

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
May 24, 2001

MEMBERS PRESENT: Pam Lang, Mel Prairie Chicken, Vivian Jorgenson, Dawn Mashek, Robert Scull, Paul Swedlund, Karri Tschetter, Bob Wall, and Stuart Wevik. Alan Hanks, Council Liaison was also present.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Lisa Seaman, Bill Lass, Bill Knight, Kenn Shave, Dave Johnson, Nadine Bauer and Risë Ficken

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

Lang welcomed Karri Tschetter to the Planning Commission meeting.

Lang 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 4 be removed from the Consent Agenda for separate consideration. Swedlund requested that Item 20 be removed from the Consent Agenda for separate consideration.

Scull moved, Jorgenson seconded and carried unanimously to recommend approval of the Consent Agenda Items 1 through 29 in accordance with the staff recommendations with the exception of Items 4 and 20. (9 to 0)

1. Approval of the May 10, 2001 Planning Commission Meeting Minutes.

2. No. 00PL122 - White Tail Meadows

A request by Paul Hunt to consider an application for a **Layout Plat** on SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 13, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1/2 mile north of the intersection of S.D. Highway 44 and Anderson Road on the east side of Anderson Road.

Planning Commission recommended that the Layout Plat be denied without prejudice.

3. No. 01UR003 - Section 20, T2N, R8E

A request by Davis Engineering for Gary and Shirley Wolff to consider an application for a **Use on Review to allow a mobile home park in the Medium Density Residential District** on SW1/4 SW1/4 and the N8/10ths of W1/4 SE1/4 SW1/4 of Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2780 143rd Avenue.

Planning Commission recommended that the Use on Review to allow a mobile home park in the Medium Density Residential District be continued to the July 5, 2001 Planning Commission meeting to allow the applicant to

submit additional information, to complete improvements on the existing lagoon system and to remove structures from a water and pipeline easement.

5. No. 01RZ008 - Section 17, T1N, R8E

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** on Lot C of NW1/4 SW1/4 less right-of-way, Section 17, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4302 S. Highway 79.

Planning Commission recommended that the Rezoning from No Use District to General Commercial District in conjunction with a Planned Development Designation be continued to the June 7, 2001 Planning Commission meeting to allow the related Comprehensive Plan Amendment to be properly advertised.

6. No. 01CA010 - Section 17, T1N, R8E

A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation on a .60 acre parcel from Industrial Land Use designation to General Commercial Land Use designation** on Lot C of the NW1/4 SW1/4 less right of way, Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4302 S. Highway 79.

Planning Commission recommended that the Amendment to the Comprehensive Plan be continued to the June 7, 2001 Planning Commission meeting to allow the item to be properly advertised.

7. No. 01PD012 - Section 17, T1N, R8E

A request by City of Rapid City to consider an application for a **Planned Development Designation** on Lot C of NW1/4 SW1/4 less right-of-way, Section 17, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4302 S. Highway 79.

Planning Commission recommended that the Planned Development Designation be continued to the June 7, 2001 Planning Commission meeting, to allow the accompanying Comprehensive Plan amendment to be properly advertised.

8. No. 01PL024 - Trailwood Village Subdivision

A request by Renner & Sperlich Engineering for Gordon Howie to consider an application for a **Layout, Preliminary and Final Plat** on Lot A, Block 16, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of the intersection of Covington Street and O'Brien Street.

Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the June 7, 2001 Planning Commission meeting.

9. No. 01PD015 - GLM Subdivision

A request by Richard E. Huffman for Bill Gikling and Ken Lipp to consider an application for a **Planned Light Industrial Development - Initial and Final Development Plan** on Lots 10A, 10B and 10C of GLM Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3110 Eglin Street.

Planning Commission recommended that the Planned Light Industrial Development - Initial and Final Development Plan be approved with the following stipulations:

Engineering Division Recommendations:

1. That all stipulations of Plat 01PL025 shall be met;

Building Inspection Division Recommendations:

2. Prior to City Council approval, the applicant shall provided fire walls for those building located on proposed Lots 10A and 10B as per the Uniform Building Code or surety shall be posted for the construction of these improvements;
3. Signs shall be allowed as per Section 15.28 of the Rapid City Municipal Code; however, no off-premise signs shall be allowed;

Urban Planning Division Recommendations:

4. All provisions of the Section 17.50.300 of the Rapid City Municipal Code regarding landscape shall be continually met;
5. All provisions of the Section 17.50.270 of the Rapid City Municipal Code regarding parking shall be continually met;
6. All uses as identified in Section 17.22.020 of the Rapid City Municipal Code shall be allowed;
7. All uses as identified in Section 17.22.030 of the Rapid City Municipal Code shall require a Major Amendment to the Planned Light Industrial Development;
8. A fourteen foot setback shall be allowed along the north property line and an eight foot setback shall be allowed on the south property line for the existing building located on Lot 10B;
9. A seventeen foot setback shall be allowed along the north property line for the existing building located on Lot 10A; and,
10. Any expansion of any of the building will require a Major Amendment to the Planned Light Industrial Development.

10. No. 01PL025 - GLM Subdivision

A request by Richard E. Huffman for Bill Gikling and Ken Lipp to consider an application for a **Preliminary and Final Plat** on Lots 10A, 10B and 10C of GLM Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3110 Eglin Street.

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

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, the applicant shall

- revise the plat to identify a twenty-five foot utility and drainage easement along the east property line of Lot 10C;
2. Prior to Final Plat approval by the City Council, the applicant shall revise the plat to identify a forty foot shared parking, circulation and drainage easement along the common property line of Lot 10A, 10B, and 10C;
 3. Prior to Final Plat approval by the City Council, the applicant shall revise the plat to identify a thirty foot utility and drainage easement along the west property line of Lot 10A and 10B;
 4. Prior to Final Plat approval by the City Council, the applicant shall revise the plat to identify a twenty-five foot utility and drainage easement along the east property line of Lot 10C;
 5. Prior to Final Plat approval by the City Council, the applicant shall enter into agreement consenting to a future assessment project for a sanitary sewer;

Traffic Planning Division Recommendations:

6. Prior to City Council approval, the applicant shall provide a non-access easement along the frontage of Eglin Street except for the approved approach location; and,

Urban Planning Division Recommendations:

7. Prior to Final Plat approval by the City Council, the applicant shall revised the plat to identify the correct acreage for the individual lots.

