

DRAFT

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
November 20, 2003

MEMBERS PRESENT: Sam Brannan, Gary Brown, Ida Fast Wolf, Kathryn Henning, Jeff Hoffmann, Scott Nash, Mel Prairie Chicken, Ethan Schmidt, Jeff Stone and Stuart Wevik.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Todd Tucker, Bill Knight, Dave Johnson, Dan Coon, Dave LaFrance, Rich Wells, Jason Green and Nadine Bauer

Chairperson Hoffmann called the meeting to order at 7:02 a.m.

**Hoffmann reviewed the Non-Hearing Consent Agenda and asked if any member of the Planning Commission, staff or audience would like any item removed from the Non-Hearing Consent Agenda for individual consideration.**

**Staff requested that Items 4 and 5 be removed for the Non-Hearing Consent Agenda for separate consideration.**

**Prairie Chicken moved, seconded by Wevik and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 through 6 in accordance with the staff recommendations with the exception of Items 4 and 5. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

**---NON HEARING ITEMS CONSENT CALENDAR---**

1. Approval of the November 6, 2003 Planning Commission Meeting Minutes.
- 2.. No. 03PL045 - Marshall Heights Tract  
A request by Michael Hanson for Kent Hagg Esq. for Burnell A. Lutz to consider an application for a **Preliminary and Final Plat** on Lots A and B of Lot K1-E of Lot K-1 in Marshall Heights Tract, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot K1-E of Lot K-1 in Marshall Heights Tract, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1903 North Maple Avenue.  
  
**Planning Commission recommended that the Preliminary and Final Plat be continued to the December 18, 2003 Planning Commission meeting.**
3. No. 03PL091 - Auburn Hills Subdivision  
A request by Renner and Sperlich for Doeck, LLC to consider an application for a **Layout, Preliminary and Final Plat** on Tracts A and B, Auburn Hills Subdivision, located in the NW1/4 of SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the NW1/4 of the SW1/4 located in the NW1/4 of SW1/4, Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of

Chalkstone Drive and Auburn Drive.

**Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the December 18, 2003 Planning Commission meeting at the applicant's request.**

6. No. 03SR044 - Rapid City Greenway Tract

A request by the City of Rapid City to consider an application for an **11-6-19 SDCL Review to allow construction of an additional golf cart barn and parking** on Tract 4 and the north 27 feet of vacated Flormann Street (also in Section 10, T1N, R7E) Rapid City Greenway Tract, Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at Meadowbrook Golf Course, 3625 Jackson Boulevard.

**Planning Commission recommended that the 11-6-19 SDCL Review to allow construction of an additional golf cart barn and parking be continued to the December 4, 2003 Planning Commission meeting to allow the applicant to submit further information and a revised site plan.**

**END OF NON-HEARING CONSENT CALENDAR**

4. No. 03PL104 - Big Sky Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary and Final Plat** on Lot 13 and Tract A, Block 4; Lots 6 thru 12, Block 16; Lots 1A thru 12A, Lots 1B thru 12B, and Tract B, Block 18; Tract C and Dedicated Streets; Big Sky Subdivision, located in the N1/2 NW1/4 SE1/4 and the SW1/4 NE1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the SW1/4 NE1/4, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the unplatted portion of the NW1/4 SE1/4 less Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along Patricia Street, Aurora Drive and Carl Avenue.

Fisher explained that staff originally recommended that the Preliminary and Final Plat be continued; however, last Friday staff met with the applicant's consultant. She advised that the consultant provided the necessary construction plans and additional information and as such, staff is recommending that the Preliminary and Final Plat be approved with stipulations. Fisher pointed out that on Monday she emailed the Planning Commission the stipulations of approval and provided a handout of the stipulations on the dais this morning.

**Schmidt moved, Stone seconded and unanimously carried to recommend that the Preliminary and Final Plat be approved with the following stipulations:**

**Engineering Division Recommendations:**

- 1. Prior to Preliminary Plat approval by the City Council, all changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;**
- 2. Prior to Final Plat approval by the City Council, the plat document shall be**

- revised to show Certificate of Title(s) for the three property owners;
3. Prior to Final Plat approval by the City Council, water system improvements shall be in operation, including any necessary off-site improvements, sufficient to provide a minimum of 2,000 gallons per minute of flow to the east end of the proposed subdivision;
  4. Prior to Final Plat approval by the City Council, the plat document shall be revised to show a 40 foot wide drainage, sewer and water easement extending west from Patricia Street to the west lot line of the subject property;
  5. Prior to Final Plat approval by the City Council, Homestead Street, including the east 115 feet, shall be constructed to collector street standards with a minimum 76 foot wide right-of-way and a 36 foot paved surface, curb, gutter, sidewalk, street light conduit, water, sewer or a Variance to the Subdivision Regulations shall be obtained;
  6. A Special Exception is hereby granted to reduce the non-access easement from 50 feet to 30.7 feet along Lot 12B as it abuts Carl Avenue; to reduce the non-access easement from 50 feet to 40.52 feet along Lot 9B, as it abuts Patricia Street; and, to reduce the non-access easement from 50 feet to 40 feet along Lot 1A as it abuts Patricia Street all located in Block 18;
  7. Prior to Preliminary Plat approval by the City Council, a cost estimate shall be submitted for review and approval;

**Fire Department Recommendation:**

8. All Uniform Fire Codes shall be continually met; and;

**Urban Planning Division Recommendations:**

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 fees shall be paid. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)

5. **No. 03PL105 - Five Star Subdivision**

A request by John Nooney for Norman or Rod McKie to consider an application for a **Preliminary and Final Plat** on Lots 1R and 2R of Five Star Subdivision; located in NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1 and 2 of Five Star Subdivision located in the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Haines Avenue and north of Interstate 90.

Fisher advised that staff met with the applicant's consultant regarding the Preliminary and Final Plat and are recommending that stipulation #2 be revised to read: "That prior to Final Plat approval by the City Council, a note shall be placed on the plat identifying that surface restoration due to any operations, maintenance or reconstruction of the watermain shall be the responsibility of the property owner."

