

**Draft**

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
June 8, 2006

MEMBERS PRESENT: Doug Andrews, Gary Brown, Ida Fast Wolf, Dennis Landguth, Mike LeMay, Mel Prairie Chicken, Ethan Schmidt and Karen Waltman. Deb Hadcock, Council Liaison was also present.

STAFF PRESENT: Marcia Elkins, Vicki Fisher, Karen Bulman, Travis Tegethoff, Bob Dominicak, Emily Fisher, Mary Bosworth, Todd Peckosh, Tim Behlings, Kevin Lewis, and Carol Bjornstad.

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

**Andrews 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 6, and 12 be removed from the Non-Hearing Consent Agenda for separate consideration.**

**Motion by Brown, Seconded by Waltman and unanimously carried to recommend approval of the Non-Hearing Consent Agenda Items 1 thru 12 in accordance with the staff recommendations with the exception of Items 6 and 12. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

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

1. Approval of the May 25, 2006 Planning Commission Meeting Minutes.
2. No. 06PL028 - Bar P-S Subdivision  
A request by Davis Engineering, Inc. for Bernita White to consider an application for a **Preliminary Plat** on Lots A1 and A2 of Bar P-S Subdivision, located in the W1/2 SW1/4, formerly Lot A of Bar P-S Subdivision, located in the W1/2 SW1/4, Section 20, T1N, R9E, BHM, Pennington County, South Dakota, legally described as Lot A of Bar P-S Subdivision, located in the W1/2 SW1/4, Section 20, T1N, R9E, BHM, Pennington County, South Dakota, more generally described as being located adjacent to the south west curve of North Airport Road.

**Planning Commission recommended that the Preliminary Plat be continued to the June 22, 2006 Planning Commission meeting.**

3. No. 06PL049 - Murphy Ranch Estates Subdivision  
A request by Davis Engineering, Inc. to consider an application for a **Preliminary Plat** on Lots 2 thru 6 of Block 2; Lots 15 of Block 4; and, Lots 1, Lots 14 and 15 of Block 5, formerly a portion of Tract F of the NW1/4, Section 14, T1N, R8E,

Less Murphy Subdivision and less Murphy Ranch Estates and less Right-of-way, located in the NE1/4 NW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of Tract F of the NW1/4, Section 14, T1N, R8E, Less Murphy Subdivision and less Murphy Ranch Estates and less Right-of-way, located in the NE1/4 NW1/4, Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located adjacent to Long View Road between Colvin Street and Romel Drive.

**Planning Commission recommended that the Preliminary Plat be continued to the June 22, 2006 Planning Commission to allow the applicant to comply with the previously recommended stipulations of approval.**

4. No. 06PL053 - Founders Park Subdivision

A request by Centerline for Founders Park, LLC to consider an application for a **Preliminary Plat** on Lots 1 and 2, Founders Park Subdivision, and the dedicated public right-of-way, formerly a portion of the W1/2 NW1/4 SE1/4; and including Block 1, North Riverside Addition, located in SE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the W1/2 NW1/4 SE1/4; and including Block 1, North Riverside Addition, located in SE1/4, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Omaha Street and west of West Street.

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

1. **Prior to Preliminary Plat approval by the City Council, all necessary 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 Growth Management Department;**
2. **Prior to Preliminary Plat approval by the City Council, all construction plans and final Engineering reports shall be sealed and signed by a Professional Engineer registered by the State of South Dakota;**
3. **Prior to Preliminary Plat approval by the City Council, a utility distribution plan signed by the appropriate representative(s) showing the location of gas, telephone, electric and cable shall be submitted for review and approval;**
4. **Prior to Preliminary Plat approval by the City Council, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures;**
5. **Prior to Preliminary Plat approval by the City Council, additional drainage information shall be submitted for review and approval. In particular, calculations, reports or other information documenting the extent of necessary drainage improvements that will be needed to**

manage storm run-off from the project shall be submitted for review and approval. In addition, the drainage calculations shall be revised to coincide with pipe lengths and size as shown on the plans. Information shall also be submitted for review and approval identifying that riprap at the outlet of the storm drainage pipes is not necessary or riprap shall be provided at the ends of pipe outlets as needed;

6. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to include the eastern half of the north 260 feet of W. Chicago Street right-of-way located on the adjacent property or an H Lot shall be recorded creating the right-of-way or the plat document shall be revised to eliminate this portion of W. Chicago Street;
  7. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the temporary turnaround easement abutting W. Chicago Street. In addition, construction plans shall be submitted for review and approval showing the turnaround constructed with a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained or the plat document shall be revised eliminating the north 260 feet of W. Chicago Street;
  8. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show a minimum 20 foot wide access easement for the proposed 20 foot wide paved street connecting W. Chicago Street to W. Philadelphia Street or a miscellaneous document shall be recorded at the Register of Deed's Office creating the access easement;
  9. Prior to Preliminary Plat approval by the City Council, the road construction plans for W. Chicago Street shall be revised clearly delineating the construction of curb and gutter in lieu of future construction;
  10. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  11. Prior to Preliminary Plat approval by the City Council, a Floodplain Development Permit and a 404 Permit shall be obtained if and as needed;
  12. Prior to submittal of a Final Plat application, the plat document shall be revised to show the book and page of the previously vacated "West Street Right-of-way"; and,
  13. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been designed and completed shall be posted and the subdivision inspection fees shall be paid.
5. No. 06PL064 - LaGrand Subdivision  
A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 1 and 2 of Block 2, LaGrand Subdivision, located in the E1/2 NE1/4, Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South

Dakota, legally described as a parcel of land located in the E1/2 NE1/4, Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located North Elk Vale Road and Eglin Street.