11. No. 01RZ012 - GLM Subdivision

A request by Richard E. Huffman for Bill Gikling and Ken Lipp to consider an application for a **Rezoning from Heavy Industrial District to Light Industrial District** on Lot 10 of GLM Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3110 Eglin Street.

Planning Commission recommended that the rezoning from Heavy Industrial District to Light Industrial District be approved in association with the Planned Light Industrial Development.

12. No. 01UR021 - Sheridan Park Subdivision

A request by Moyle Petroleum Company to consider an application for a **Use On Review to allow a Car Wash in the Neighborhood Commercial Zoning District in accordance with Section 17.20.030I of the Rapid City Municipal Code** on Lot 1 of Sheridan Park Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2808 Sheridan Lake Road.

Planning Commission recommended that the Rezoning from Park Forest District to Office Commerical District be approved contingent on the associated Planned Residential Development and Comprehensive Plan Amendment being approved.

13. No. 01UR020 - Cloverdale Subdivision

A request by Lawrence Lynde to consider an application for a **Use on Review to allow a garage in excess of 1000 square feet** on Lot 8, Block 9, Cloverdale Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2210 Hoefer Avenue.

Planning Commission recommended that the Use on Review to allow a garage in excess of 1000 square feet be continued to the June 7, 2001 Planning Commission meeting to allow the applicant time to submit additional required information.

14. No. 01RZ019 - Deadwood Avenue Tract

A request by Robert Antior and Leslie Stadel to consider an application for a **Rezoning from General Commercial District to Light Industrial District** on Lots 1-3 and East one-half (1/2) vacated alley adjacent to said lots in Block 1, Deadwood Avenue Tract, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 631 Deadwood Avenue.

Planning Commission recommended that the Rezoning from General Commercial District to Light Industrial District be approved.

15. No. 01UR022 - Pinedale Heights

A request by James Frie to consider an application for a **Use on Review to allow a private garage in excess of 1000 square feet** on Lot 39, Pinedale Heights, Section 5, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5444 Pinedale Heights.

Planning Commission recommended that the Use on Review to allow a private garage in excess of 1000 square feet be approved with the following stipulations:

Engineering Division Recommendations:

1. **Prior to Certificate of Occupancy, the applicant shall complete all drainage improvements as identified on the approved drainage plan;**

Building Inspection Division Recommendations:

2. **A building permit shall be obtained prior to any construction and a Certificate of Completion shall be obtained prior to occupancy;**
3. **That prior to issuance of a Certificate of Completion, the applicant shall pave the first fifty feet of the driveway from the street or curb line;**

Urban Planning Division Recommendations:

4. **A statement declaring that the garage cannot be used for commercial purposes must be signed by the property owner and filed with the Register of Deeds prior to issuance of a building permit;**
5. **That the garage shall be constructed of the same materials and the same color(s) as the existing residence; and,**
6. **That no plumbing shall be allowed in the garage.**

16. No. 01PL031 - Section 13, T2N, R7E

A request by Dream Design International, Inc. to consider an application for a **Layout Plat** on the proposed Northbrook Village in the SE1/4 SE1/4, Section 13, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located one quarter mile east of the intersection of Haines Avenue and Country Road lying north of Country Road.

Planning Commission recommended that the Layout Plat be continued to the June 7, 2001 Planning Commission meeting.

17. No. 01PL032 - Trailwood Village

A request by Renner & Sperlich Engineering for Gordon Howie to consider an application for a **Preliminary and Final Plat** on Lot B1 of Trailwood Village (formerly a portion of Tract T of Trailwood Village) located in the E1/2 of the SW1/4 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located 300 feet north of the intersection of East Highway 44 and Covington Street.

Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the June 7, 2001 Planning Commission meeting.

18. No. 01PL033 - Old Rodeo Subdivision

A request by Renner & Sperlich Engineering for Gustafson Builders to consider an application for a **Preliminary and Final Plat** on Lot 2 of Old Rodeo Subdivision located in the N1/2 of the SW1/4 of Section 26, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located one quarter mile south of South Highway 16 and Catron Boulevard.

Planning Commission recommended that the Preliminary and Final Plat be continued to the June 7, 2001 Planning Commission meeting.

19. No. 01PL034 - Section 19, T2N, R8E

A request by Centerline, Inc. for Olsen Development Company, Inc. to consider an application for a **Layout Plat** on Proposed Settlers Landing in SE1/4 of Section 19, T2N, R8E, BHM, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Seger Drive and 143rd Street.

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

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat, grading plans and a drainage plan shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat, technical data shall be submitted for review and approval identifying that the soil(s) can meet the requirements for an on-site wastewater system. The on-site wastewater system shall only be allowed to serve Phase One of the proposed development. In addition, the applicant shall connect to City sewer, paying all connection fees, at such time that City sewer

becomes available to the area and prior to any additional platting of the property;

3. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer shall be submitted showing the extension of water mains for review and approval;
4. Upon submittal of the Preliminary Plat, the plat shall be revised to show an additional 5 foot of right-of-way along 143rd Avenue and an additional 17 foot of right-of-way along Seger Drive;
5. Upon submittal of the Preliminary Plat, a traffic impact analysis shall be submitted for review and approval to determine what improvements may be necessary along 143rd Avenue and Seger Street;
6. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, and sidewalk improvements;

Fire Department Recommendations:

7. Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval;

Urban Planning Division Recommendations:

8. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
9. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

21. **No. 01PL036 - Blakes Addition**

A request by Mike and Landa Titus to consider an application for a **Layout Plat** on proposed Lots 12R and 13R, Block 2, Blakes Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 35 Madison Street.