**Motion by Stone, seconded by Schmidt and unanimously carried to recommend 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 plat document shall be

- revised to show the proposed “utility easement” as a “public watermain easement”;
2. Prior to Final Plat approval by the City Council a note shall be placed on the plat identifying that surface restoration due to any operations, maintenance or reconstruction of the watermain shall be the responsibility of the property owner;
  3. Prior to Final Plat approval by the City Council, the plat document shall be revised to show a drainage easement across proposed Lot 1R;
  4. Prior to Final Plat approval by the City Council, the plat document shall be revised to show a non-access easement along Howard Street or the applicant shall enter into an agreement identifying that access from Howard Street shall be limited exclusively to service and delivery vehicles only and that no physical connection from the service bay area to the balance of the property shall be constructed;
  5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show an access easement across proposed Lot 2R extending south from Disk Drive approximately 140 feet or the plat document shall be revised to modify the configuration of the lots to show a shared approach to proposed Lots 1R and 2R. If the plat document is revised to show an access easement, then the construction plans shall be revised to provide a sidewalk on the west side of a 59 foot wide access easement or a Variance to the Subdivision Regulations shall be obtained. In addition, a road maintenance agreement for the access easement shall be recorded at the Register of Deed’s Office demonstrating maintenance by the property owner;
  6. Prior to Preliminary Plat approval by the City Council, all changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Engineering Division;
  7. Prior to Preliminary Plat approval by the City Council, a cost estimate shall be submitted for review and approval;

**Fire Department Recommendation:**

8. All Uniform Fire Codes shall be continually met. In particular, prior to Final Plat approval by the City Council, all streets and turnarounds shall be designed and constructed in compliance with the Street Design Criteria Manual or surety shall be posted for the improvements;

**Transportation Division Recommendation:**

9. Prior to Final Plat approval by the City Council, the plat document shall be revised eliminating the 12 foot wide approach located in the northeast corner of proposed Lot 1R by extending the non-access easement to the east lot line or the plat document shall be revised to show a shared approach between the two properties;

**Urban Planning Division Recommendations:**

10. Prior to Final Plat approval by the City Council, all of the affected utility companies shall concur with vacating the existing utility easement located on proposed Lot 2R; and,
11. 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 fees shall be paid. (10 to 0 with Brannan,

**Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

**---HEARING ITEMS CONSENT CALENDAR---**

**Hoffmann read the Hearing Consent Agenda into the record and asked if any member of the Planning Commission, staff or audience would like any item removed from the Hearing Consent Agenda for individual consideration.**

**Prairie Chicken requested that Items 30 and 32 be removed from the Hearing Consent Agenda for separate consideration. Schmidt requested that Items 24 and 35 be removed from the Hearing Consent Agenda for separate consideration.**

**Brown moved, seconded by Brannan and unanimously carried to recommend approval of the Hearing Consent Agenda Items 7 through 35 in accordance with the staff recommendations with the exception of Items 24, 30, 32 and 35. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

**---HEARING ITEMS CONSENT CALENDAR---**

7. No. 03CA026 - Waterslide Addition  
**Comprehensive Plan Amendment - Summary of Adoption Action to change the future land use designation on a 3.67 acre parcel of land from Planned Unit Development to Medium Density Residential with a Planned Residential Development on a previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. More particularly described as follows: Beginning at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26, this being the TRUE POINT OF BEGINNING; thence N89°18'29"W 500.00 feet; thence N00°41'31"E 250.00 feet; thence N89°18'29"W 151.22 feet; thence N00°41'31"E 356.77 feet; thence S46°19'54"E 890.09 feet to the Point of Beginning; said parcel containing 3.67 acre more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.**

**Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.**

8. No. 03CA030 - Robbinsdale No. 10  
**Comprehensive Plan Amendment - Summary of Adoption Action to change the future land use designation on a 0.21 acre parcel of land from Low Density Residential to Medium Density Residential with a Planned Development Designation on Lot 16, Block 28, Robbinsdale No. 10, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located in the northeast corner of Alta Vista Drive and Anamaria Drive.**

**Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.**

9. No. 03CA031 - Waterslide Addition  
**Comprehensive Plan Amendment - Summary of Adoption Action to change the future land use designation on a 4.92 acre parcel of land from Planned Residential Development with a maximum density of one dwelling unit per acre to General Commercial with a Planned Commercial Development** on a previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; being more particularly described as follows: Commencing at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26; thence N63°46'28"W along a non-visual line, 1115.91 feet to the TRUE POINT OF BEGINNING; thence along a curve to the left having a radius of 893.51 feet through a central angle of 13°26'11" with an arc length of 209.54 feet, a chord bearing of N76°41'20"E and a chord length of 209.06 feet along said curve; thence S20°01'46"E 210.75 feet; thence along a curve to the right having a radius of 526.00 feet through a central angle of 21°19'55" with an arc length of 194.84 feet, a chord bearing of S09°21'48"E and a chord length of 195.71 feet along said curve; thence S01°18'09"W 519.62 feet; thence N88°41'51"W 201.58 feet; thence N06°15'29"W 862.02 feet to the TRUE POINT OF BEGINNING; said parcel containing 4.92 acres more less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

**Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.**

10. No. 03CA032 - Waterslide Addition  
**Comprehensive Plan Amendment - Summary of Adoption Action to change the future land use designation on a 1.90 acre parcel of land from Planned Residential Development with a maximum density of one dwelling unit per acre to Medium Density Residential with a Planned Residential Development** on a previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Commencing at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26; thence N89°18'29"W 500.00 feet to the TRUE POINT OF BEGINNING; thence N89°18'29"W 197.03 feet; thence N01°18'09"E 142.76 feet; thence along a curve to the left having a radius of 526.00 feet through a central angle of 21°19'55" with an arc length of 195.84 feet, a chord bearing of S09°21'48"E a chord length of 194.71 feet; thence N20°01'46"W 210.75 feet; thence along a curve to the right having a radius of 893.51 feet through a central angle of 01°56'23" with an arc length of 170.60 feet a chord length of 170.34 feet; thence S00°41'31"E 356.77 feet; thence S89°18'29"E 151.22 feet; thence S00°41'31"W 250.00 feet to the Point of Beginning; said parcel containing 1.90 acres more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

**Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.**

11. No. 03CA033 - Waterslide Addition  
**Comprehensive Plan Amendment - Summary of Adoption Action to change the future land use designation on a 20.82 acre parcel of land from Planned Residential Development with a maximum density of one dwelling unit per acre to Planned Residential Development with 2.5 dwelling units per acre on a**

previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Beginning at the found corner stamped R.L.S. No. 4208 of the center 1/4 corner of Section 26; this being the TRUE POINT OF BEGINNING; thence S02°00'56"W 1325.99 feet; thence N87°48'27"W 680.57 feet; thence N01°18'09"E 1307.89 feet; thence S89°18'29"E 697.03 feet to the Point of Beginning; said parcel containing 20.82 acres more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

**Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.**

12. No. 03CA034 - Waterslide Addition

**Comprehensive Plan Amendment - Summary of Adoption Action to change the future land use designation on a 5.33 acre parcel of land from Planned Residential Development with a maximum density of one dwelling unit per acre to Office Commercial with a Planned Commercial Development** on a previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Being more particularly described as follows: Beginning at the found corner stamped R.L.S. 4208 of the center 1/4 corner of Section 26; Thence S42°17'28"W along a non-visual line, 1733.45 feet to the TRUE POINT OF BEGINNING; thence N31°04'35"E 503.44 feet; thence N01°18'09"E 400.00 feet; thence N06°15'29"W 87.98 feet; thence S88°41'51"E 201.58 feet; thence S01°18'09"W 931.03 feet; thence N87°48'27"W 440.05 feet to the TRUE POINT OF BEGINNING; said parcel containing 5.33 acres more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

**Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.**

13. No. 03CA035 - Waterslide Addition

**Comprehensive Plan Amendment - Summary of Adoption Action to change the future land use designation on a 4.04 acre parcel of land from General Commercial with a Planned Commercial Development to Office Commercial with a Planned Commercial Development** on a previously unplatted parcel of land in the SW1/4 of the NW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; being more particularly described as follows: Beginning at the found corner stamped R.L.S. 4208 of the center 1/4 corner of Section 26; thence S42°17'28"W along a non-visual line, 1733.45 feet to the TRUE POINT OF BEGINNING; thence N01°18'09"E 924.20 feet; thence S88°41'51"E 238.42 feet; thence S06°15'29"W 87.98 feet; thence S01°18'09"W 400.00 feet; thence S31°04'35"W 503.44 feet to the TRUE POINT OF BEGINNING; said parcel containing 4.04 acres more or less, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

**Planning Commission approved the Summary of Adoption Action and authorized publication in the Rapid City Journal.**

14. No. 03CA037 - Pioneer Subdivision

A request by Renner & Sperlich Engineering Company for 16 Plus, LLP to consider an

application for an **Amendment to the Comprehensive Plan to change the future land use designation on an 8.22 acre parcel of land from General Agriculture to General Commercial with a Planned Commercial Development** on a portion of Tract 2 of Pioneer Subdivision, located in the NE1/4 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at a point on the section line highway between Sections 27 and 34, common to northeasterly corner of said Tract 2 of Pioneer Subdivision, and the Point of Beginning; thence, first course: S00°00'00"E, along the easterly boundary of said Tract 2 of Pioneer Subdivision, common with the westerly edge of the statutory section line right-of-way, and common with the westerly edge of U.S. Highway 16 right-of-way, a distance of 109.69 feet, to an angle point; thence, second course: S07°20'00"W, along the easterly boundary of said Tract 2, common with the westerly edge of the right-of-way of U.S. Highway 16, a distance of 303.97 feet, to the northeasterly corner of Lot 3 of Moon Ridge Subdivision; thence, third course: S89°53'10"W, along the northerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 1247.37 feet, to a point on the westerly boundary of said Tract 2, common with the northwesterly corner of said Lot 3 of Moon Ridge Subdivision; thence, fourth course: N00°11'53"E, along the westerly boundary of said Tract 2, a distance of 411.10 feet, to a point on the section line common to Section 27 and 34, common to a point the southerly boundary of Lot 5 of Godfrey Addition, and common to the northwesterly corner of said Tract 2; thence fifth course: N89°52'53"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 4 and 5 of said Godfrey Addition, a distance of 796.18 feet, to an angle point; thence, sixth course: N89°50'57"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 3 and 4 of said Godfrey Addition, a distance of 466.12 feet, to an angle point; thence, seventh course: S89°10'40"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, a distance of 22.45 feet, to the northeasterly corner of said Tract 2, and the Point of Beginning; less the east 400 feet, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, said parcel contains 8.22 acres more or less, more generally described as being located northwest of the U.S. Highway 16 and Moon Meadows Road.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on an 8.22 acre parcel of land from General Agriculture to General Commercial with a Planned Commercial Development be continued to the December 4, 2003 Planning Commission meeting.**

15. No. 03CA038 - Pioneer Subdivision

A request by Renner & Sperlich Engineering Company for 16 Plus, LLP to consider an application for an **Amendment to the Comprehensive Plan to change the future land use designation on a 3.78 acre parcel of land from General Commercial to General Commercial with a Planned Commercial Development** on the east 400 feet of a portion of Tract 2 of Pioneer Subdivision, located in the NE1/4 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at a point on the section line highway between



Sections 27 and 34, common to northeasterly corner of said Tract 2 of Pioneer Subdivision, and the Point of Beginning; thence, first course: S00°00'00E, along the easterly boundary of said Tract 2 of Pioneer Subdivision, common with the westerly edge of the statutory section line right-of-way, and common with the westerly edge of U.S. Highway 16 right-of-way, a distance of 109.69 feet, to an angle point; thence, second course: S07°20'00"W, along the easterly boundary of said Tract 2, common with the westerly edge of the right-of-way of U.S. Highway 16, a distance of 303.97 feet, to the northeasterly corner of Lot 3 of Moon Ridge Subdivision; thence, third course: S89°53'10"W, along the northerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 1247.37 feet, to a point on the westerly boundary of said Tract 2, common with the northwesterly corner of said Lot 3 of Moon Ridge Subdivision; thence, fourth course: N00°11'53"E, along the westerly boundary of said Tract 2, a distance of 411.10 feet, to a point on the section line common to Section 27 and 34, common to a point the southerly boundary of Lot 5 of Godfrey Addition, and common to the northwesterly corner of said Tract 2; thence fifth course: N89°52'53"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 4 and 5 of said Godfrey Addition, a distance of 796.18 feet, to an angle point; thence, sixth course: N89°50'57"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 3 and 4 of said Godfrey Addition, a distance of 466.12 feet, to an angle point; thence, seventh course: S89°10'40"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, a distance of 22.45 feet, to the northeasterly corner of said Tract 2, and the Point of Beginning; said parcel contains 3.78 acres more or less, more generally described as being located northwest of the U.S. Highway 16 and Moon Meadows Road.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the future land use designation on a 3.78 acre parcel of land from General Commercial to General Commercial with a Planned Commercial Development be continued to the December 4, 2003 Planning Commission meeting.**