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

1. **Prior to Preliminary Plat approval by the City Council, the Master Plan shall be revised to reflect the minor red line comments. The Master Plan as revised shall be submitted for review and approval prior to City Council approval. The Master Plan is hereby approved as revised to reflect the red line comments;**
2. **Prior to Preliminary Plat approval by the City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval;**
3. **Upon submittal of the Final Plat application, surety for any required subdivision improvements that have not been completed, including any regional storm water detention improvements shall be posted and the subdivision inspection fees shall be paid;**
4. **Prior to Preliminary Plat approval by the City Council, design plans for the construction of curb, gutter, street light conduit and sidewalks along Elk Vale Road shall be submitted for review and approval, or a Subdivision Variance shall be obtained;**
5. **Prior to Preliminary Plat approval by the City Council, design plans for the construction of a sidewalk along the north side of Eglin Street shall be submitted for review and approval, or a Subdivision Variance shall be obtained;**
6. **Prior to Preliminary Plat approval by the City Council, all red line comments shall be addressed on the plans, including the water system, sanitary sewer and storm drainage plans; and,**
7. **Prior to Final Plat submission, the applicant shall coordinate the required street name and address changes for Eglin Street with the Building Official.**

7. No. 06PL073 - Fifth Street Office Plaza

A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lot 1, Block 1, Fifth Street Office Plaza, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the NE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of the intersection of Parkview Drive and Fifth Street.

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

1. **Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along 5th Street and the first 230 feet of Parkview Drive as it extends north from 5th Street or an Exception to the Street Design Criteria Manual shall be obtained.**

8. No. 06PL075 - Stoney Creek South Subdivision

A request by Stoney Creek Development Corp. for Boschee Engineering to consider an application for a **Preliminary Plat** on Tract BD, Stoney Creek South Subdivision, and the minor drainage easement located in the unplatted portion of the N1/2 NW1/4 SW1/4, lying south of Catron Boulevard; and a portion of S1/2 NW1/4 SW1/4, less Stoney Creek South Subdivision, all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the N1/2 NW1/4 SW1/4, lying south of Catron Boulevard; and a portion of S1/2 NW1/4 SW1/4, less Stoney Creek South Subdivision, all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of the intersection of Bendt Drive and Catron Boulevard.

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

1. **Prior to Preliminary Plat approval by the City Council, all necessary 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 Growth Management Department;**
  2. **Prior to Preliminary Plat approval by the City Council, all construction plans shall be sealed and signed by a Professional Engineer registered by the State of South Dakota;**
  3. **Prior to Preliminary Plat approval by the City Council, additional drainage information shall be submitted for review and approval. In particular, drainage flow direction arrows and silt/sedimentation control measures shall be shown on the plans. In addition, drainage information demonstrating that the drainage ditch is sized adequately and that the quantity of riprap at the outlet of the storm drainage is adequate for energy dissipation shall be submitted for review and approval;**
  4. **Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
  5. **Prior to submittal of a Final Plat application, the plat document shall be revised to show non-access easement in compliance with the Street Design Criteria Manual;**
  6. **Prior to submittal of a Final Plat application, the plat document shall be revised correctly labeling Catron Boulevard and Bendt Drive. In addition, the north arrow shall be aligned to the direction north; and,**
  7. **Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.**
9. No. 06SE002 - Elks Country Estates  
A request by Sperlich Consulting for Steve Zandstra of Triple Z Real Estate LLLP to consider an application for an **Exception to the Street Design Criteria Manual to allow access from the higher order street, to allow two access points in lieu of one and to reduce the access restriction on Padre Drive to 50 feet from the intersection of Jolly Lane** on a parcel of land Located in the SE1/4, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South

Dakota, more generally described as being located at the intersection of Jolly Lane and Padre Drive.

**Planning Commission recommended that the Exception to the Street Design Criteria Manual to allow access from the higher order street, to allow two access points in lieu of one and to reduce the access restriction on Padre Drive to 50 feet from the intersection of Jolly Lane be continued to the July 6, 2006 Planning Commission meeting.**

10. No. 06SR044 - Section 25, T2N, R7E

A request by City of Rapid City to consider an application for an **SDCL 11-6-19 Reivew to install a sign on public property** on Lot 2 of B; Lot C, located in the SW1/4 SW1/4; and the E1/2 of vacated Minuteman Drive, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 818 Anamosa Street.

**Planning Commission recommended that the SDCL 11-6-19 Review to allow construction of a sign as submitted with the following stipulation:**

- 1. A Sign Permit shall be obtained prior to installation.**

11. No. 06SR046 - Rapid City Greenway Tract

A request by Wyss Associates, Inc. for Black Hills Mountain Bike Association to consider an application for an **SDCL 11-6-19 Review to install a dirt jump park on public property** on a portion of Tract 17, less Lot H1, Rapid City Greenway Tract, Sections 34 and 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1520 West Omaha Street.

**Planning Commission recommended that the SDCL 11-6-19 Review to install a dirt jump park on public property be continued to the June 22, 2006 Planning Commission Meeting to allow the applicant time to submit the required information.**

**---END OF NON HEARING ITEMS CONSENT CALENDAR---**

6. No. 06PL070 - Plateau Subdivision

A request by Sperlich Consulting, Inc. for Gordon Howie to consider an application for a **Preliminary Plat** on Lots J and K of Lot 12, Plateau Subdivision, formerly the west 165 feet of the east 331.2 feet of Lot 12, Plateau Subdivision, located in the SW1/4 NE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, legally described as the west 165 feet of the east 331.2 feet of Lot 12, Plateau Subdivision, located in the SW1/4 NE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4753 Carol Street.

Elkins presented the Preliminary Plat. Elkins stated that the staff's recommendation is that the Preliminary Plat be approved with stipulations presented on the dais.

**Brown moved, Brewer seconded and unanimously carried to recommended that the Preliminary Plat be approved with the following stipulations:**

- 1. Prior to City Council approval of the Preliminary Plat, a grading and erosion plan shall be submitted for review and approval;**
  - 2. Prior to City Council approval of the Preliminary Plat, a storm drainage plan shall be submitted for review and approval;**
  - 3. Prior to Preliminary Plat approval by the City Council, a water system analysis demonstrating that sufficient quantities for domestic and fire flows shall be submitted for review and approval**
  - 4. Prior to Preliminary Plat approval by City Council, a sewer plan prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains, manholes and service lines shall be submitted for review and approval;**
  - 5. Prior to Preliminary Plat approval by City Council, topographical information for the site shall be submitted for review and approval or a Waiver be approved;**
  - 6. Prior to Preliminary Plat approval by City Council, a Variance to the Subdivision Regulations to allow lots twice as long as they are wide shall be obtained or the lots shall be reconfigured to meet city standards;**
  - 7. Prior to Preliminary Plat approval by City Council, road construction plans showing the installation of curb, gutter, sidewalk, street light conduit, water, sewer and a minimum of 24 foot wide paved surface along the Carol Street shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;**
  - 8. Prior to Preliminary Plat approval by City Council, a demolition permit for the existing garage shall be obtained or a Conditional Use Permit for the accessory structure shall be obtained from Pennington County;**
  - 9. Prior to Preliminary Plat approval by City Council, a cost estimate for the subdivision improvements shall be submitted for review and approval; and;**
  - 10. Prior to Preliminary Plat approval by the City Council, a site plan showing the width of Carol Street improvements and the complete right-of-way width shall be submitted for review and approval; and,**
  - 11. Prior to Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**
12. No. 06VE013 - Section 17, T2N, R7E  
A request by Arthur W. Janklow to consider an application for a **Vacation of Access Easement and Vacation of Utility and Drainage Easement** on Tract C of Lot B, located in the NE1/4 NW1/4, less Pengra Subdivision, Section 17, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4835 Sturgis Road.

