

04CA032

-----Original Message-----

From: Bruce Brugman [mailto:bruce.brugman@rcas.org]

Sent: Tuesday, March 01, 2005 1:49 AM

To: councilgroup@rcgov.org

Subject: smart growth

Council members

We live in Enchanted Hills and are vitally interested what type of growth will be happening along the Highway 16 corridor. We have attended several meetings about the concepts of Smart Growth and are convinced that the principles outlined are protective of the environment and respect natural areas that already exist. Those principles also allow for wise landscaping and building construction. Therefore we encourage you to proceed with caution with these things in mind and take into consideration that the concerns of current residents in the area are as important as future residents.

Bruce and Norma Brugman
1388 Panorama Circle

From: <j_loverich@juno.com>
To: <councilgroup@rcgov.org>
Sent: Tuesday, March 01, 2005 6:59 PM
Subject: Hwy 16 Land Use - More comments

>
> Dear Members of the Rapid City Council,
>
> Attending the entire meeting last night made me realize the
> complexity
> of
> the Hwy 16 rezoning issue. I commend all of you for your hard work
> and
> patience. I also found that some of my comments in my previous email
> (below) were not directed at the situation that you are currently
> addressing.
>
> While a solution was not reached last night, it did seem that the
> majority
> of you have your hearts set in the right direction. That direction
> of
> course is what the people of Rapid and the surrounding area desire.
>
> The following are my comments and questions regarding this issue:
>
> 1) While the Neighborhood Commercial (Amendment 1) is a good effort
> to
> work within the existing zoning options, it does not seem to be
> entirely
> realistic as Mr. Johnson remarked several times. It is very possible
> that
> neighborhood strip-malls along this section could do just as much to
> detract from the corridor as general commercial construction.
> Neighborhood commercial may indeed serve the purpose of slowing down
> development, but it is still not a long-term solution.
> 2) The discussion regarding dealing with each developer's proposal
> as
> they are submitted and requiring set-backs, screening, landscape,
> etc.
> also seems well intentioned, but inherently flawed. This would
> require
> each developer to conform to an uncertain set of guidelines. Why not
> be
> proactive and develop a special set of zoning requirements that all
> forms
> of zoning would have to conform to along this corridor? In this
> manner
> all development (Residential all the way to GC) would have to build
> in
> accordance with the same set of aesthetic rules in addition to the
> already
> established zoning regulations. A Scenic by way designation may
> effectively do this, but I don't know if it would be stringent enough
> or
> be enacted soon enough.

> 3) It is still not clear to me why essentially no open space is being set
> aside in the plan. In my opinion (and many others that I have spoken
> with), open space is just as important as correctly designed
utilities and
> traffic flow. There was discussion of requiring the developer to pay
for
> the extension of utilities and road construction, so why not require
the
> developer to set aside a certain percentage of open space when they
> develop a section of land? It's the same concept. The city should
be
> able to legislate this type of requirement. This open space doesn't
have
> to be an irrigated and maintained park - just open space.
> 4) In the same train of thought as Comments 2 and 3. Wouldn't it be
> possible to require a large setback on each side of Hwy 16 for any
new
> development regardless of zoning type? Just as an example, let's use
500
> ft. If a developer wanted to build on the proposed Sammis Trail
location
> and they needed property that was 500 ft deep, they would have to
purchase
> a 1000 ft deep section and leave the half bordering Hwy 16 open-space
- no
> signs, no parking lots, no access roads paralleling the hwy, no over
head
> powerlines - just open space. This would simply be part of the price
of
> developing this very prime real-estate. The developer could also be
> required to construct and maintain a bike/pedestrian path within this
> space. By increasing the development cost in this manner, the rate
of
> development would be reduced and the city would be better able to
able to
> keep pace with the utilities expansion. The citizens of Rapid City
and
> the world would also be blessed with a permanent!
> and beautiful entrance to the city.
>
> I have talked with at least 30 people at my work place and within the
> Rockerville VFD regarding the development of Hwy 16. I have yet to
> find even one person that would trade open space requirements for a
> hands-off , carte-blanc for developers. However, I have also found a
> general sense of hopelessness. The typical comment is, "They're
going
> to do what they want anyway, why fight it?" I have to admit, I've
> felt this way as well. But after listening to you all discuss this
> issue last night, I feel that you people have the desire and the
means
> to do the job correctly. Please think out of the box and develop a
> proactive, unique and permanent solution. Research other communities
> with open space. How did they do it and still attract development to
> their cities? There must be a better way and I'm sure it is out
there
> just waiting to be found and implemented.