\*16. No. 03PD056 - Pioneer Subdivision

A request by Renner & Sperlich Engineering Company for 16 Plus, LLP to consider an application for a **Planned Development Designation** on a portion of Tract 2 of Pioneer Subdivision, located in the NE1/4 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at a point on the section line highway between Sections 27 and 34, common to northeasterly corner of said Tract 2 of Pioneer Subdivision, and the Point of Beginning; thence, first course: S00°00'00E, along the easterly boundary of said Tract 2 of Pioneer Subdivision, common with the westerly edge of the statutory section line right-of-way, and common with the westerly edge of U.S. Highway 16 right-of-way, a distance of 109.69 feet, to an angle point; thence, second course: S07°20'00"W, along the easterly boundary of said Tract 2, common with the westerly edge of the right-of-way of U.S. Highway 16, a distance of 303.97 feet, to the northeasterly corner of Lot 3 of Moon Ridge Subdivision; thence, third course: S89°53'10"W, along the northerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 1247.37 feet, to a point on the westerly boundary of said Tract 2, common with the northwesterly corner of said Lot 3 of Moon Ridge Subdivision; thence, fourth course: N00°11'53"E, along

the westerly boundary of said Tract 2, a distance of 411.10 feet, to a point on the section line common to Section 27 and 34, common to a point the southerly boundary of Lot 5 of Godfrey Addition, and common to the northwesterly corner of said Tract 2; thence fifth course: N89°52'53"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 4 and 5 of said Godfrey Addition, a distance of 796.18 feet, to an angle point; thence, sixth course: N89°50'57"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 3 and 4 of said Godfrey Addition, a distance of 466.12 feet, to an angle point; thence, seventh course: S89°10'40"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, a distance of 22.45 feet, to the northeasterly corner of said Tract 2, and the Point of Beginning; said parcel contains 12.00 acres more or less, more generally described as being located northwest of the U.S. Highway 16 and Moon Meadows Road.

**Planning Commission continued the Planned Development Designation to the December 4, 2003 Planning Commission meeting to allow the Planned Development Designation to be considered in conjunction with Amendments to the Comprehensive Plan and a Rezoning.**

17. No. 03PL094 - Pioneer Subdivision

A request by Renner and Sperlich Engineering Company for 16 Plus LLP to consider an application for a **Preliminary and Final Plat** on Lot 2, Moon Ridge Subdivision, located in the NE1/4 of the SE1/4, Section 34, T1N,R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Tract 2 of Pioneer Subdivision located in the NE1/4 of the SE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the U.S. Highway 16 and Moon Meadows Road.

**Planning Commission recommended that the Preliminary and Final Plat be continued to the December 4, 2003 Planning Commission meeting.**

18. No. 03RZ038 - Pioneer Subdivision

A request by Renner and Sperlich Engineering Company for 16 Plus LLP to consider an application for a **Rezoning from No Use District to General Commercial District** on a portion of Tract 2 of Pioneer Subdivision, located in the NE1/4 of the NE1/4, Section 34, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more fully described as follows: Commencing at a point on the section line highway between Sections 27 and 34, common to northeasterly corner of said Tract 2 of Pioneer Subdivision, and the Point of Beginning; thence, first course: S00°00'00"E, along the easterly boundary of said Tract 2 of Pioneer Subdivision, common with the westerly edge of the statutory section line right-of-way, and common with the westerly edge of U.S. Highway 16 right-of-way, a distance of 109.69 feet, to an angle point; thence, second course: S07°20'00"W, along the easterly boundary of said Tract 2, common with the westerly edge of the right-of-way of U.S. Highway 16, a distance of 303.97 feet, to the northeasterly corner of Lot 3 of Moon Ridge Subdivision; thence, third course: S89°53'10"W, along the northerly boundary of said Lot 3 of Moon Ridge Subdivision, a distance of 1247.37 feet, to a point on the westerly boundary of said Tract 2, common with the northwesterly corner of said Lot 3 of Moon Ridge Subdivision;

thence, fourth course: N00°11'53"E, along the westerly boundary of said Tract 2, a distance of 411.10 feet, to a point on the section line common to Section 27 and 34, common to a point the southerly boundary of Lot 5 of Godfrey Addition, and common to the northwesterly corner of said Tract 2; thence fifth course: N89°52'53"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 4 and 5 of said Godfrey Addition, a distance of 796.18 feet, to an angle point; thence, sixth course: N89°50'57"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, and common with the southerly boundary of Lots 3 and 4 of said Godfrey Addition, a distance of 466.12 feet, to an angle point; thence, seventh course: S89°10'40"E, along the northerly boundary of said Tract 2, common to the section line between Sections 27 and 34, a distance of 22.45 feet, to the northeasterly corner of said Tract 2, and the Point of Beginning; said parcel contains 12.00 acres more or less, more generally described as being located northwest of the U.S. Highway 16 and Moon Meadows Road.

**Planning Commission recommended that the Rezoning from No Use District to General Commercial District be continued to the December 4, 2003 Planning Commission meeting to allow the rezoning to be considered in conjunction with Amendments to the Comprehensive Plan and a Planned Development Designation.**

19. No. 03AN011 - Tyler Knue Subdivision

A request by FMG, Inc. for Bill Freytag to consider an application for a **Petition for Annexation** on a tract of land located in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota, more particularly described as follows: Commencing at a point which is a 5/8" rebar with survey cap LS 6119 marking the northwest corner of Lot 9 of Block 1 of Tyler Knue Subdivision in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence, N00°16'55"E a distance of 77.12 feet, more less, to a point; Thence N13°44'34"W a distance of 107.66 feet, more less, to a point; Thence S66°12'08"W a distance of 303.51 feet, more less, to a point; Thence N89°32'23"W a distance of 279.98 feet, more less, to a point; Thence N00°27'37"E a distance of 121.67 feet , more or less, to a point; Thence N45°26'14"E a distance of 159.30 feet, more or less, to a point; Thence S44°33'46"E a distance of 12.36 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 226.00 feet and an arc length of 57.47 feet, more or less, to a point; Thence N45°57'12"E a distance of 54.45 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 174.00 feet and an arc length of 47.61 feet, with a cord bearing S71°38'36"E and a distance of 47.46 feet, more or less, to a point; Thence N14°08'42"E a distance of 198.01 feet, more or less, to a point; Thence N04°06'06"E a distance of 200.01 feet, more or less, to a point, said point being on the north line of Section 24, T2N, R7E, BHM: Thence N89°40'38"W a distance of 403.23 feet, more or less, to a point, said point being a 2" pipe marking the northwest corner of Section 24, T2N, R7E, BHM; Thence S00°27'40"W a distance of 664.08 feet, more or less, to a point, said point being the northwest 1/16 corner of Section 24, T2N, R7E, BHM; Thence S89°43'05"E a distance of 676.34 feet, more less, to the Point of Beginning, more generally described as being located along Nicole Street.