Elkins presented the Vacation of Access Easement and the Vacation of Utility

and Drainage Easement. Elkins stated that one of the stipulations for approval have not been met and further stated that staff's recommendation is that the Vacation of Access and Utility and Drainage Easement be continued to the June 22, 2006 Planning Commission meeting.

**Brewer moved, Waltman seconded and unanimously carried to recommended that the Vacation of an Access Easement and a Utility Easement be continued to the June 22, 2006 Planning Commission meeting. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

**Andrews announced that the Public Hearings on Items 13 through 26 were opened.**

**Staff requested that Items 15, 19, 20 and 25 be removed from the Hearing Consent Agenda for separate consideration.**

**Prairie Chicken moved, LeMay seconded and unanimously carried to recommend approval of the Hearing Consent Agenda Items 13 through 26 in accordance with the staff recommendations with the exception of Items 15, 19, 20 and 25. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

**The Public Hearings for Items 13 through 26 were closed.**

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

13. No. 05VR014 - Sletten Addition

A request by Sperlich Consulting, Inc. for Doeck, LLC to consider an application for a **Vacation of Section Line Highway** on that portion of the statutory Section Line Right-of-Way lying in the NE1/4, SE1/4, Section 13, T2N, R7E, and that portion of the statutory Section Line Right-of-Way, lying in Tract 5, Sletten Addition, located in the NW1/4, SW1/4, Section 18, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northwest corner of the north to east curve of West Nike Road.

**Planning Commission recommended that the Vacation of Section Line Highway be continued to the July 27, 2006 Planning Commission meeting at the request of the applicant.**

14. No. 06CA012 - Harmony Heights

A request by Sean Doyle to consider an application for an **Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation from Planned Residential Development with one dwelling unit per acre to Low Density Residential** on the NE1/4 NE1/4 SW1/4, less Tract 8R, Harmony Heights, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southern terminus of Vista



Ridge Road.

**Planning Commission recommended that the Amendment to the Comprehensive Plan by revising the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation on a 7.19 acre parcel from Planned Residential Development with a maximum of one dwelling unit per acre to Low Density Residential be continued to the June 22, 2006 Planning Commission meeting to allow the application to be legally advertised.**

16. No. 06CA014 - Rapid City Greenway Tract

A request by Tim Carlson for DM&E Railroad Corp. to consider an application for an **Amendment to the Comprehensive Plan by revising the Long Range Comprehensive Plan to change the land use designation from Floodway to Light Industrial** on DM&E Right-of-way adjacent to Tract 24A, less Lot H1, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Third Street and Omaha Street.

**Planning Commission recommended that the Amendment to the Comprehensive Plan to change the land use designation from Floodway to Light Industrial be continued to the June 22, 2006 Planning Commission meeting to allow the application to be heard in conjunction with the rezoning application for the subject property.**

\*17. No. 06PD007 - Red Rock Meadows Subdivision

A request by Dream Design International, Inc. to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on the unplatted portion of the E1/2 NW1/4 NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northern terminus of Cog Hill Lane.

**Planning Commission continued the Planned Residential Development - Initial and Final Development Plan to the June 22, 2006 Planning Commission meeting 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 Growth Management Department by close of business on the seventh full calendar day following action by the Planning Commission.***

18. No. 06RZ008 - GLM Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Agriculture District to General Commercial District** on property described by metes and bounds beginning at the west ¼ corner of Section 28, T2N, R8E, BHM, a found rebar and cap. Thence east along the east-west ¼ line a distance of 1050.14 Feet to the true point of beginning; Thence S00°05'52"E a distance of 400.02 Feet; Thence N89°53'17"E a distance of

1533.64 Feet; Thence N89°54'10"E a distance of 69.68 Feet; Thence N00°02'14"W a distance of 395.87 Feet to the center of Section 28, a found rebar and cap; Thence N89°57'47"W a distance of 1603.74 feet to the point of beginning. Containing 14.65 acres more or less, more generally described as being located at the northeast corner of the intersection of Dyess Avenue and Interstate 90 and at the eastern terminus of Mall Drive.

**Planning Commission recommended that the Rezoning from General Agriculture District to General Commercial District be approved in conjunction with a Planned Development Designation.**

21. No. 06RZ014 - Rapid City Greenway Tract

A request by Tim Carlson for DM&E Railroad Corp. to consider an application for a **Rezoning from Flood Hazard District to Light Industrial District** on DM&E Right-of-way adjacent to Tract 24A, less Lot H1, Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Third Street and Omaha Street.

**Planning Commission recommended that the Rezoning from Flood Hazard District to Light Industrial District be continued to the June 22, 2006 Planning Commission meeting to allow the application to be legally advertised.**

22. No. 06RZ015 - Villaggio at Golden Eagle

A request by Sperlich Consulting, Inc. for Signature Development to consider an application for a **Rezoning from General Agriculture District to Low Density Residential District** on Lots 1 thru 7, Block 1 and Lots 1 thru 14, Block 2, Villaggio at Golden Eagle, formerly the unplatted portion of the E1/2 NW1/4 SE1/4, Section 22, T1N, R7E, located in the E1/2 NW1/4 SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the E1/2 NW1/4 SE1/4, Section 22, T1N, R7E, located in the E1/2 NW1/4 SE1/4, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located adjacent to Golden Eagle Drive and north of Catron Boulevard.