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>
> Thank you for all of your time and effort.
>
> James Loverich
> 29550 S. Rockerville Rd.
> Rapid City, SD 57702
> 605.388.8072
> j_loverich@juno.com
>
>
> ----- Forwarded Message -----
>
> Members of the Rapid City Council,
>
> I was quite shocked by the article in today's Rapid City Journal
> outlining
> the proposed development of Hwy 16. While I don't currently live in
> the
> city limits, I do work in Rapid and the limits may very well reach me
> eventually.
>
> It is critical that this land remain a scenic corridor to the Black
> Hills.
> Low-density housing and/or small businesses along S. Hwy 16 are far
> more
> appropriate than the proposed Wal-Mart Super Center and other
> commercial
> buildings. I strongly object to this proposal and feel that it has
> taken
> place behind-the-scenes away from public scrutiny. Wal-Mart does not
> bring new jobs to a community. They convert medium wage jobs that
> have
> benefits into low paying part time jobs with no benefits. I urge all
> of
> you to please research the detrimental impact that Wal-Mart's have on
> communities. The evidence is out there - extensive and irrefutable.
> Rapid City does not need another Wal-Mart.
>
> I also find the lack of proposed green spaces and consideration for
> bicycle and pedestrian traffic to be appalling. If you travel around
> the country and pick out the cities that are most appealing to
> anyone,
> I guarantee that those cities will contain a plethora of parks,
> extensive bike paths and other open space. We do not want our
> beloved
> city converted into a poorly planned sprawl of concrete and strip
> malls. An outside consultant who specializes in aesthetic growth
> needs to be hired. The prior work of this firm should be considered
> when hiring a consultant. Ask yourself would you want to live in the
> development that they designed? We all must remember that this is our
> last and only chance to get this right. Once you level the ravines
> and build a bunch of mammoth concrete boxes surrounded by pavement,
> there is no going back. The land and its beauty will be lost
> forever.
>
> Please reconsider this proposal. A well thought out and properly
> designed

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> plan is worth the tax payer's money and is your obligation as a
member of

> the council.

>

> Thank you.

>

> Best Regards.

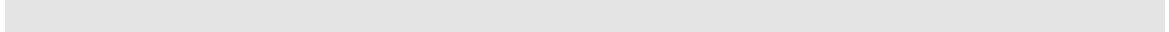
>

> James Loverich

> 23950 S. Rockerville Rd.

> Rapid City, SD 57702

> 388-8072



04CA032

From: BBaffuto@aol.com

To: tom.johnson@rcgov.org ; sam.kooiker@rcgov.org ; karen.olson@rcgov.org ;
ray.hadley@rcgov.org ; malcom.chapman@rcgov.org ; jean.french@rcgov.org ;
tom.murphy@rcgov.org ; bill.waugh@rcgov.org ; ron.kroeger@rcgov.org ; bob.hurlbut@rcgov.org
; mayor@rcgov.org

Sent: Wednesday, March 02, 2005 8:24 AM

Subject: Highway 16 Input

Highway 16 Land Use

Honorable Mayor Jim Shaw and City Council Members:

We live in the area that is being considered in this plan. We have serious concerns over the plausibility of development like what we see on East North Street, La Crosse and Haines Avenue.

This area is a special scenic corridor through the Hills and most particularly to Mount Rushmore. As we have a beautiful community, with Tourism as an important focus, we should strive to maintain the views and quality of experience while traveling across this area into the Black Hills.

The existing development on Highway 16, like that of the medical building, is a good example of what can happen when planned and executed properly. This facility is a good neighbor with attractive building design, landscaping, low light, low noise and limited hours of business.