**Planning Commission recommended that the Petition for Annexation be**

**continued to the December 4, 2003 Planning Commission meeting to allow the annexation to be considered in conjunction with a Layout, Preliminary and Final Plat and Subdivision Variance.**

20. No. 03PL099 - Tyler Knue Subdivision

A request by FMG, Inc. for Bill Freytag to consider an application for a **Layout, Preliminary and Final Plat** on Lots 6 through 9 of Block 4 and Lot 21R of Block 1 and Lot 22R of Block 1, Tyler Knue Subdivision, located in NW1/4 NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 21 and a portion of Lot 22 of Block 1 and a portion of Lot 22 of Block 1 and a portion of the unplatted balance of the NW1/4 NW1/4 all of Tyler Knue Subdivision and dedicated public right of way shown as Nicole Street, located in NW1/4 NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along Nicole Street.

**Planning Commission recommended that the Layout, Preliminary and Final Plat be continued to the December 4, 2003 Planning Commission meeting at the applicant's request.**

21. No. 03RZ043 - Tyler Knue Subdivision

A request by FMG, Inc. for Bill Freytag to consider an application for a **Rezoning from No Use District to Low Density Residential II District** on a tract of land located in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota, more particularly described as follows: Commencing at a point which is a 5/8" rebar with survey cap LS 6119 marking the northwest corner of Lot 9 of Block 1 of Tyler Knue Subdivision in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence, N00°16'55"E a distance of 77.12 feet, more less, to a point; Thence N13°44'34"W a distance of 107.66 feet, more less, to a point; Thence S66°12'08"W a distance of 303.51 feet, more less, to a point; Thence N89°32'23"W a distance of 279.98 feet, more less, to a point; Thence N00°27'37"E a distance of 121.67 feet , more or less, to a point; Thence N45°26'14"E a distance of 159.30 feet, more or less, to a point; Thence S44°33'46"E a distance of 12.36 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 226.00 feet and an arc length of 57.47 feet, more or less, to a point; Thence N45°57'12"E a distance of 54.45 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 174.00 feet and an arc length of 47.61 feet, with a cord bearing S71°38'36"E and a distance of 47.46 feet, more or less, to a point; Thence N14°08'42"E a distance of 198.01 feet, more or less, to a point; Thence N04°06'06"E a distance of 200.01 feet, more or less, to a point, said point being on the north line of Section 24, T2N, R7E, BHM: Thence N89°40'38"W a distance of 403.23 feet, more or less, to a point, said point being a 2" pipe marking the northwest corner of Section 24, T2N, R7E, BHM; Thence S00°27'40"W a distance of 664.08 feet, more or less, to a point, said point being the northwest 1/16 corner of Section 24, T2N, R7E, BHM; Thence S89°43'05"E a distance of 676.34 feet, more less, to the Point of Beginning, more generally described as being located along Nicole Street.

**Planning Commission recommended that the Rezoning from No Use District to Low Density Residential II District be continued to the December 4, 2003 Planning Commission meeting to allow the rezoning to be considered in conjunction with Layout, Preliminary and Final Plat and Subdivision Variance.**

22. No. 03RZ044 - Tyler Knue Subdivision

A request by FMG, Inc. for Bill Freytag to consider an application for a **Rezoning from Mobile Home District to Low Density Residential II District** on the S1/2 NW1/4 NW1/4 less Tyler Knue Subdivision, Section 24, T2N, R7E, unplatted, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along Nicole Street.

**Planning Commission recommended that the Rezoning from Mobil Home Residential District to Low Density Residential II District be continued to the December 4, 2003 Planning Commission meeting to allow the rezoning to be considered in conjunction with a Layout, Preliminary and Final Plat and Subdivision Variance.**

23. No. 03SV040 - Tyler Knue Subdivision

A request by FMG, Inc. for Bill Freytag to consider an application for a **Variance to the Subdivision Regulations to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code** on the S1/2 NW1/4 NW1/4 less Tyler Knue Subdivision, Section 24, T2N, R7E, unplatted, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota and a tract of land located in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota, more particularly described as follows: Commencing at a point which is a 5/8" rebar with survey cap LS 6119 marking the northwest corner of Lot 9 of Block 1 of Tyler Knue Subdivision in the NW1/4 of NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence N00°16'55"E a distance of 77.12 feet, more less, to a point; Thence N13°44'34"W a distance of 107.66 feet, more less, to a point; Thence S66°12'08"W a distance of 303.51 feet, more less, to a point; Thence N89°32'23"W a distance of 279.98 feet, more less, to a point; Thence N00°27'37"E a distance of 121.67 feet , more or less, to a point; Thence N45°26'14"E a distance of 159.30 feet, more or less, to a point; Thence S44°33'46"E a distance of 12.36 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 226.00 feet and an arc length of 57.47 feet, more or less, to a point; Thence N45°57'12"E a distance of 54.45 feet, more or less, to a point; Thence southeasterly on a curve to the left with a radius of 174.00 feet and an arc length of 47.61 feet, with a cord bearing S71°38'36"E and a distance of 47.46 feet, more or less, to a point; Thence N14°08'42"E a distance of 198.01 feet, more or less, to a point; Thence N04°06'06"E a distance of 200.01 feet, more or less, to a point, said point being on the north line of Section 24, T2N, R7E, BHM: Thence N89°40'38"W a distance of 403.23 feet, more or less, to a point, said point being a 2" pipe marking the northwest corner of Section 24, T2N, R7E, BHM; Thence S00°27'40"W a distance of 664.08 feet, more or less, to a point, said point being the northwest 1/16 corner of Section 24, T2N, R7E, BHM; Thence S89°43'05"E a distance of 676.34 feet, more less, to the Point of Beginning, more generally described as being located along Nicole Street.