**Planning Commission recommended that the Rezoning from General Agriculture District to Low Density Residential District be approved in conjunction with a Planned Development Designation.**

23. No. 06SV027 - Park Meadows Subdivision

A request by CETEC Engineering Services, Inc. for Park Hill Development, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to allow a lot twice as long as it is wide as per Chapter 16 of the Rapid City Municipal Code** on Lots 18 thru 35 of Block 2; Lots 14 thru 25 of Block 5; and the dedicated public right-of-way, Park Meadows Subdivision, located at the SW1/4 NE1/4 and the SE1/4 NE1/4, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted balance of the SW1/4 NE1/4 and the unplatted balance of the

SE1/4 NE1/4, less right-of-way, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northern terminus of Smith Avenue.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to allow a lot twice as long as it is wide as per Chapter 16 of the Rapid City Municipal Code be approved.**

24. No. 06SV029 - Plateau Subdivision

A request by Sperlich Consulting, Inc. for Gordon Howie to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Carol Street; and to allow a lot twice as long as wide as per Chapter 16 of the Rapid City Municipal Code** on Lots J and K of Lot 12, Plateau Subdivision, formerly the west 165 feet of the east 331.2 feet of Lot 12, Plateau Subdivision, located in the SW1/4 NE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, legally described as the west 165 feet of the east 331.2 feet of Lot 12, Plateau Subdivision, located in the SW1/4 NE1/4, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 4753 Carol Street.

**Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Carol Street; and to allow a lot twice as long as wide as per Chapter 16 of the Rapid City Municipal Code be approved with the following stipulation:**

1. **Prior to City Council approval, the applicant shall sign a waiver of right to protest any future assessment for the improvements.**

26. No. 05TI019 - East Anamosa Street

A request by Centerline to consider an application for a **Tax Increment District No. 49 Project Plan** on Lot 1 – 28 and all adjacent rights-of-way, Block 11, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 – 14 and all adjacent rights-of-way, Tract A (formerly lots 15A thru 25A) and all adjacent rights-of-way, Lot 15-28 less lot 15A -25A and all adjacent rights-of-way, all located in Block 12, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Unplatted balance of SW1/4SE1/4 and the unplatted balance of SE1/4SE1/4 and all adjacent rights-of-way, all located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 3 and Lot 4 and all adjacent rights-of-way, Tract A & S1/2 vacated part of alley adjacent to Tract A and all adjacent rights-of-way, Lot A of Lot 1, Lot 2 and the S1/2 vacated Watertown St adjacent to said lot, Lot B of Lot 1, all located in Block 2, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract I and the N1/2 vacated portion of alley adjacent to Tract I and the S1/2 vacated Watertown St adjacent to Tract I and all adjacent rights-of-way, Block 2, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Block 3 and W375' of N1/2 vacated Watertown Street adjacent to Block 3 less W150' & less Lot 1-2 and the S1/2 vacated Madison Street adjacent to E475'

Block 3 and the vacated alley in Block 3 less portion between Lots 1 & 2 and all adjacent rights-of-way, all located in Block 3, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1-2 and the S1/2 vacated Madison St adjacent to Lot 1 and the N1/2 vacated Watertown Street adjacent to Lot 2 and the vacated alley between Lots 1-2, Block 3 and all adjacent rights-of-way, all located in Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All of Block 1 and all adjacent rights-of-way, Feigels Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 -2 and the balance of Block 4 and all adjacent rights-of-way, all located in Block 4, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, SE1/4NE1/4 including Meadowlark Hills Sub & all adjacent rights-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A & E1/2 vacated Cherry Ave of NE1/4NE1/4 and all adjacent rights-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract B, C, D, F, G, and H and all adjacent rights-of-way, all of Block 1, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract E & E15' of vacated Cherry St adjacent to said Tract E, Block 1 and all adjacent rights-of-way, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, E100' of Tract A, Block 1 and adjacent right-of-way, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A less the E100' and the E15' of vacated Cherry St adjacent to said Tract A and adjacent right-of-way, Block 1, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All of the 90' wide East Anamosa Street right-of-way located in the NE1/4 of Section 31 and the SE1/4 of Section 30, and the East Anamosa Street right-of-way located in the NW1/4 of Section 31 and the SW1/4 of Section 30 all adjacent to LaCrosse Street, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Railroad Right-of-Way located in the NE1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A and Lot B and all adjacent rights-of-way, West Century Sub, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N170' of S313.96' of Lot 2 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 and Lot 2 and all adjacent rights-of-way, Buckingham Rental Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot B of Lot 1 of SW1/4NW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A, B, C, and D of Lot 1 of NW1/4SW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract 1, Century "21" and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A in NE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract D in NE1/4NW1/4 including Lot 1 of Tract D of Heubner Subdivision and all adjacent rights-of-way, all located in Heubner Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N16.04' of Lot 2 of SW1/4NW1/4 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H2 and Lot H3 of the SW1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H3 and H4 of the SE1/4NW1/4, Lot H1 of Lot A of the

SE1/4NW1/4, Lot H2 of the SE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 of the S1/2NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of the N1/2NE1/4 as recorded on Plat of Lot H1 of the N1/2NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in the NW1/4NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of Lot B of Lot 1 in the NW1/4SW1/4, Lot H1 of Lot B of Lot 1 of the NW1/4SW1/4, Lot 2 of the NW1/4SW1/4, Lot H1 of Lots 7 & 8 of the NW1/4SW1/4, Lot H1 of Lots 3,4, 5 & 6 of the NW1/4SW1/4, Lot H1 and Lot H2 of the NW1/4SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Century Road, east of LaCrosse Street and south of US 1-90.

**Planning Commission recommended that the Tax Increment District No. 49 Project Plan be continued to the July 6, 2006 Planning Commission meeting at the applicant's request.**

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

Elkins stated that Items 15, 19 and 20 are recommended by staff to be continued to the June 22, 2006 Planning Commission meeting at the applicants' requests.