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

Engineering Division Recommendations:

1. Prior to City Council approval of the Layout Plat, topographic information shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat, grading plans and a complete drainage plan shall be submitted for review and approval;
3. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval;

5. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, and sidewalk improvements;

Fire Department Recommendations:

6. Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval;

Register of Deed's Office Recommendation:

7. Upon submittal of the Preliminary Plat, the plat shall be revised to show an alternate subdivision name and the proposed lots shall be labeled;

Urban Planning Division Recommendations:

8. Prior to Final Plat approval by the City Council, the garage shall be removed from the lot;
9. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
10. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

22. No. 01PL037 - MJK Subdivision

A request by FMG, Inc. for Harold Bies to consider an application for a **Layout Plat** on Lots 3-20, Block 1; Lots 1-5, Block 2 and Lots 1-3, Block 3, MJK Subdivision (formerly Parcel A of MJK Subdivision), Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of the intersection of U.S. Highway 79 South and Catron Boulevard.

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

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat, grading plans and a complete drainage plan shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval. In particular, the sewer plans shall show a connection to the property located to the north of the subject property;
3. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer shall be submitted showing the extension of water mains for review and approval;
4. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, and sidewalk improvements;

South Dakota Department of Transportation Recommendation:

5. Upon submittal of the Preliminary Plat, a grading plan shall be submitted for review and approval for the proposed approach location(s) along Catron Boulevard;
6. Prior to City Council approval of the Preliminary Plat, approach permits shall be obtained;
7. Prior to constructing and/or improving the service road located along S. D. Highway 79, a permit to work in the right-of-way shall be obtained;

Fire Department Recommendation:

8. Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval;

Transportation Division Recommendation:

9. Upon submittal of the Preliminary Plat, the plat shall be revised to show non-access easements along S. D. Highway 79 and Catron Boulevard except for the approved approach locations;

Emergency Services Communication Center Recommendation:

10. Upon submittal of the Preliminary Plat, the plat shall be revised identifying the road names;

Register of Deed's Office Recommendation:

11. Upon submittal of the Preliminary Plat, the plat shall be revised to read "MJK Subdivision #2";

Urban Planning Division Recommendations

12. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
13. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

23. **No. 01AN006 - Braeburn Addition**

A request by Marvin Herrmann to consider an application for a **Petition for Annexation** on Lot A of Lot 6 of Tract B of Braeburn Addition, Section 8, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located west of Chapel Valley, south of the Fish Hatchery and east of SD Highway 44.

Planning Commission recommended that the property listed in the Petition for Annexation, an area of 1.24 acres, more or less, be approved for annexation.

24. **No. 01RD004 - Bradsky #2 Subdivision**

A request by Black Hills Properties, Inc. for MOJO, LLC to consider an application for a **Resolution naming the unnamed roadway to Rocker Drive** on Tract 3A of Bradsky #2 Subdivision, Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to 1020 and 1032 Cambell Street.

Planning Commission recommended that the Resolution naming the unnamed roadway to Rocker Drive be approved with the following stipulations:

Building Inspection Division Recommendations:

- 1. Prior to City Council approval, all affected businesses shall change their address numbers according to the approved City addressing grid and new address numbers a minimum of twelve inches in height shall be posted on the affected buildings; and,**

Planning Department Recommendations:

- 2. Prior to City Council approval, the applicant shall have installed the new street sign.**

25. No. 01OA005 – Ordinance Amendment

A request by City of Rapid City to consider an application for an **Ordinance Amendment** to allow the indoor storage of Class IIIB Combustible Liquids with the exception of waste oils within the Light Industrial Zoning District.

Planning Commission recommended that the Ordinance Amendment to allow the indoor storage of Class IIIB Combustible Liquids with the exception of waste oils within the Light Industrial Zoning District be approved.

26. No. 01CA005 - Denman's Subdivision – Summary of Adoption Action – Amendment to the Comprehensive Plan 5th Year Review

Planning Commission recommended that the Planning Commission approve the summary and authorize publication in the Rapid City Journal.

27. No. 01CA006 - Section 19, T2N, R8E – Summary of Adoption Action - Amendment to the Northeast Neighborhood Area Future Land Use Plan

Planning Commission recommended that the Planning Commission approve the summary and authorize publication in the Rapid City Journal.

28. No. 01CA017 - GLM Subdivision – Summary of Adoption Action - Amendment to the Elk Vale Neighborhood Area Future Land Use Plan

Planning Commission recommended that the Planning Commission approve the summary and authorize publication in the Rapid City Journal.

29. No. 01PL028 - Meadows Subdivision

A request by Dream Design International to consider an application for a **Layout Plat** on Lots 7-11, Block 4 and Lots 7-16, Block 6, Meadows Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Kentucky Lane and Jockey Court.

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

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat, grading plans and a complete drainage plan shall be submitted for review and approval;
2. Upon submittal of the Preliminary Plat, site elevations shall be submitted for review and approval;
3. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval;
5. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, and sidewalk improvements;
6. Upon submittal of the Preliminary Plat, the plat shall be revised to show the common lot line located between Lot 8 and Lot 9 of Block 4 shifted to the east to align with an existing drainage channel located directly south of the subject property;
7. Prior to Final Plat approval by the Planning Commission, major drainage easements shall be shown on the plat as required by the Engineering Division;

Fire Department Recommendations:

8. Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval;

Emergency Services Communication Recommendation:

9. Upon submittal of the Preliminary Plat, the plat shall be revised to identify Kentucky Lane as Hanover Street;

Urban Planning Division Recommendations:

10. Prior to City Council approval of the Final Plat, a Subdivision Regulations Variance to allow a lot more than twice as wide as it is long shall be obtained or the plat shall be revised to comply with the lot to width requirement;
11. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
12. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

---END OF CONSENT CALENDAR; BEGINNING OF REGULAR AGENDA ITEMS---

4. No. 01RD001 - Section 22, 23, 26 and 27, T1N, R7E
A request by Jerald and Luane Johnson and Everett and Ruth Call to consider an application for a **Resolution naming the unnamed roadway to Promise**

Point Road on the existing unnamed roadway which is primarily located along the north/south section line located between Sections 26 & 27 and Sections 22 & 23 in T1N, R7E, BHM and also located in the NE ¼ NE1/4 of Section 27, T1N, R7E, BHM and E1/2 of SE1/4 of Section 22, T1N, R7E, BHM and all located within Rapid City, Pennington County, South Dakota to Promise Point Road.