**Planning Commission recommended that the Variance to the Subdivision Regulations to allow lots twice as long as wide as per Chapter 16.16 of the Rapid City Municipal Code be continued to the December 4, 2003 Planning Commission meeting at the applicant's request.**

\*25. No. 03PD045 - Hendrickson Addition

A request by Davis Engineering for Lyle Hendrickson to consider an application for a **Planned Residential Development - Initial and Final Development Plan to allow a mobile home park** on Tract A and Tract B of Henrickson Addition, located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1 thru 9 and 11 thru 20, Block 5 and the north half of vacated East Watertown Street; Lots 3 thru 14 and the vacated alley adjacent to Lots 7 thru 14 in Block 6 and the south half of vacated Watertown Street lying north of the railroad right-of-way, and the vacated portions of Herman Street, East Madison Street and Maple Avenue all in Schnasse Addition; all located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 110 East Watertown Street.

**Planning Commission denied without prejudice the Planned Residential Development - Initial and Final Development Plan to allow a mobile home park at the applicant's request.**

***The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.***

26. No. 03PL090 - Hendrickson Addition

A request by Davis Engineering for Lyle Hendrickson to consider an application for a **Layout, Preliminary and Final Plat** on Tract A and Tract B of Henrickson Addition, located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1 thru 9 and 11 thru 20, Block 5 and the north half of vacated East Watertown Street; Lots 3 thru 14 and the vacated alley adjacent to Lots 7 thru 14 in Block 6 and the south half of vacated Watertown Street lying north of the railroad right-of-way, and the vacated portions of Herman Street, East Madison Street and Maple Avenue all in Schnasse Addition; all located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 110 East Watertown Street.

**Planning Commission recommended that the Layout, Preliminary and Final Plat be denied without prejudice at the applicant's request.**

27. No. 03SV034 - Hendrickson Addition

A request by Davis Engineering for Lyle Hendrickson to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install sidewalks as per Chapter 16.16 of the Rapid City Municipal Code** on Tract A and Tract B of Henrickson Addition, located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1 thru 9 and 11 thru 20, Block 5 and the north half of vacated East Watertown Street; Lots 3 thru 14 and the vacated alley adjacent to Lots 7 thru 14 in Block 6 and the south half of vacated Watertown Street lying north of the railroad right-of-way, and the vacated portions of Herman Street, East Madison Street and Maple Avenue all in Schnasse Addition; all located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 110 East Watertown Street.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install sidewalks as per Chapter 16.16 of the Rapid City Municipal Code be denied without prejudice at the applicant's request.**

28. No. 03RD009 - Marshall Subdivision

A request by Dan Jennissen for Pennington County to consider an application for a **Resolution naming a 30 foot wide private access easement Windhaven Drive** on property that begins approximately 1/2 mile north of East Highway 44 off of Valley Drive and proceeds 1/8 mile east, located in Marshall Subdivision, Section 5, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located 1/2 mile north of East Highway 44 off of Valley Drive.

**Planning Commission recommended that the Resolution naming a 30 foot wide private access easement Windhaven Drive be approved with the following stipulation:**

1. **That the County installs and maintains the street sign.**

29. No. 03RZ046 - Section 26, T1N, R7E

A request by the City of Rapid City to consider an application for a **Rezoning from Low Density Residential District to Medium Density Residential District** on the SE1/4 SE1/4 NW1/4 and NW1/4 SE1/4 SE1/4 NW1/4 less Edinborough Subdivision, all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Catron Boulevard and east of U.S. Highway 16.

**Planning Commission recommended that the Rezoning from Low Density Residential District to Medium Density Residential District be approved.**

31. No. 03TI010 - Section 3, T1N, R8E and Section 34, T2N, R8E

A request by Dream Design International to consider an application for a **Tax Increment District No. 42 - Project Plan** on the NE1/4NE1/4 less ROW, GL2, SW1/4NE1/4, N1/2GL3, GL 4 less ROW, E1/2SW1/4NW1/4, S1/2GL3 less Big Sky Subdivision, SE1/4NW1/4 less Big Sky Subdivision, W1/2SW1/4NW1/4 including private Drive and less ROW, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 2 and Lot 8 including ROW, Block 13, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 2, 3, 4, and 5 including ROW, Block 14, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4NW1/4, SW1/4NW1/4 less ROW, N1/2SW1/4 less ROW, S1/2SW1/4 less Lot 1 of Neff Subdivision #3 less ROW, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1, Neff Subdivision #3, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in SW1/4NW1/4, Lot H2 in SW1/4NW1/4, Lot H1 in W1/2SW1/4, Lot H2 in N1/2W1/2SW1/4, and Lot H3 in S1/2SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in N1/2 of Government Lot 4, Lot H3 in S1/2 of Government Lot 4, Lot H2 in W1/2SW1/4NW1/4, Lot H1 in NW1/4NW1/4, and Lot H1 in SW1/4NW1/4, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington

County, South Dakota; and, Lot H1 in E1/2NE1/4, Lot H2 in E1/2NE1/4, Lot H2 in E1/2SE1/4, and Lot H1 in SE1/4, all located in Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in NE1/4, and Lot H2 in Government Lot 1 and the SE1/4NE1/4, all located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4NE1/4, Section 33, and SW1/4NW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4, Section 33 and SW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road between NE1/4 of Section 4 and NW1/4 of Section 3, all in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Homestead Drive and Degeest Street rights-of-way, located in the NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Twilight Drive.

**Planning Commission recommended that the Project Plan for Tax Increment District No. 42 be approved.**

\*33. No. 03UR013 - Century 21 Subdivision

A request by Lamar Advertising to consider an application for a **Conditional Use Permit to allow billboards** on Tract 1 of Century 21 Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1400, 1450 and 1600 East North Street.

**Planning Commission continued the Conditional Use Permit to allow billboards to the December 18, 2003 Planning Commission meeting to allow the applicant to provide further information and a revised site plan.**

\*34. No. 03UR015 - Signal Heights Subdivision

A request by Chino Caekaert to consider an application for a **Conditional Use Permit to allow mini self-storage units** on Lot 11 and Tract A-1, Block 8 of Signal Heights Addition, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 123 Signal Drive.