15. No. 06CA013 - Starlite Subdivision

A request by Dream Design International, Inc. to consider an application for a **Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation from General Commercial to Light Industrial** on a portion of Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: Commencing, for location purposes only, at the Southwest corner of Section 28; Thence north, along the West line of Section 28 and the centerline of Dyess Avenue, a distance of 233.18 feet; Thence S89°43'30"E, a distance of 50.00 feet, to a ½ inch iron pipe found for the Southwest corner of Lot 1 of Starlite Subdivision on the East Right-of-way line of Dyess Avenue and the North Right-Of-way line of Eglin Street (a 100 foot wide public Right-of-way) for the Point of Beginning of the herein described tract; Thence North, along said East Right-of-way of Dyess Avenue and West line of Lot 1 of Starlite Subdivision, a distance of 349.83 feet to a point for corner; Thence S89°43'00" East, a distance of 850.15 feet, to the Easternmost Southeast corner of Lot 1 of Starlite Subdivision; Thence S53°09'39"W, a distance of 328.66 feet, to a corner of Lot 1 of Starlite Subdivision; Thence West, a distance of 80.08 feet, to a corner of Lot 1 of Starlite Subdivision; Thence South, a distance of 151.10 feet, to the Southernmost Southeast corner of Lot 1 of Starlite Subdivision on the North Right-of-way line of Eglin Street; Thence N89°43'30"W, along the North Right-of-way line of Eglin Street and South line of Lot 1 of Starlite Subdivision, a distance of 507.03 feet to the Point of Beginning and containing 5.036 acres, more or less, more generally described as being located at the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street.

19. No. 06RZ012 - Harmony Heights

A request by Sean Doyle to consider an application for a **Rezoning from General Agriculture District to Low Density Residential District** on the NE1/4 NE1/4 SW1/4, less Tract 8R, Harmony Heights, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southern terminus of Vista Ridge Road.

20. No. 06RZ013 - Starlite Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from General Commercial District to Light Industrial District** on a portion of Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more particularly described as follows: Commencing, for location purposes only, at the Southwest corner of Section 28; Thence north, along the West line of Section 28 and the centerline of Dyess Avenue, a distance of 233.18 feet; Thence S89°43'30"E, a distance of 50.00 feet, to a ½ inch iron pipe found for the Southwest corner of Lot 1 of Starlite Subdivision on the East Right-of-way line of Dyess Avenue and the North Right-Of-way line of Eglin Street (a 100 foot wide public Right-of-way) for the Point of Beginning of the herein described tract; Thence North, along said East Right-of-way of Dyess Avenue and West line of Lot 1 of Starlite Subdivision, a distance of 349.83 feet to a point for corner; Thence S89°43'00" East, a distance of 850.15 feet, to the Easternmost Southeast corner of Lot 1 of Starlite Subdivision; Thence S53°09'39"W, a distance of 328.66 feet, to a corner of Lot 1 of Starlite Subdivision; Thence West, a distance of 80.08 feet, to a corner of Lot 1 of Starlite Subdivision; Thence South, a distance of 151.10 feet, to the Southernmost Southeast corner of Lot 1 of Starlite Subdivision on the North Right-of-way line of Eglin Street; Thence N89°43'30"W, along the North Right-of-way line of Eglin Street and South line of Lot 1 of Starlite Subdivision, a distance of 507.03 feet to the Point of Beginning and containing 5.036 acres, more or less, more generally described as being located at the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street.

**LeMay moved, Brewer seconded and unanimously carried to recommended that the Amendment to the Comprehensive Plan by revising the Elk Vale Neighborhood Area Future Land Use Plan to change the land use designation on a 5.036 acre parcel from General Commercial to Light Industrial (06CA013), the Rezoning from General Agriculture District to Low Density Residential District (06RZ012) and the Rezoning from General Commercial District to Light Industrial District be continued to the June 22, 2006 Planning Commission meeting. (06RZ013) (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

25. No. 06VR004 - Section 29, T2N, R8E

A request by Ferber Engineering Company, Inc. for FMLC, Inc. to consider an application for a **Vacation of Mall Drive H-Lot** on East Mall Drive Right-of-Way, located in the SE1/4, Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located East Mall Drive.

Fisher presented the Vacation of the Mall Drive H-Lot. Fisher advised that the staff's recommendations for approval with stipulations have been revised. Fisher requested that language "or right-of-way be obtained for drainage structures" be added to stipulation No. 3.

**LeMay moved, Prairie Chicken seconded and unanimously carried to recommend that the Vacation of Mall Drive H-Lot be approved with the following stipulations:**

- 1. Prior to the Planning Commission meeting of June 8, 2006, the Exhibit "A" shall be revised eliminating the right-of-way to be vacated at the intersection of Dyess Avenue and Mall Drive to accommodate drainage and future signalization at this intersection. If the Exhibit "A" is not revised as identified, signatures from the adjacent property owners, Jerald and Carol Arendsee, shall be obtained on the Vacation of Right-of-way Petition prior to the Public Hearing before the Planning Commission;**
- 2. Prior to City Council approval, a miscellaneous document shall be recorded at the Registers of Deed's Office securing utility easement(s) to accommodate private utilities located within the area of the H Lot to be vacated; and,**
- 3. Prior to City Council approval, a miscellaneous document shall be recorded at the Register of Deed's Office securing drainage easement(s) as needed. In particular, a 40 foot wide drainage easement shall be dedicated at the ends of all drainage pipes along Mall Drive as needed or right-of-way be obtained for drainage structures. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

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

Fisher requested that items 27 thru 30 be taken concurrently.

**\*27. No. 06PD030 - Skylines Pines East**

A request by Wyss Associates, Inc. for WEB Land Holdings, LLC to consider an application for a **Planned Commercial Development - Initial Development Plan** on an unplatted tract of land located in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota described as follows; beginning at the NW corner of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 11, T1N, R7E, BHM, Travel 690.30 feet at a bearing S89 $^{\circ}$ 37'13"E to a point, then Travel 140.54 feet at a bearing S89 $^{\circ}$ 34'10"E to a point, then Travel 185.49 feet at a bearing S89 $^{\circ}$ 50'15"E to a point, then Travel 237.94 feet at a bearing S89 $^{\circ}$ 45'1"E to a point, then Travel 687.73 feet at a bearing N89 $^{\circ}$ 51'38"E to a point, then Travel 370.78 feet at a bearing S89 $^{\circ}$ 47'54"E to a point, then Travel 108.32 feet at a bearing S57 $^{\circ}$ 21'42"W to a point, then Travel 62.85 feet at a bearing S38 $^{\circ}$ 44'22"W to a point, then Travel 88.72 feet at a bearing S68 $^{\circ}$ 57'3"W to a point, then Travel 46.48 feet at a bearing S54 $^{\circ}$ 14'57"W to a point, then Travel 95.36 feet at a bearing S47 $^{\circ}$ 30'41"W to a point, then Travel 77.14 feet at a bearing S69 $^{\circ}$ 34'14"W

