1N, R7E, BHM, Pennington County, South Dakota  
Petitioners: Buckingham Wood Products, Inc. and James Bell and Jean Lee Bell

Requested Change of Zone: From No Use to Medium Density Residential with a Planned Residential Development

Purpose of Petition: "to allow development of PRD"

It was moved by Van Gerpen, seconded by DeGooyer and carried by unanimous vote to recommend approval of the rezoning from No Use to Medium Density Residential with a Planned Residential Development.

## USE ON REVIEW

13. Grant a use on review for a temporary pole shed and storage area on the following described property during construction of new Central High School: Lots 17 through 21 of Block 21, Original Townsite, City of Rapid City. Petitioner: Kinning & Reil, Inc.

Van Gerpen stated the need for this storage is very apparent; petitioner has found the best possible place for the storage area considering the activity. He said the building and fencing will be necessary for protecting and housing the materials; however, they must not in any way get out in the event of a flood and create dams or change the runoff or direction of the water. He said it would appear to be entirely proper to grant this use on review, with the specification that petitioner follow the Floodway Zoning Ordinance restrictions. Van Gerpen stated this area did not have any water during the last flood. Swedin stated he would like to see this use on review limited to the time the high school is in construction; at the time of completion of the high school, the use on review would be terminated. Holbrook noted he had viewed the site and that some preparation for this use on review had been done and asked how this came about. Walsh commented that we are more restrictive now and perhaps this is not published enough but that petitioner is now