**Planning Commission denied without prejudice the Conditional Use Permit to allow mini self-storage units at the applicant's request.**

***The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.***

---END OF HEARING CONSENT CALENDAR---

24. No. 03CA039 - South Truck Route Drainage Basin

A request by the City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan to adopt the South Truck Route Drainage Basin Master Plan.**

In response to a question by Schmidt, Rich Wells explained that the Engineering staff has put together a series of Drainage Basin Master Plans to identify major



improvements throughout the community relative to the needs of the stormwater program. He explained that these Drainage Basin Master Plans range from detention ponds, storm sewers, open channel improvements and other water quality type projects that enhance the water before it impacts Rapid Creek. He further explained that staff has been working on the South Truck Route Drainage Basin Master Plan since 1999.

In response to a question by Brown, Wells explained that the drainage basin fees per acre will not change over time.

In response to a question by Wevik, Elkins explained that the drainage basin fees are charged at the time a building permit is issued and the fee is based on the area of land and the impervious surface. She stated that the City Attorney recently reviewed the Drainage Basin Master Plan adoption process and has determined that the Drainage Basin Master Plans should be adopted as Comprehensive Plan Amendments. She further explained that Drainage Basin Master Plans for drainage facilities are important elements in addressing improvements as development occurs as well as providing a funding source.

**Schmidt moved, seconded by Henning and unanimously carried to recommend that the Amendment to the Comprehensive Plan to adopt the South Truck Route Drainage Basin Master Plan be approved. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

30. No. 03TI009 - Section 3, T1N, R8E and Section 34, T2N, R8E

A request by Dream Design International to consider an application for a **Resolution Creating Tax Increment District No. 42** on the NE1/4NE1/4 less ROW, GL2, SW1/4NE1/4, N1/2GL3, GL 4 less ROW, E1/2SW1/4NW1/4, S1/2GL3 less Big Sky Subdivision, SE1/4NW1/4 less Big Sky Subdivision, W1/2SW1/4NW1/4 including private Drive and less ROW, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 2 and Lot 8 including ROW, Block 13, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 2, 3, 4, and 5 including ROW, Block 14, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4NW1/4, SW1/4NW1/4 less ROW, N1/2SW1/4 less ROW, S1/2SW1/4 less Lot 1 of Neff Subdivision #3 less ROW, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1, Neff Subdivision #3, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in SW1/4NW1/4, Lot H2 in SW1/4NW1/4, Lot H1 in W1/2SW1/4, Lot H2 in N1/2W1/2SW1/4, and Lot H3 in S1/2SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in N1/2 of Government Lot 4, Lot H3 in S1/2 of Government Lot 4, Lot H2 in W1/2SW1/4NW1/4, Lot H1 in NW1/4NW1/4, and Lot H1 in SW1/4NW1/4, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in E1/2NE1/4, Lot H2 in E1/2NE1/4, Lot H2 in E1/2SE1/4, and Lot H1 in SE1/4, all located in Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in NE1/4, and Lot H2 in Government Lot 1 and the SE1/4NE1/4, all located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between

SE1/4NE1/4, Section 33, and SW1/4NW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4, Section 33 and SW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road between NE1/4 of Section 4 and NW1/4 of Section 3, all in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Homestead Drive and Degeest Street rights-of-way, located in the NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Elk Vale Road and north of Twilight Drive.

In response to a question by Prairie Chicken, Elkins advised that the funding source for the road improvements would be from the Infrastructure Development Partnership Fund. She explained that this would be a loan to the developer that would be repaid as individual plats are approved for each phase of development. She clarified that there is no identified or approved funding source to up front the costs of the reservoirs. She added that if the City finds a funding source such as a loan from the State or some other type of enterprise loan then the project could move forward.

Jason Green advised that it is the opinion of the City Attorney's Office that this project has not satisfied the statutory requirements for "blight".

Elkins advised that the Tax Increment Financing Committee has recommended approval of Tax Increment District No. 42.

**Wevik moved, seconded by Prairie Chicken to recommend that the Resolution Creating Tax Increment District No. 42 be approved. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

\*32. No. 01UR042 - Section 23, T1N, R7E

A request by the City of Rapid City to consider an application for a **Revocation of a Use on Review to allow Communication Tower in Public District** on Lot 2 of Owen Hibbard Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Golden Eagle Drive and adjacent to old Marine Life.

In response to a question by Prairie Chicken, Fisher advised that there are still small amounts of paint on the Fire Station 6 structure. She added that staff recommends that the item be continued to allow Western Wireless Communications time to make arrangements with the company that originally did the work on Fire Station 6 to remove the paint from the building.

Hoffmann expressed concerns with the close proximity of the tower to Fire Station 6 and ice falling off the tower.

**Wevik moved, seconded by Stone and unanimously carried to continue the Revocation of a Use on Review to allow Communication Tower in Public District to the December 18, 2003 Planning Commission meeting at the applicant's request. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

\*35. No. 03UR017 - Kingswood Subdivision

A request by the City of Rapid City to consider an application for a **Major Amendment to a Conditional Use Permit to allow a private garage and accessory structure in excess of 1500 square feet, in excess of the footprint of the dwelling unit and greater than 30% of the gross floor area of the dwelling unit** on Lot 38, Kingswood Subdivision, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1140 Kingswood Drive.

In response to a question by Schmidt, Elkins explained that in 1997 a previous staff member recommended approval of a Use on Review with stipulations to allow a garage and accessory structures in excess of 1,000 square feet. She further explained that the gross floor area of the dwelling unit was not addressed fully at that time and as such, because it was an oversight on staff's part, the City offered to be a co-applicant with the owner of the property, Marlin Dummer.

**Stone moved, seconded by Schmidt and unanimously carried to approve the Major Amendment to a Conditional Use Permit to allow a private garage and accessory structure in excess of 1500 square feet, in excess of the footprint of the dwelling unit and greater than 30% of the gross floor area of the dwelling unit with the following stipulation:**

**Building Inspection Department Recommendations:**

1. **A building permit shall be obtained prior to initiation of construction, and a Certificate of Occupancy shall be obtained prior to occupancy of the building;**

**Fire Department Recommendations:**

2. **Prior to issuance of a Building Permit, a Wild Land Fire Mitigation Plan shall be provided for review and approval;**

**Urban Planning Division Recommendations:**

3. **Prior to issuance of a Building Permit, elevation drawings shall be submitted for review and approval, and;**
4. **The materials used for the addition must be the same as the existing structure to ensure architectural continuity. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

***The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Planning Department by close of business on the seventh full calendar day following action by the Planning Commission.***

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

36. No. 03SR046 - CD Rounds Subdivision

A request by Danielle Epp for Mega Com to consider an application for an **11-6-19 SDCL Review to allow for the construction of a public utility** on Tract C, CD Rounds Subdivision, Section 33, T2N, R7E, Rapid City, Pennington County, South Dakota, more generally described as being located at 3401 Sturgis Road.