to a point, then Travel 160.44 feet at a bearing S45°17'36"W to a point, then Travel 19.76 feet at a bearing S45°37'24"W to a point, then Travel 74.14 feet at a bearing S45°51'3"W to a point, then Travel 95.64 feet at a bearing S34°32'11"E to a point, then Travel 219.69 feet at a bearing S55°7'3"W to a point, then Travel 333.97 feet along a 292.60 RHF curve with a chord bearing S5°32'55"W, then Travel 166.06 feet at a bearing S44°48'23"E to a point, then Travel 38.11 feet along a 38.06 LHF curve with a chord bearing S39°36'26"E, then Travel 214.00 feet at a bearing S34°24'28"E to a point, then Travel 84.11 feet at a bearing S45°11'37"W to a point, then Travel 990.30 feet at a bearing S89°57'45"W to a point, then Travel 722.17 at a bearing N to a point, then Travel 536.64 feet at a bearing N65°58'10"W to a point, then Travel 427.77 feet at a bearing S55°15'47" W to a point, then Travel 625.45 feet at a bearing N00°31'58"E back to the origin. Parcel described contains 1,713,559.45 square feet or approximately 39.3 acres, more generally described as being located northwest of the intersection of Mount Rushmore Road and Tower Road.

Fisher presented the Planned Residential Developments, the Planned Commercial Development, the Layout Plat and the Variance requests. Fisher further requested that these items be continued to the June 22, 2006 Planning Commission meeting at the applicant's request.

\*28. No. 06PD031 - Skyline Pines East

A request by Wyss Associates, Inc. for WEB Land Holdings, LLC to consider an application for a **Planned Residential Development - Initial Development Plan** on an unplatted Tract of land located in the NW¼ of SE¼ of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota described as follows; beginning at the SW corner of the NW¼ of SE¼ of Section 11, T1N, R7E, BHM. Travel 697.60 feet at a bearing of N00°16'55"E to a point, then Travel 427.77 feet at a bearing of N55°15'47"E to a point, then Travel 536.64 feet at a bearing of S65°58'10"E to a point, then Travel 722.17 feet at a bearing of S to a point, then Travel 845.09 feet at a bearing of S89°57'25"W to the origin. Parcel described contains 696815.78 square feet or approximately 16 acres, more generally described as being located northeast terminus of Pevans Parkway.

29. No. 06PL074 - Skyline Pines East

A request by Wyss Associates, Inc. for WEB Land Holdings, LLC to consider an application for a **Layout Plat** on Lots 1 thru 5, Skyline Pines East, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the N1/2 SE1/4, less Walpole Heights Subdivision, and less right-of-way, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Mount Rushmore Road and Tower Road.

30. No. 06SV030 - Skyline Pines East

A request by Wyss Associates, Inc. for WEB Land Holdings, LLC to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Fairmont Boulevard and to waive the requirement to install curb, gutter, sidewalk, street light conduit and to reduce right-of-way width from 52 feet to 49 feet and to reduce pavement**



**width from 27 feet to 24 feet along Pevans Parkway as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 thru 5, Skyline Pines East, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the N1/2 SE1/4, less Walpole Heights Subdivision, and less right-of-way, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Mount Rushmore Road and Tower Road.

**Brown moved, Waltman seconded and unanimously carried to recommend that the Planned Commercial Development - Initial Development Plan, the Planned Residential Development - Initial Development Plan, Layout Plat and the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along Fairmont Boulevard and to waive the requirement to install curb, gutter, sidewalk, street light conduit and to reduce right-of-way width from 52 feet to 49 feet and to reduce pavement width from 27 feet to 24 feet along Pevans Parkway as per Chapter 16.16 of the Rapid City Municipal Code be continued to the June 22, 2006 Planning Commission meeting. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

31. No. 06PL046 - Oliver Subdivision

A request by Boschee Engineering for Dr. Don Oliver to consider an application for a **Layout Plat** on Lots 1 thru 6, Oliver Subdivision, formerly the NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Pennington County, South Dakota, legally described as the NE1/4 SE1/4, Section 7, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 23657 Wilderness Canyon Road.

Fisher reviewed the slides of the Layout Plat. Fisher presented the staff's recommendation to approve the Layout Plat with stipulations. Fisher requested that Stipulation No. 1 be modified to state "155" dwelling units in lieu of 156 dwelling units.

In response to Schmidt's questions, Fisher stated that staff's recommendation is that the Exception request be denied. In addition, Fisher stated that access should be coordinated with other land owners and developers within the area. Discussion followed.

Corey Jacobs, representing Dr. Oliver, expressed his opinion that the access requirement should not be an issue due to the property location, available access and other subdivision of land. Jacobs requested that the Layout Plat be approved with the exception being granted. Discussion followed.

In response to Brewer's question, Behlings reviewed the Fire Department's policy for emergency response vehicle access. Discussion followed.

In response to Hadcock's question, Fisher reviewed the location of the property and the points of access.

Roy Boschee, Boschee Engineering expressed his opinion that a second point of access would not benefit the property owner. Discussion followed.

In response to Schmidt's question, Elkins stated that it would be the applicant's responsibility to acquire agreements or easements from adjacent property owners.

Landguth expressed his support to approve the Layout Plat with staff's recommendation set forth in the stipulations. Discussion followed.

**Brown moved, Landguth seconded and unanimously carried to recommend that the Layout Plat be approved with the following stipulations:**

- 1. An Exception to allow 155 dwelling units in lieu of 40 dwelling units with one point of access as per the Street Design Criteria Manual is hereby denied. In addition, the plat document shall be revised to show a second street access upon submittal of a Preliminary Plat application;**
- 2. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval;**
- 3. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall include calculations demonstrating that discharge from any site facilities will result in net drainage basin run-off not exceeding pre-development flow rates or local detention facilities shall be provided or expanded as necessary. In addition, the plat document shall be revised to provide drainage easements as necessary;**
- 4. Upon submittal of a Preliminary Plat application, 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 or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;**
- 5. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, a water systems analysis verifying source, adequate water quantity and storage capacity for domestic and fire flows shall be submitted for review and approval;**
- 6. Upon submittal of a Preliminary Plat application, a Utility Master Plan including public and private utilities shall be submitted for review and approval;**
- 7. Upon submittal of the Preliminary Plat application, road construction**

plans for Wilderness Canyon Road shall be submitted for review and approval. In particular, Wilderness Canyon Road shall be constructed with a minimum 27 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;