Elkins noted that the applicants have indicated that they would prefer that the road be renamed to Promise Road as opposed to Promise Point Road

Jorgenson moved, Wevik seconded and unanimously carried to recommend that the Resolution naming the unnamed roadway to “Promise Road” be approved. (9 to 0)

20. No. 01PL035 - Professional Plaza Subdivision

A request by Centerline, Inc. for CSU Properties, Inc. to consider an application for a **Layout Plat** on Lot 1 of Professional Plaza Subdivision, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of 5th Street and North Street.

Swedlund stated that he feels a Planned Commercial Development should be required prior to approval of the Layout Plat.

Swedlund moved to recommend that the Layout Plat be approved in conjunction with a Planned Commercial Development.

The motion died due to a lack of a second.

Discussion followed concerning when a Planned Commercial Development would be required for this property.

Lawrence Kostaneski, Centerline, reviewed the procedures that he anticipated would be required to develop this property as proposed, noting that the applicant is aware that a significant number of issues will need to be addressed. He requested that the Layout Plat approval be granted at this time.

Discussion followed concerning the Layout Plat process.

Wall moved, Scull seconded and unanimously carried to recommend that the Layout Plat be approved with the following stipulations:

Engineering Division Recommendations:

- 1. Prior to City Council approval of the Layout Plat, the access issue along North Street shall be resolved;**
- 2. Upon submittal of the Preliminary Plat, the geotechnical report shall be revised including the design of the retaining wall and submitted for review and approval;**
- 3. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and**

- approval;
4. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval;
 5. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, and sidewalk improvements;

Fire Department Recommendations:

6. Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval;

Urban Planning Division Recommendations:

7. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
8. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid. (9 to 0)

Elkins requested that Items 30 and 31 be considered concurrently.

30. No. 01RZ010 - Cleghorn Canyon Subdivision No. 2 and Fish Hatchery Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Low Density Residential District** on Lot 13 of Block 2, North Lot of Block 3 of Cleghorn Canyon Subdivision No. 2 and Lot F4 of Fish Hatchery Subdivision, located in Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5100 Cleghorn Canyon Road.

31. No. 01PD013 - Cleghorn Canyon Subdivision No. 2 and Fish Hatchery Subdivision

A request by City of Rapid City to consider an application for a **Planned Development Designation** on Lot 13 of Block 2, North Lot of Block 3 of Cleghorn Canyon Subdivision No. 2 and Lot F4 of Fish Hatchery Subdivision, located in Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5100 Cleghorn Canyon Road.

Elkins presented the requests and reviewed the staff report noting staff's recommendation to approve the Planned Development Designation and Low Density Residential zoning for Lot 13 of Block 2 of Cleghorn Canyon Subdivision. She added that the "North Lot" and Lot F4 are located within the floodplain and noted that the adopted Floodplain Policy requires that properties located upstream of the Chapel Lane bridge and in the floodplain be zoned Flood Hazard Zoning District. She reviewed staff's recommendation that the request for rezoning to Low Density Residential on those lots be denied. Elkins noted that

the owner of the property had expressed concerns with the Flood Hazard Zoning District. In response to a question, Elkins indicated that the land owner had been informed of the recommendation by phone as well as sent a copy of the staff report. She noted that the land owner was not in the audience although he had been informed of his opportunity to attend the meeting.

In response to a question from Wall, Elkins indicated that the property would remain in the No Use Zoning District until it was rezoned to the Flood Hazard Zoning District.

Wall indicated that he would like clarification of the land owner's position on this request.

Discussion followed.

Jorgenson moved and Mashek seconded to recommend that the Rezoning from No Use District to Low Density Residential District in conjunction with a Planned Development Designation be approved for Lot 13 of Block 2 of Cleghorn Canyon Subdivision and denied for "North Lot" of Block 3 of Cleghorn Canyon Subdivision and Lot F4 of Fish Hatchery Subdivision; and, To recommend that the Planned Development Designation be approved in conjunction with the rezoning of this property.

Swedlund stated that he would like to continue action on these requests until the applicant provides a letter for review by the Planning Commission.

The motion carried to recommend that the Rezoning from No Use District to Low Density Residential District in conjunction with a Planned Development Designation be approved for Lot 13 of Block 2 of Cleghorn Canyon Subdivision and denied for "North Lot" of Block 3 of Cleghorn Canyon Subdivision and Lot F4 of Fish Hatchery Subdivision; and, To recommend that the Planned Development Designation be approved in conjunction with the rezoning of this property. (8 to 1 with Swedlund voting no)

Elkins requested that Items 32 through 38 be considered concurrently.

32. No. 01RZ020 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for a **Rezoning from Park Forest District to Low Density Residential District** on property described by metes and bounds beginning from a point at the NW1/4 of the SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 588.52 feet at a bearing N 0° 21'0" East, then travel 11.02 feet at a bearing S 89° 59' 18" East, then travel 32.48 feet at a bearing S 82° 24' 9" East, then travel 23.11 feet at a bearing S 70° 5' 34" East, then travel 21.54 feet at a bearing S 59° 50' 58" East, then travel 26.96 feet at a bearing S 64° 38' 23" East, then travel 13.20 feet at a bearing S 8° 51' 5" East, then travel 25.36 feet at a bearing N 83° 54' 54" East, then travel 239.65 feet at a

bearing N 10° 42' 7" West, then travel 259.99 feet at a bearing N 0° 21' 0" East, then travel 106.97 feet at a bearing N 34° 54' 43" East, then travel 101.59 feet at a bearing N 49° 16' 21" East, then travel 240.39 feet at a bearing East, then travel 356.39 feet at a bearing S 37° 33' 40" East, then travel 342.41 feet at a bearing East, then travel 692.59 feet at a bearing South, then travel 504.33 feet at a bearing S 62° 30' 29" West, then travel 597.31 feet at a bearing N 89° 39' 0" West to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