The density and type of structures in this area should be sensibly and creatively placed. An effort should be made to require business functions to occur during standard business hours (8AM-5PM). Home sites should respect the land topography and not over crowd. More greenway pedestrian/bike paths should be required linking all development.

The infrastructure costs and downstream ramifications to existing homeowners are a tremendous concern. Please look at this closely and exhaustively. Traffic congestion on Highway 16 (and Spring Creek Road), noise, trash pollution and night illumination also look to be major negatives when considering unrestrained commercial projects.

It is our contention that this area can be a garden spot in our town, linking Rapid City's significant corridor through the Black Hills and Mount Rushmore. Please create the planning and zoning to create this possibility. Without a vision we will fail generations to come.

Respectfully,

Thomas and Bethann Baffuto
1025 Duffer Drive
Rapid City, South Dakota 57702

From: [Donna Fisher](#)

To: [Shaw Jim](#)

Sent: Wednesday, March 02, 2005 5:13 PM

Subject: Concern about zoning

Dear Mayor Shaw and members of the Council:

I live in rural Pennington County but Rapid City is my trade area and where I volunteer my time for church and community. I'm disturbed by some of the current zoning discussion .

First, please preserve the wonderful natural area on the creek on Highway 44. I drive along it nearly every day and observe so many residents enjoying this lovely spot. Keep the concrete away!

Second, please support the French-Hurlbut amendment so we can keep the route to Mount Rushmore beautiful. Enthusiastic tourists and a scenic entry to the Black Hills mean quality of life AND economic well-being for all of us. We don't need to "kiss up" for a Super WalMart. Let them build in areas when similar development already exists.

Zone for unlimited commercial development west of RC and you'll give rural residents like me even more reason to turn to delightful Hill City for groceries, gas, restaurants, etc. Furthermore, expect me to advise my East River friends to avoid Rapid City altogether and enter the Hills via Custer or Spearfish.

Thanks, Bob Hurlbut and Jean French, for caring about the general welfare of all of us who love the Hills.

Donna Fisher
District 33

04CA032

MARCH 16, 2005

DEAR EDITOR

AS A STATE CERTIFIED COMMERCIAL REAL ESTATE APPRAISER, I HAVE ALWAYS BEEN AN ADVOCATE OF NEW COMMERCIAL DEVELOPMENT, CONVERSELY, AS THE TREASURER OF THE HEART OF HILLS ECONOMIC DEVELOPMENT CORPORATION, I ALSO FIND MYSELF BEING AN ADVOCATE FOR THE SMALL COMMUNITY OF HILL CITY BY WORKING TO SUSTAIN THE ECONOMIC CLIMATE IN HILL CITY WHICH RELIES HEAVILY ON SALES TAX REVENUE TO FULFILL ITS ANNUAL BUDGET REQUIREMENTS. LET ME TELL YOU A LITTLE WAL-MART TALE, FEW YEARS AGO I VISITED YELLOWSTONE NATIONAL PARK. I STOPPED AT THE SUPER WAL-MART STORE LOCATED ON YELLOWSTONE AVENUE IN CODY, WYOMING TO BUY A BLANKET. WHILE INSIDE I WAS ALSO ABLE TO PICK UP ALL THE SOUVENIRS I NEEDED FOR MY RELATIVES BACK HOME SUCH AS OLD FAITHFUL T-SHIRTS, YELLOWSTONE FALLS ASH TRAYS, STATE AND CITY MAPS, WYOMING COFFEE CUPS, CHIEF NEZ PERCE FIGURINES, AND JUST ABOUT EVERY OTHER SOUVENIR THAT YOU WOULD FIND AT THE GIFT SHOP AT OLD FAITHFUL. BY PURCHASING MY WARES AT WAL-MART I FOUND LITTLE NEED TO BUY ADDITIONAL ITEMS WHILE VISITING GARTNER, MONTANA, COOKE CITY, MONTANA, WEST YELLOWSTONE, MONTANA, OR RED LODGE, MONTANA. I HOPE THIS TALE IS HEARD BY THE SMALL BUSINESS OPERATORS THAT MAKE THEIR LIVELIHOOD IN THE SMALL COMMUNITIES OF HOT SPRINGS, KEYSTONE, HILL CITY, HERMOSA, AND CUSTER. YOUR VOICE CAN BE HEARD ON MARCH 28TH, 2005 AT THE RAPID CITY COUNCIL MEETING SCHEDULED FOR 5:15 PM AT THE SCHOOL ADMINISTRATIVE BUILDING LOCATED AT 300 6TH STREET IN RAPID CITY, SOUTH DAKOTA.