8. Prior to submittal of a Preliminary Plat application, the property shall be rezoned through the County to support the proposed lot sizes or the plat document shall be revised accordingly;
  9. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show each of the residences on a separate lot or one of the residences shall be removed from the property or surety shall be posted to insure that the residence will be removed;
  10. Upon submittal of a Final Plat application, a reserve area shall be shown or a note shall be placed on the plat indicating that at the time a Building Permit application is submitted, a reserve drainfield area will be identified and held in reserve unless a public sewer system is provided;
  11. Prior to submittal of a Final Plat, the plat document shall be revised to provide non-access easements in compliance with the Street Design Criteria Manual;
  12. Upon submittal of the Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
  13. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for maintenance of the community water facility for review and approval; and,
  14. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)
32. No. 06PL060 - Mahoney Addition

A request by D. C. Scott Surveyors, Inc. for Doug Pokorney to consider an application for a **Layout Plat** on Lots 1 and B of Block 55 of the Amended Plat of the Mahoney Addition, formerly Block 55 of the Amended Plat of Mahoney Addition, less the south 8.5 feet thereof, located in the SW1/4 SE1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Block 55 of the Amended Plat of Mahoney Addition, less the south 8.5 feet thereof, located in the SW1/4 SE1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 222 Doolittle Street.

Fisher presented the Layout Plat. Fisher stated that staff's recommendation is that the Layout Plat be approved with stipulations.

**Brown moved, LeMay seconded and unanimously carried to recommend that the Layout Plat be approved with the following stipulations:**

1. Prior to Layout Plat approval by the Planning Commission, a site plan showing the existing construction design of Doolittle Street shall be submitted for review and approval. In particular, the site plan shall show curb, gutter, sidewalk, street light conduit and pavement. In addition, the site plan shall show the location and size of water main(s) and fire hydrants and the location and size of sewer main(s) and manhole(s);
2. Upon submittal of a Preliminary Plat application, construction plans for Doolittle Street showing the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained;
3. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show one additional foot of right-of-way or a Variance to the Subdivision Regulations shall be obtained;
4. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
5. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall clarify how run-off from this lot will be discharged or routed when further improvements at this site are proposed. In addition, the drainage plan shall show that drainage from the site that runs onto and across a portion of the adjacent property will not impact the adjacent property under the design flows. The explicit approval of the adjacent property owner for continued discharge of the existing and any future flows over and across the adjacent property shall also be obtained. In addition, the plat document shall be revised to show drainage easements as needed; and,
6. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)

Tegethoff requested that items 33 and 34 be taken concurrently.

33. No. 06PL069 - Meredith Subdivision  
A request by Patricia Jo Meredith to consider an application for a **Layout Plat** on Lots 1 and 3, Meredith Subdivision, located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota, legally described as a parcel of land located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Pioneer Circle and Clarkson Road.
34. No. 06SV031 - Meredith Subdivision  
A request by Patricia Jo Meredith to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install, curb,**

**gutter, street light conduit, sidewalk, pavement and sewer as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 and 3, Meredith Subdivision, located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota, legally described as a parcel of land located in the SW1/4 SE1/4 SW1/4, Section 31, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 7601 Pioneer Circle.

Tegethoff stated that staff's recommendation is that the Layout Plat and the Variance requests be continued to the June 22, 2006 Planning Commission meeting at the applicants request.

**LeMay moved, Brewer seconded and unanimously carried to recommend that the Layout Plat and the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, sidewalk, and sewer along Pioneer Circle as per Chapter 16.16 of the Rapid City Municipal Code be continued to the June 22, 2006 Planning Commission meeting at the applicant's request. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

Fisher requested that items 35 and 36 be taken concurrently.

35. No. 06PL071 - Starlite Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 1A, 1B, 1C and 1D of Starlite Subdivision, formerly Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street.

36. No. 06SV033 - Starlite Subdivision

A request by Dream Design International, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1A, 1B, 1C and 1D of Starlite Subdivision, formerly Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 1, Starlite Subdivision, located in the SW1/4 SW1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southeast corner of Beale Street and Dyess Avenue and north of Eglin Street.

Fisher stated that staff's recommendation is that the Preliminary Plat and Variance requests be continued to the June 22, 2006 Planning Commission meeting at the applicant's request.

**Waltman moved, LeMay seconded and unanimously carried to recommend that the Preliminary Plat and the Variance to the Subdivision Regulations to waive the requirement to install sewer along Eglin Street, Dyess Avenue and Beale Street be continued to the June 22, 2006 Planning Commission meeting at the applicant's request. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

37. No. 06PL072 - McMahan Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 1 thru 7 of Tract B, Lots 8 thru 9 of Tract A, McMahan Subdivision, located in the NE1/4 SW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Tract A & B of McMahan Subdivision, located in the NE1/4 SW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Haines Avenue and south of Kathryn Avenue.

Fisher presented the staff's recommendation to approve the Preliminary Plat with stipulations.

**Landguth moved, Waltman seconded and unanimously carried to recommend that the Preliminary Plat be approved with the following stipulations:**

- 1. Prior to Preliminary Plat approval by the City Council, additional drainage information shall be submitted for review and approval. In particular, cross-sections through the drainage channel at the revised easement locations shall be submitted for review and approval verifying that the 100 year flow will be conveyed within the proposed easement;**
- 2. Prior to Preliminary Plat approval by the City Council, additional water information and analysis shall be submitted for review and approval demonstrating that sufficient quantities for domestic and fire flows shall be provided during peak day use conditions;**
- 3. Prior to Preliminary Plat approval by the City Council, a utility plan showing service locations shall be submitted for review and approval;**
- 4. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
- 5. Prior to Preliminary Plat approval by the City Council, separate plat applications and documents shall be submitted for McMahan Subdivision and New Park Subdivision;**
- 6. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along all of Lot 9 as it abuts Kathryn Avenue or an Exception to the Street Design Criteria Manual shall be obtained;**
- 7. Prior to submittal of a Final Plat application, the plat document shall be revised to show the book and page for the existing recorded Kathryn Avenue and Champion Drive rights-of-way; and,**
- 8. Upon submittal of a Final Plat application, surety for any required**

subdivision improvements that have not been designed and completed shall be posted and the subdivision inspection fees shall be paid. If Tax Increment Financing is to be used to provide the required surety, the Project Plan shall be revised and the Developer's Agreement shall be approved and signed by the developer. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)

38. No. 06PL080 - New Park Subdivision

A request by Dream Design International, Inc. to consider an application for a **Preliminary Plat** on Lots 10 thru 17 of Lot 1, New Park Subdivision, located in the NW1/4 SW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of Lot 1 of New Park Subdivision, located in the NW1/4 SW1/4 and the NE1/4 SW1/4, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Haines Avenue and south of Kathryn Avenue.