33. No. 01PD020 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for a **Initial Planned Residential Development** on property described by metes and bounds beginning from a point at the NW1/4 of the SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 588.52 feet at a bearing N 0° 21' 0" East, then travel 11.02 feet at a bearing S 89° 59' 18" East, then travel 32.48 feet at a bearing S 82° 24' 9" East, then travel 23.11 feet at a bearing S 70° 5' 34" East, then travel 21.54 feet at a bearing S 59° 50' 58" East, then travel 26.96 feet at a bearing S 64° 38' 23" East, then travel 13.20 feet at a bearing S 8° 51' 5" East, then travel 25.36 feet at a bearing N 83° 54' 54" East, then travel 239.65 feet at a bearing N 10° 42' 7" West, then travel 259.99 feet at a bearing N 0° 21' 0" East, then travel 106.97 feet at a bearing N 34° 54' 43" East, then travel 101.59 feet at a bearing N 49° 16' 21" East, then travel 240.39 feet at a bearing East, then travel 356.39 feet at a bearing S 37° 33' 40" East, then travel 342.41 feet at a bearing East, then travel 692.59 feet at a bearing South, then travel 504.33 feet at a bearing S 62° 30' 29" West, then travel 597.31 feet at a bearing N 89° 39' 0" West to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

34. No. 01CA011 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation on a 13.64 acre parcel from Residential to Office Commercial** on property described by metes and bounds beginning from a point 973.88 feet at a bearing S 89° 39' 0" East from the NW corner of SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 1363.79 feet at a bearing S 89° 39' 0" East, then travel 107.83 feet at a bearing S 57° 14' 9" West, then travel 63 feet at a bearing S 38° 41' 0" West, then travel 89 feet at a bearing S 68° 55' 0" West, then travel 47 feet at a bearing S 54° 43' 0" West, then travel 95 feet at a bearing S 47° 3' 0" West, then travel 77 feet at a bearing S 69° 31' 0" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 254.50 feet at a bearing S 45° 26' 11" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 161.87 feet at a bearing S 55° 19' 7" West, then travel 138.89 feet along a 270 foot RHF curve with a chord bearing of S 40° 34' 54" West, then travel 439.52 feet at a bearing N 45° West, then travel 248.58 feet at a bearing N 85° 49' 37" West, then travel 65.15 feet at a bearing West, then travel 392.28 feet at a bearing N 0° 21' 0" East to the point of start, and from a point 310.41 feet North and 1708.11 feet East of the SW corner of

NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East of Black Hills Meridian, travel 100.82 feet at a bearing N 22° 2' 42" West, then travel 256.55 feet along a LHF curve with a radius of 190 feet and a chord bearing N 16° 38' 12" East, then travel 161.187 feet at a bearing N 55° 19' 7" East, then travel 187.59 feet at a bearing S 34° 35' 20" East, then travel 300.07 feet at a bearing S 45° West, then travel 74.01 feet at a bearing S 51° 4' 20" West to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota., more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

35. No. 01RZ021 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for a **Rezoning from Park Forest District to Office Commercial District** on property described by metes and bounds beginning from a point 973.88 feet at a bearing S 89° 39' 0" East from the NW corner of SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 1363.79 feet at a bearing S 89° 39' 0" East, then travel 107.83 feet at a bearing S 57° 14' 9" West, then travel 63 feet at a bearing S 38° 41' 0" West, then travel 89 feet at a bearing S 68° 55' 0" West, then travel 47 feet at a bearing S 54° 43' 0" West, then travel 95 feet at a bearing S 47° 3' 0" West, then travel 77 feet at a bearing S 69° 31' 0" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 254.50 feet at a bearing S 45° 26' 11" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 161.87 feet at a bearing S 55° 19' 7" West, then travel 138.89 feet along a 270 foot RHF curve with a chord bearing of S 40° 34' 54" West, then travel 439.52 feet at a bearing N 45° West, then travel 248.58 feet at a bearing N 85° 49' 37" West, then travel 65.15 feet at a bearing West, then travel 392.28 feet at a bearing N 0° 21' 0" East to the point of start, and from a point 310.41 feet North and 1708.11 feet East of the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East of Black Hills Meridian, travel 100.82 feet at a bearing N 22° 2' 42" West, then travel 256.55 feet along a LHF curve with a radius of 190 feet and a chord bearing N 16° 38' 12" East, then travel 161.187 feet at a bearing N 55° 19' 7" East, then travel 187.59 feet at a bearing S 34° 35' 20" East, then travel 300.07 feet at a bearing S 45° West, then travel 74.01 feet at a bearing S 51° 4' 20" West to the point of start, and From a point 921.75 feet North and 1044.68 feet East of the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East of Black Hills Meridian, travel 248.58 feet at a bearing S 85° 49'37" East, then travel 129.8 feet at a bearing South, then travel 319.54 feet at a bearing S 50° 52' 56" West, then travel 349.50 feet at a bearing North to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

36. No. 01PD021 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for an **Initial Planned Commercial Development** on property described by metes and bounds beginning from a point 973.88 feet at a bearing S 89° 39' 0" East from the NW corner of SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 1363.79 feet at a bearing S 89° 39' 0" East, then travel 107.83 feet at a bearing S 57° 14' 9" West, then travel 63 feet

at a bearing S 38° 41' 0" West, then travel 89 feet at a bearing S 68° 55' 0" West, then travel 47 feet at a bearing S 54° 43' 0" West, then travel 95 feet at a bearing S 47° 3' 0" West, then travel 77 feet at a bearing S 69° 31' 0" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 254.50 feet at a bearing S 45° 26' 11" West, then travel 96.4 feet at a bearing S 34° 30' 44" East, then travel 161.87 feet at a bearing S 55° 19' 7" West, then travel 138.89 feet along a 270 foot RHF curve with a chord bearing of S 40° 34' 54" West, then travel 439.52 feet at a bearing N 45° West, then travel 248.58 feet at a bearing N 85° 49' 37" West, then travel 65.15 feet at a bearing West, then travel 392.28 feet at a bearing N 0° 21' 0" East to the point of start, and from a point 310.41 feet North and 1708.11 feet East of the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East of Black Hills Meridian, travel 100.82 feet at a bearing N 22° 2' 42" West, then travel 256.55 feet along a LHF curve with a radius of 190 feet and a chord bearing N 16° 38' 12" East, then travel 161.187 feet at a bearing N 55° 19' 7" East, then travel 187.59 feet at a bearing S 34° 35' 20" East, then travel 300.07 feet at a bearing S 45° West, then travel 74.01 feet at a bearing S 51° 4' 20" West to the point of start, and From a point 921.75 feet North and 1044.68 feet East of the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East of Black Hills Meridian, travel 248.58 feet at a bearing S 85° 49'37" East, then travel 129.8 feet at a bearing South, then travel 319.54 feet at a bearing S 50° 52' 56" West, then travel 349.50 feet at a bearing North to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