A CONCERNED CITIZEN
RON ROSSKNECHT
PO BOX 333 HILL CITY,
SOUTH DAKOTA 57745 - 574-4360

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WYNN A. GUNDERSON
Of Counsel

March 22, 2005

Mayor Jim Shaw and City Council Members
 300 6th Street
 Rapid City, SD 57701

RECEIVED

MAR 23 2005

Rapid City Growth
 Management Department

**RE: Orthopaedic Building Partnership, LLP
 Our File No. 010095**

**Orthopedic Land Company, LLC
 Our File No. 010768**

Dear Mayor Jim Shaw and City Council Members:

I am contacting you on behalf of Orthopaedic Building Partnership, LLP ("OBP") and Orthopedic Land Company, LLC ("OLC"). My clients own land adjacent to South Highway 16, some of which is presently zoned General Commercial ("GC"). The purpose of this letter is to clarify any misunderstanding in connection with Dr. Lew Papendick's interest in OBP and OLC and my clients' position on the South Highway 16 Future Land Use Plan ("FLUP").

Dr. Papendick is a 1/9th owner in both OBP and OLC. Land owned by one or both entities has had a GC zoning designation since 1999. The zoning designation of my clients' land predates the current discussion about the FLUP by several years. The FLUP reflects the GC zoning designation that has been placed on my clients' land.

This history is directly relevant to the current debate over the zoning designations proposed in the FLUP for my clients' neighbors to the south for two reasons. First, as one of a small group of commercial developers with active projects located on Highway 16 South of Catron Boulevard, my clients have demonstrated by concrete actions their commitment to smart growth principles with projects that are compatible with the scenic importance of a major corridor to the Black Hills and Mt. Rushmore. My clients have a proven track record of responsible development.

Second, certain advocates for a GC zoning designation on all land abutting Highway 16 have alleged, inaccurately, that Dr. Papendick has taken inconsistent positions on denying a GC designation to neighboring land, but supporting GC for "his" land. The facts do not support any such allegations.

GUNDERSON, PALMER, GOODSSELL & NELSON, LLP

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March 22, 2005

The land in issue is not Dr. Papendick's land. It is owned by an LLP and LLC, respectively. Dr. Papendick is a minority owner in both OLC and OBP whose members have vested management of the business operations in both entities to a manager who controls the strategic operations of both entities. Dr. Jim Scherrer is the business manager for both OBP and OLC.

The process to zone land owned by OLC and OBP GC began in 1999, well before the current debate over the FLUP was engaged. The designation of certain OLC and OBP land as GC was properly reviewed during that process. For anyone to suggest now, on these facts, that it is inconsistent to support some land as GC and oppose the GC designation of other land is mistaken. Such claims deny the reality that each parcel stands on its own for a rational determination of the most appropriate designation for the individual parcel.

Dr. Papendick is entitled to his personal opinions on the zoning designation proposed for land neighboring his own. Dr. Papendick speaks on his own behalf. His opinions are personal to him. They are not necessarily the views of OBP or OLC. Moreover, being a member of OLC and OBP does not place a muzzle on its members, especially when it involves the expression of opinions on matters of a personal nature.

Dr. Papendick has made it clear his statements in this matter that he speaks as an individual with a direct interest in how neighboring land ought to be zoned, not as a spokesperson for OLC or OBP.

As an organization, OLC and OBP have made the strategic decision to remain neutral on zoning designations of parcels not owned by OLC or OBP. Each parcel is to be judged independently for a rational determination of its proper zoning designation in accord with smart growth principles, which is exactly the process the city is presently engaged in. That process would be better served absent inaccurate statements regarding Dr. Papendick's position on zoning designations. Please do not hesitate to contact me if you have any questions.