Tucker presented the request and reviewed the slides of the subject property and staff's recommendation.

Lengthy discussion followed concerning new cellular towers and the visual impact the structures have on the adjacent properties to the south and west that are zoned Low Density Residential District. Additional discussion followed concerning co-location and the ability of the applicant to utilize a stealth tower appearing as a flag pole to reduce the visual impacts on the neighborhood.

Elkins clarified that the applicant is not in agreement with staff's recommendation regarding fencing and utilizing a stealth flagpole design.

In response to a question by Brannan, Elkins stated that staff does not have information concerning the cost to retrofit existing towers into a stealth tower design.

Mark Manner, Mega Com for Verizon Wireless, advised that it would be costly to change the design plans to a flagpole design because the tower dimensions would have to increase in order to place all of the antennas inside the pole. He added that placing all of the antennas inside of the pole would significantly decrease cell coverage in the area.

In response to a question by Brannan, Manner stated that in his opinion the flagpole design would future carriers co-locating on the tower and Verizon's coverage because a different configuration of antennas would need to be utilized to enclose everything in the tower. He stated that there could be more requests for stealth towers in the area. He added that Verizon would prefer to have one monopole with all the carriers at one location.

In response to a question by Schmidt, Manner stated that Verizon has utilized a flagpole design in other markets.

Wevik stated that in his opinion the Planning Commission does not have enough information concerning coverage differences, antenna technology, co-location, future carriers and costs differences to approve the 11-6-19 SDCL Review to allow for the construction of a public utility. He stated that he would support a continuance to allow the applicant to provide additional technical information and design plans.

Prairie Chicken concurred with Wevik.

In response to a question by Prairie Chicken, Elkins advised that there are no notification requirements of surrounding property owners on 11-6-19 SDCL Reviews.

In response to a question by Henning, Manner stated that the stealth tower would be 150 feet in height, the same as the proposed monopole. He added that a new carrier's standardized equipment may not be compatible with Verizon's tower. He stated that a new carrier would then have to submit an application for a new tower. He further commented that in his opinion there is the potential to have two or three additional flagpole type towers in the area.

Elkins advised that Tucker has requested that the applicant provide information

concerning coverage rings. She advised that the coverage information has not been submitted for review yet and suggested that the Planning Commission continue the 11-6-19 SDCL Review to allow the applicant to submit coverage rings for their proposal and for the revised stealth facility and a scale drawing of the stealth towers that Verizon has used in other areas.

Stone concurred with Wevik and Elkins.

**Stone moved and seconded by Prairie Chicken to continue the 11-6-19 SDCL Review to allow for the construction of a public utility to the December 4, 2003 Planning Commission meeting.**

Discussion followed concerning capacity sites, off-loading traffic from the Dinosaur Park site, the placement of flags on the antennas, scope of coverage for other carriers and the distance between residential areas and the tower.

Brannan encouraged the applicant to work with staff in providing the requested information before the next Planning Commission meeting.

In response to a question by Wevik, Manner stated that the applicant would not be able to provide the additional information within two weeks and asked that the Planning Commission continue the 11-6-19 SDCL Review to the December 18, 2003 Planning Commission meeting.

**The motion maker and second concurred to amend the motion to continue the 11-6-19 SDCL Review to allow for the construction of a public utility to the December 18, 2003 Planning Commission meeting.**

Janelle Finck, Fisk Land Surveying for MegaCom, briefly reviewed the slides of the subject property pointing out the location of the proposed tower, elevation differences, and the location of the proposed and existing fencing, landscaping and residential structures.

**The vote on the motion unanimously carried to continue the 11-6-19 SDCL Review to allow for the construction of a public utility to the December 18, 2003 Planning Commission meeting. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

\*37. No. 03UR016 - Section 11, T1N, R7E

A request by Lindsay Bold for KEVN, Inc. to consider an application for a **Conditional Use Permit to allow a television station and transmission towers** on Tract B (part of the NW1/4 NW1/4 west of Skyline Drive), Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2000 Skyline Drive.

Elkins advised that staff is recommending that the Conditional Use Permit to allow a television station and transmission towers be continued to the December 4, 2003 Planning Commission meeting.

**Wevik moved, seconded by Nash and unanimously carried to continue the Conditional Use Permit to allow a television station and transmission towers to the December 4, 2003 Planning Commission meeting. (10 to 0 with Brannan, Brown, Fast Wolf, Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**

38. Discussion Items

A. Telecommunications Facilities Master Plan and Ordinance

Hoffmann briefly discussed the status of the Telecommunications Facilities Master Plan and Ordinance that staff worked on in 2000. He added that in his opinion the construction of cell towers is an important issue for the Planning Commission and community.

Discussion followed concerning the applicant's options.

39. Staff Items

A. New Planning Commissioners

Elkins advised that Kathryn Henning and Scott Nash were appointed to the Planning Commission at the November 17, 2003 City Council meeting. She welcomed both and added that staff is looking forward to working with them.

40. Planning Commission Items

A. Determine Date for Training Session - "Planning 101"

Elkins stated that the Computer Staff would like to conduct training with the Planning Commission on the new sound system in Council Chambers. Elkins suggested combining the Planning 101 and the new sound system training on December 9, 2003 between 11:30 and 1:00 in Council Chambers.

The Planning Commission concurred with the December 9, 2003 training date.

B. New City Attorney

Schmidt congratulated Jason Green on his recent appointment as City Attorney.

41. Committee Reports

A. City Council Report

In response to a question by Hoffmann, Elkins explained that the applicant's consultant appeared before the City Council on November 3, 2003 and persuaded the City Council to approve Lazy P-6's request for a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk street light conduit, water, sewer and pavement along Elm Street with the stipulation that the applicant sign a Waver of Right to Protest for the street improvements and to dedicate the appropriate right-of-way.

**There being no further business Nash moved, seconded by Stone and unanimously carried to adjourn the meeting at 8:15. (10 to 0 with Brannan, Brown, Fast Wolf,**

DRAFT

**Henning, Hoffmann, Scott Nash, Prairie Chicken, Stone, Schmidt and Wevik voting yes and none voting no)**