37. No. 01PD022 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for a **Initial Planned Residential Development** on property described by metes and bounds beginning from a point 597.31 feet at a bearing S 89° 39' 0" East from the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 504.33 feet at a bearing N 62° 30' 29" East, then travel 343.09 feet at a bearing North, then travel 319.54 feet at a bearing N 50° 52'56" East, then travel 129.80 feet at a bearing North, then travel 439.52 feet at a bearing S 45° East, then travel 225.67 feet along a 270 foot radius curve RHF, chord bearing S 1° 53' 59" West, then travel 414.87 feet at a bearing S 22° 2' 42" East, then travel 1154.56 feet at a bearing N 89° 39' 0" West to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

38. No. 01RZ022 - Section 11, T1N, R7E

A request by Wyss Associates, Inc. for W.E.B. Partners to consider an application for a **Rezoning from Park Forest District to Medium Density Residential District** on property described by metes and bounds beginning from a point 597.31 feet at a bearing S 89° 39' 0" East from the SW corner of NW1/4 of SE1/4 of Section 11, Township 1 North, Range 7 East, Black Hills Meridian, travel 504.33 feet at a bearing N 62° 30' 29" East, then travel 343.09 feet at a bearing North, then travel 319.54 feet at a bearing N 50° 52'56" East, then travel 129.80 feet at a bearing North, then travel 439.52 feet at a bearing S 45° East,

then travel 225.67 feet along a 270 foot radius curve RHF, chord bearing S 1° 53' 59" West, then travel 414.87 feet at a bearing S 22° 2' 42" East, then travel 1154.56 feet at a bearing N 89° 39' 0" West to the point of start, all located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the western terminus of Fairmont Boulevard and north of Tower Road.

Elkins presented the request and reviewed the staff report. Elkins requested that these items be continued so that legal descriptions can be corrected and re-advertised.

David Crabb, area resident, advised that he owns two residential lots abutting the north end of the portion of the development designated to be zoned Office Commercial. He noted that this area is heavily forested and he requested that a stipulation be included requiring a 200 foot buffer between the proposed commercial development and the existing residential development and that all drainage issues be carefully addressed.

Discussion followed.

Pat Wyss advised that there is an existing 80 foot utility easement in place along the north property line for an overhead power line. He added that they will continue to work with the neighboring property owners to address concerns; however, he stated that he does not believe a 200 foot buffer between the uses is necessary. He indicated that they can not guarantee that the neighbors will not see the buildings.

Wall moved and Scull seconded to recommend that the Rezoning from Park Forest District to Low Density Residential District (01RZ020), that the Initial Planned Residential Development (01PD020), the Amendment to the 1974 5th Year Update to the Comprehensive Plan (01CA011), the Rezoning from Park Forest District to Office Commercial District (01RZ021), the Initial Planned Residential Development (01PD021), the Initial Planned Residential Development (01PD022, and that the Rezoning from Park Forest District to Medium Density Residential District (01RZ022) be continued to the June 21, 2001 Planning Commission meeting.

Swedlund advised that he feels the Tower Road area comprises some of the most beautiful property in Rapid City. He encouraged the applicant to develop the property in a sensitive manner and identified several existing structures as examples of suitable development models. He indicated that he would like to review elevations of the proposed development and he requested that the developer use natural materials in the project design.

The motion carried to recommend that the Rezoning from Park Forest District to Low Density Residential District (01RZ020), that the Initial Planned Residential Development (01PD020), the Amendment to the 1974 5th Year Update to the Comprehensive Plan (01CA011), the Rezoning from Park Forest District to Office Commercial District (01RZ021), the Initial

Planned Residential Development (01PD021), the Initial Planned Residential Development (01PD022, and that the Rezoning from Park Forest District to Medium Density Residential District (01RZ022) be continued to the June 21, 2001 Planning Commission meeting. (8 to 1 with Swedlund voting no)

39. No. 01UR019 - Rapid City Greenway Tracts

A request by City of Rapid City and Black Hills Heritage Festival to consider an application for a **Major Amendment to a Use on Review to allow temporary structures in the Flood Hazard Zoning District for the Black Hills Heritage Festival** on Tract 20, Rapid City Greenway Tracts, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in Memorial Park.

Elkins presented the request and briefly reviewed the staff report.

Discussion followed concerning various events held annually in Memorial Park, the parking of vehicles and temporary fencing in the flood plain, and the validity of existing FEMA regulations.

Wevik expressed disappointment that the applicant was unable to meet the conditions of approval for the Use On Review in time for this year's Heritage Festival event. He noted that the Flood Plain Policy Committee provided affirmation of existing policy to keep the floodway clear of structures.

Prairie Chicken expressed disappointment that an exception must be granted for this year's Heritage Festival event. He stated that he feels these organizations have had ample time to provide alternative areas located outside of the floodway.

Swedlund spoke in support of allowing the temporary structures in the floodway for the Heritage Festival and other events.

Discussion followed concerning federal floodway regulations, the purpose for the Band Shell located in Memorial Park, and the adopted policy of the City Council concerning floodway issues.