Sincerely,



Patrick G. Goetzinger

PGG:sr

C: Jason Green
Marcia Elkins
James J. Scherrer, BSph, PharmD, FASCP

From: <lisbeth@rapidnet.com>
> To: councilgroup@rcgov.org
> Sent: Thu, 24 Mar 2005 12:03:09
> Subject: Fwd: Highway 16 Development
>
>
>
> As a ten year resident of Highway 16 area, (1995 Sammis Trail), I am
> very
> concerned about the proposal to allow
> Walmart to develop land on Highway 16 south of Rapid City. This
concern
> is based on a belief that this highway corridor
> should be developed with the assumption that, as residents of the
Black
> Hills area, development will be allowed as long
> as it does not detract or obstruct one's views of the Hills or
Badlands.
> Currently, there are churches and medical facilities
> that do not detract from visitors' views. Some of the retail
development
> have been carefully planned and fit this criteria,
> also. However, we have several billboards and businesses that do
detract.
> We should not diminish the importance of
> preserving and protecting this first look at the landscape. I am a
> Minnesota native and never stop being awed by
> the views both East and West. Tourism is an important part of our
> economy. Do we want our visitors to see retail,
> billboards, and 24-hour lighting as they look out towards the Hills?
>
> Walmart, or any other large retail group, does not fit into the type
> of
> development that should take place in this area. As my
> 14 year old son remarked, "We won't have any night sky now." Do we
need
> to balance development (tax base) with
> preserving our natural landscape? Of course, but Walmart is not a
good
> choice. Although it may not give Walmart the
> highway frontage that they desire, a much better location for them
would
> be the intersection of Catron and 5th, an area
> developed specifically for retail/commercial businesses that would
serve
> south Rapid City.
>
>
> Even though we have sold our property to a private owner, we are
happy
> that they plan to keep it as a residence and, in fact, have purchased
> additional land towards Sammis Trail in order to ensure privacy. We
> plan to stay in the area and therefore, still feel a responsibility
in
> urging smart, careful, long-range development take place.
>
> Thank you for your consideration of this letter.
>

> Sincerely,
>
>
> Lisbeth Leagjeld Oury
> Dr. James Oury
> 1995 Sammis Trail
>

Letter to the Editor:

3-22-05

To: The Community & its elected Officials;
From: David Bussard, Co-Mgr. #1604 Wal-Mart
Subject: Hwy. 16 growth

Today, I write you as a resident of Rapid City, a tax payer, and a registered voter, in addition to being a member of the Wal-Mart management team.

For over a decade Wal-Mart has proven itself to be a "Good Neighbor" and partner in our community helping it grow and progress. Wal-Mart has done its share by creating jobs, paying taxes, contributing time & resources to charitable organizations & causes within the community.

Nationally, Wal-Mart Stores, Inc.'s charitable giving touched 100,000 organizations and is currently the largest corporate cash giving foundation in the United States. Locally, our Wal-Mart store is proud of its charitable contributions within the community. In 2004 we gave approximately \$125,000 to local non-profit organizations. I learned at an early age that you must give back to your community organizations to help them grow & make your community strong and healthy. Are you aware that the local store manager, Mark Haberman actively participates on five non-profit "Board of Directors": The United Way, The Boy's Club, Junior Achievement, The Black Hills Work Shop & previously, The Boys Scouts? Mark was also named "The Corporate Citizen Volunteer of the Year" for the School District in 2004 in Rapid City! The stores Co-Managers are actively involved in the Rapid City Weed & Seed Committee, Junior Achievement, Chamber of Commerce, Humane Society, & Children's Miracle Network. The Associates and the entire management team are involved in the community & care deeply about its future! Remember, this is my family's home too.

Wal-Mart is the largest, fastest growing, and the most diverse retail company in the world! Competition is good and helps us provide better service and products to our customers. Like other stores in the community we also need to have multiple locations to serve our customers. Guests ask daily, "when are you opening the new store?" They are anxiously waiting for Wal-Mart to build a store in South Rapid City. Our customers vote for us daily by shopping our store! It is a proven fact from the sheer number of cars in our parking lot. Between Wal-Mart and Sams Club there are over 1100 jobs that have been created with 70% being full-time (40% of our full-time people did not have benefits prior to working for Wal-Mart). Over 62% of our Associates are Wal-Mart Stock Holders. Our Wal-Mart Supercenter alone generates \$2,900,000 in local sales taxes and over \$300,000 in Real Estate Taxes which positively impact our greater community.