Fisher presented the staff's recommendation to approve the Preliminary Plat with revised stipulations

**Brown moved, Landguth seconded and unanimously carried that the Preliminary Plat be approved with the following stipulations:**

1. **Prior to Preliminary Plat approval by the City Council, the applicant shall submit a site plan demonstrating building envelopes on Lots 14, 16 and 17 for review and approval to insure that the lot(s) are buildable;**
2. **Prior to Preliminary Plat approval by the City Council, additional drainage information shall be submitted for review and approval. In particular, cross-sections through the drainage channel at the revised easement locations shall be submitted for review and approval verifying that the 100 year flow will be conveyed within the proposed easement;**
3. **Prior to Preliminary Plat approval by the Planning Commission, additional water information and analysis shall be submitted for review and approval demonstrating that sufficient quantities for domestic and fire flows shall be provided during peak day use conditions;**
4. **Prior to Preliminary Plat approval by the City Council, a utility plan showing service locations shall be submitted for review and approval;**
5. **Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval;**
6. **Prior to Preliminary Plat approval by the City Council, separate plat applications and documents shall be submitted for McMahon Subdivision and New Park Subdivision;**
7. **Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along all of Lots 10 and 12 as they abut Kathryn Avenue or an Exception to the Street Design Criteria Manual shall be obtained; and,**

8. **Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been designed and completed shall be posted and the subdivision inspection fees shall be paid. If Tax Increment Financing is to be used to provide the required surety, the Project plan shall be revised and the Developer's Agreement shall be approved and signed by the developer. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

39. No. 06SR045 - Rapid City Greenway Tract

A request by Rosenbaum Signs to consider an application for an **SDCL 11-6-19 Review to allow the installation of a sign on public property** on Tract 8, Rapid City Greenway Tract, Sections 3, 4 and 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2900 Jackson Boulevard.

Bulman reviewed the SDCL 11-6-19 Review to allow the installation of a sign on public property. Bulman presented that staff's recommendation that the request be denied due to the location in a children's park, and in close proximity to a residential neighborhood.

In response to LeMay's question, Hadcock stated that City Council has placed a moratorium on reader board signs. Discussion followed.

Brewer requested clarification on size and brightness of the proposed sign on the subject property location.

Martha Rodriguez, Storybook Island Board member, reviewed the hours of operation, size and brightness of the proposed sign. Rodriguez stated that the primary function of the sign would be informational for park use. Discussion followed.

Elkins stated that Joel Landeen has informed staff that the reader board sign moratorium applies to off-premise signs only. Discussion followed.

Karen Gunderson-Olsen expressed her concerns with locating reader boards of the City land and concerns with locating such signs in parks. Discussion followed.

In response to Schmidt's question, Elkins stated that the subject property is leased and that the Parks and Recreation Department declined comment.

Waltman indicated her support for the use of reader boards in the appropriate location and she noted her concerns with locating such a sign at Storybook Island. Waltman expressed her support to continue the 11-6-19 Review to the June 22, 2006 Planning Commission meeting to allow public comment on the proposed sign.

**Schmidt moved, Brown seconded and unanimously carried to continue the**



**SDCL 11-6-19 Review to allow the installation of a sign on public property to the June 22, 2006 Planning Commission meeting. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

\*40. No. 06UR013 - Plaza Subdivision

A request by Tracy Comp and Mike Johnson for Two Lefties and Ponchos Mexican Grill to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment** on Lot 2, Plaza Subdivision, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1301 West Omaha Street.

Tegethoff reviewed the Conditional Use Permit request for on-sale liquor establishment in conjunction with a restaurant. Tegethoff presented the staff's recommendation to approve the request with stipulations.

**Brewer moved, LeMay seconded and unanimously carried to approve the Conditional Use Permit to allow an on-sale liquor establishment with the following stipulations:**

1. **A certificate of occupancy shall be obtained prior to occupancy;**
2. **The parking plan shall continually comply with all requirements of the Zoning Ordinance and the approved parking plan;**
3. **The landscape plan shall continually comply with all requirements of the Zoning Ordinance and the approved landscape plan;**
4. **All applicable provisions of the International Fire Codes shall be continually met; and,**
5. **The Conditional Use Permit shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

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

\*41. No. 06UR014 - Huffman Subdivision

A request by Britton Engineering & Landscaping for Century Development Co. to consider an application for a **Conditional Use Permit to allow a mini-warehouse in the General Commercial Zoning District** on Lot 2 of Huffman Subdivision, located in the N1/2 SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of East North Street between North Campbell Street and East Anamosa Street.

Elkins presented the staff recommendation to continue the Conditional Use

Permit request to the June 22, 2006 Planning Commission meeting.

**Prairie Chicken moved, Waltman seconded and unanimously carried to continue the Conditional Use Permit to allow a mini-warehouse in the General Commercial Zoning District to the June 22, 2006 Planning Commission meeting. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**

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

42. Discussion Items

43. Staff Items

- A. Elkins requested that the Planning Commission gave some thought to establishing a policy relative to the time frames for submitting revised information for consideration by the Planning Commission.

Brown suggested that an informal meeting date be set for a discussion of the matter. Discussion followed.

Andrews indicated that he would get together with staff to identify a time frame for a Planning Commission training session where this would be discussed in conjunction with a general training session.

- B. Elkins introduced to the Planning Commissioners Todd Peckosh as an Engineer to the Development Services Staff.

44. Planning Commission Items

**There being no further business, Brown moved, Brewer seconded and unanimously carried to adjourn the meeting at 8:26 a.m. (9 to 0 with Andrews, Brewer, Brown, Fast Wolf, Landguth, LeMay, Prairie Chicken, Schmidt and Waltman voting yes and none voting no)**