Wall moved, Scull seconded and unanimously carried to recommend approval of the Major Amendment to a Use on Review to allow temporary structures in the Flood Hazard Zoning District for the Black Hills Heritage Festival July 2 to 7, 2001 only. (9 to 0)

40. No. 01CA009 - Section 19, T1N, R8E and Section 24, T1N, R7E

A request by Centerline for Lazy P-6 Properties, LLC to consider an application for an **Amendment to the South Robbinsdale Neighborhood Area Future Land Use Plan, an element of the Comprehensive Plan, to change the future land use designation as follows: LDR: N 1/2 NW 1/4 NW 1/4, Section 19, T1N, R8E; MDR: S 1/2 NW 1/4 NW 1/4, Section 19, T1N, R8E; OC: N 1/2 SW 1/4 NW 1/4, Section 19, T1N, R8E; GC: S 1/2 SW 1/4 NW 1/4 less Hwy 16**

B ROW, Section 19, T1N, R8E, BHM, all located in Rapid City, Pennington County, South Dakota and to change the future land use designation as follows: GC: The North 900 ft NW 1/4 SW 1/4 less Hwy 16 B ROW, Section 19, T1N, R8E; LI: The South 420 ft NW 1/4 SW 1/4 and SW 1/4 SW 1/4, Section 19, T1N, R8E; OC: The North 900 ft NE 1/4 SE 1/4 less Hwy 16 B ROW and the north 900 ft NW 1/4 SE 1/4 less Hwy 16 B ROW all in Section 24, T1N, R7E; GC: The south 420 ft NE 1/4 SE 1/4; the SE 1/4 SE 1/4; the south 420 ft NW 1/4 SE 1/4; the SW 1/4 SE 1/4 all in Section 24, T1N, R7E; MHP: NE 1/4 SW 1/4 less Hwy 16 B ROW; SE 1/4 SW 1/4 all in Section 24, T1N, R7E, BHM all located in Pennington County, South Dakota, more generally described as being located north and west of the Rapid City Landfill.

Fisher presented the request and reviewed the staff report and slides. She reviewed staff's recommendation for approval of portions of the request and the need for additional information for portions of the request. She recommended that the Comprehensive Plan Amendment be continued to the June 7, 2001 Planning Commission meeting so that the applicant can provide additional information.

Elkins clarified the results from the applicant's meeting on two separate occasions with the Future Land Use Committee. She explained that the Future Land Use Committee had recommended approval of the changes as outlined in the staff report for the area north of Catron Boulevard. She noted that the Committee had requested additional information and had indicated that additional discussions would be necessary to evaluate all aspects of the changes in land use proposed for the areas south of Catron Boulevard.

Orville Davis, applicant, advised that he would like the Planning Commission to approve the request for all 380 acres as submitted or deny the request in its entirety.

Wevik moved and Wall seconded to recommend that the Amendment to the South Robbinsdale Neighborhood Area Future Land Use Plan, an element of the Comprehensive Plan, to change the future land use designation as follows: LDR: N 1/2 NW 1/4 NW 1/4, Section 19, T1N, R8E; MDR: S 1/2 NW 1/4 NW 1/4, Section 19, T1N, R8E; OC: N 1/2 SW 1/4 NW 1/4, Section 19, T1N, R8E; GC: S 1/2 SW 1/4 NW 1/4 less Hwy 16 B ROW, Section 19, T1N, R8E, BHM, all located in Rapid City, Pennington County, South Dakota and to change the future land use designation as follows: GC: The North 900 ft NW 1/4 SW 1/4 less Hwy 16 B ROW, Section 19, T1N, R8E; LI: The South 420 ft NW 1/4 SW 1/4 and SW 1/4 SW 1/4, Section 19, T1N, R8E; OC: The North 900 ft NE 1/4 SE 1/4 less Hwy 16 B ROW and the north 900 ft NW 1/4 SE 1/4 less Hwy 16 B ROW all in Section 24, T1N, R7E; GC: The south 420 ft NE 1/4 SE 1/4; the SE 1/4 SE 1/4; the south 420 ft NW 1/4 SE 1/4; the SW 1/4 SE 1/4 all in Section 24, T1N, R7E; MHP: NE 1/4 SW 1/4 less Hwy 16 B ROW; SE 1/4 SW 1/4 all in Section 24, T1N, R7E, BHM all located in Pennington County, South Dakota be denied without prejudice.

Discussion followed concerning the Future Land Use Committee's review of this request.

The motion unanimously carried to recommend that the Amendment to the South Robbinsdale Neighborhood Area Future Land Use Plan, an element of the Comprehensive Plan, to change the future land use designation as follows: LDR: N 1/2 NW 1/4 NW 1/4, Section 19, T1N, R8E; MDR: S 1/2 NW 1/4 NW 1/4, Section 19, T1N, R8E; OC: N 1/2 SW 1/4 NW 1/4, Section 19, T1N, R8E; GC: S 1/2 SW 1/4 NW 1/4 less Hwy 16 B ROW, Section 19, T1N, R8E, BHM, all located in Rapid City, Pennington County, South Dakota and to change the future land use designation as follows: GC: The North 900 ft NW 1/4 SW 1/4 less Hwy 16 B ROW, Section 19, T1N, R8E; LI: The South 420 ft NW 1/4 SW 1/4 and SW 1/4 SW 1/4, Section 19, T1N, R8E; OC: The North 900 ft NE 1/4 SE 1/4 less Hwy 16 B ROW and the north 900 ft NW 1/4 SE 1/4 less Hwy 16 B ROW all in Section 24, T1N, R7E; GC: The south 420 ft NE 1/4 SE 1/4; the SE 1/4 SE 1/4; the south 420 ft NW 1/4 SE 1/4; the SW 1/4 SE 1/4 all in Section 24, T1N, R7E; MHP: NE 1/4 SW 1/4 less Hwy 16 B ROW; SE 1/4 SW 1/4 all in Section 24, T1N, R7E, BHM all located in Pennington County, South Dakota be denied without prejudice. (9 to 0)

41. Discussion Items

a. Draft Ordinance Amendments – Wind Energy Conversion Systems

Lass summarized the height requirements for wind energy towers as adopted by other communities noting that the ordinances limit the height ranging anywhere from 80 to 120 feet.

In response to a question from Lang, Lass clarified that no wind generators currently exist in any of the communities surveyed with formal ordinances in place.

Lang indicated that she feels the height of the wind towers should be limited to 35 feet.

Lass advised that the draft ordinance restricts the use of wind generators to the Park Forest and General Agriculture zoning districts noting that the setbacks are stringent. He stated that additional provisions were included in the draft ordinance for view shed impacts.

Swedlund expressed concern that wind generators would be allowed anywhere within the City limits.

Discussion followed concerning existing regulations for wind generators, what zoning districts may be acceptable for wind generators,

Swedlund moved to authorize staff to redraft the ordinance amendment to allow wind generators as a Use On Review only in the Heavy Industrial Zoning District and to include provisions for removal of the wind generator at the time of zoning change.