The proposed Wal-Mart development on US Highway 16 will not compromise the lands beauty, it will add to it! Personally, I have great appreciation for the Black Hills beauty & would not want to take away this precious gift. I ask you to keep an open mind. Together, we can work out a positive plan to preserve beauty of the Hills. One issue I feel strongly about is eliminating billboards and signage which blocks our view of the

Hills. I suggest putting a six foot height limit on all signage to keep a lower profile and preserve our scenic byways similar to Grand Forks, ND. I am confident that each and every other issue that has been brought to the city councils attention can be addressed through negotiation (color of the building, sign, traffic concerns, RV issues, and even the animal concerns).

After two decades of community leadership previously identifying the future zoning of this area as general commercial that the recommendation of the City Planning Commission should be supported! With the proper planning Wal-Mart can provide better service to our customers living in this area as well as a safe, ascetically pleasing store that will reflect well on the community and our company.

We support the downtown and our communities businesses! People do not come into the community and shop just one store. *It is a partnership in attracting and retaining consumers* within the greater Rapid City area! The downtown has a special niche that creates a warm, friendly, presidential atmosphere to shop in each day. Together, we can grow our community through developing more jobs and revenue. Our mutual goal is to provide a beautiful, safe place to work/shop and raise our families. Thank you for your interest in this matter, together we can make the best, most informative choices for our community!

David Bussard, Co-Manager Rapid City Wal-Mart Supercenter

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MAR 24 2005

MAYOR'S OFFICE

March 24, 2005

Mayor Jim Shaw and City Council Members
600 Sixth Street
Rapid City, SD 57701

Dear Mayor and City Council:

This letter is to inform all of you of our opposition to general commercial development proposed for Highway 16. To allow "big box" stores in that area is turning your back on the downtown business district. Who is going to drive into town and shop at our stores when they can "one-stop shop" at a "Super Walmart" outside of town? Your decision to allow general commercial zoning would have a negative effect on businesses that have been a vital part of our town and the backbone of our community for decades.

To add to our frustration of this issue, this decision would create an expectation that we the taxpayers help pay for the competitor's infrastructure! That makes a lot of common sense! Dig into our pockets to help the competition? We don't think so!

We don't care that they propose a rustic building front, down lighting, and trees. One can have "cosmetic surgery", but it doesn't change what's inside—that 80% of the goods on the shelf come from foreign countries. All over the country (ours) there are statistics showing how Walmart hurts many towns.

Next, the traffic issues can be discussed at length, but unless you live out Highway 16 and drive it every day, you won't understand. It cannot and should not have to handle heavy traffic, especially during tourist season. Leaving the area zoned Neighborhood Commercial will add enough traffic.

Tourism is our number one industry in this area. We spend millions of dollars asking people to come here to enjoy the Black Hills. Our tourist businesses depend on visitors buying souvenirs and items at their gift shops. Instead they will go to the "big box" store and purchase many of these items. This will affect Keystone, Hill City, and Custer as well. Have you thought about that impact? Hundreds of businesses belong to the South Dakota Retailers Association (988 in the 577 zip codes alone).

There are a lot of us paying attention to this issue. We have the desire to succeed as we are all fighting for the preservation of the gift that God gave us – the natural beauty of the Black Hills.

Can't we leave the beauty of this area to remain for our children, grandchildren, and future generations? Let them enjoy what some have taken for granted!

Sincerely,

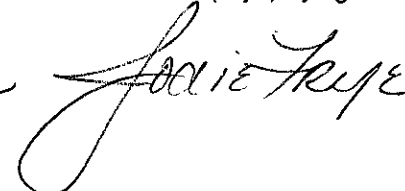
Roger Frye


Julie (Frye) Mueller

Eva Frye


Jodie (Frye) Byington

Julie Frye


Jodie Frye


Amy (Frye) Trupe