Motion died due to a lack of a second.

Discussion followed concerning the inclusion of criteria allowing more flexibility in the ordinance, including impacts on natural view sheds, and zoning districts where wind generators would be permitted.

Wall moved and Mashek seconded to direct staff to redraft the ordinance amendment to allow wind generators as a Use On Review in the Heavy Industrial, Light Industrial, and Mining and Extraction Zoning Districts, with a maximum tower height of 90 feet, controlling the density by use of setbacks, and including provisions for the protection of view sheds.

Swedlund expressed concern that wind generators would be allowed in the Light Industrial Zoning District. He requested that language be included in the ordinance requiring removal of a wind generator when a property is rezoned.

Wevik stated that he feels that if the standards could be met, either the Light Industrial or General Commercial Zoning District would be appropriate for wind generators. He suggested that language be included in the ordinance to prohibit a tower from existing in a state of disrepair.

Discussion followed.

Swedlund requested that a maintenance schedule for the wind generator be submitted at the time of application for a Use On Review.

Wall and the second accepted a friendly amendment to the motion to direct staff to redraft the ordinance amendment to allow wind generators as a Use On Review in the Heavy Industrial, Light Industrial, and Mining and Extraction Zoning Districts, with a maximum tower height of 90 feet to the hub based on the U.S. Model Standard, include provisions for subjective criteria relative to view sheds, aesthetic concerns, density, colors, operational status, and including a requirement for a maintenance schedule with the submission of a Use On Review application. (9 to 0)

b. Draft Ordinance Amendment – Billboards as a Use On Review

Lass noted that the revised draft was prepared eliminating off premise signage in the Central Business District, adding elevation drawings to the list of submittal requirements, provisions for consideration of visual impact on nearby residential properties and for the protection of view sheds. He discussed the possibility for providing a size threshold for off-premise signs.

Wall left the meeting at this time.

Swedlund requested that a provision be included making the ordinance retro-active to the first day this item was discussed before the Planning Commission.

Elkins advised that staff would request an opinion from the legal staff.

Discussion followed.

Jorgenson moved, Scull seconded and carried to authorize staff to advertise for ordinance amendments to require off-premise signs as a Use On Review. (7 to 1 with Swedlund voting no)

c. Draft Ordinance Amendment – Wireless Telecommunication Towers

Fisher briefly reviewed the proposed ordinance amendment and requested Planning Commissioner input and discussion.

Discussion followed.

Swedlund moved, Jorgenson seconded and unanimously carried to continue the draft Wireless Telecommunication Towers ordinance to the June 7, 2001 Planning Commission meeting. (8 to 0)

d. Building Elevations as a Submittal Requirement for Planned Developments and Use on Reviews

Lass advised that an amendment to the ordinance would be necessary to require that building elevations be submitted with applications for Planned Developments and Uses on Review.

Swedlund moved, Jorgenson seconded and unanimously carried to authorize staff to advertise for amendments to the ordinance to require that building elevations be a submittal requirement for Planned Development and Use on Review applications. (8 to 0)

e. Recommendation from Accessible Parking Subcommittee

Elkins reviewed the committee's recommendations as outlined in the letter from the Committee. She noted the staff's concerns with that recommendation and indicated that it might be appropriate to continue the discussion to allow the Committee's representative to attend the meeting.

Discussion followed concerning requiring Americans With Disabilities Act compliance at the time of re-stripping the parking lot, enforcement issues, requiring compliance at the time the resurfacing of a parking lot, and requiring compliance at the time the use is expanded or changed, and the need for a representative from the subcommittee to appear before the Planning Commission.

Wevik moved, Swedlund seconded and unanimously carried to continue action on the recommendation from the Accessible Parking Subcommittee until the June 7, 2001 Planning Commission meeting to allow a Subcommittee representative to speak to the issue. (8 to 0)

Mashek left the meeting at this time.

f. Appoint Planning Commission Representative for Zoning Board of Adjustment and Future Land Use Committee

Swedlund moved, Wevik seconded and unanimously carried to recommend that Dawn Mashek be appointed to serve as a Planning Commission representative to the Future Land Use Committee. (7 to 0)

Wevik moved, Jorgenson seconded and unanimously carried to recommend that Bob Scull be appointed to serve as Planning Commission representative to the Zoning Board of Adjustment. (7 to 0)

g. 2001 Urban Division Budget

Elkins advised that the City is currently conducting a salary survey that may change some the salary line item and related benefit items as identified in the budget.

Jorgenson moved, Scull seconded and unanimously carried to approve the 2001 Urban Division Budget. (7 to 0)

h. Acrobat Viewer

Elkins stated that Wall had requested some changes to the settings on the staff reports in the Acrobat Viewer. She noted that Sharlene and Risë had identified some changes that would address the concern.

Discussion followed.

Wevik moved, Scull seconded and unanimously carried to table this item. (7 to 0)

42. Staff Items

With the concurrence of the Planning Commission, Elkins scheduled the next Planning Commission training session for June 12th from 11:30 to 1:00 p.m.

Elkins welcomed Nadine Bauer in her position as Administrative Secretary for the Planning Department.

Elkins advised that with a recent equipment upgrade the City now has the ability to scan color documents and make color copies.

Elkins welcomed Kari Tschetter and thanked Lang for providing treats.

In response to a question from Lang, Elkins explained that the Computer Center staff is still working on the provision of high speed internet connection to Planning Commissioners and Council members as they are attempting to resolve network problems and identify possible alternatives.

Discussion followed concerning Layout Plat procedures.

Swedlund requested that staff research and identify the necessary elements for an ordinance amendment to prohibit steel-sided buildings in commercial areas. He stated that he feels developers should identify alternatives for exterior finishes noting that he believes steel-sided buildings are inappropriate for anything but industrial areas.

Discussion followed concerning requiring aesthetic standards for buildings.

Elkins suggested that this issue be discussed at the Planning Commissioner Training Session so that staff priorities can be identified.

There being no further business Wevik moved, Jorgenson seconded and unanimously carried to adjourn the meeting at 9:40 a.m. (9 to 0)