

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
March 8, 2001

MEMBERS PRESENT: Pam Lang, Mel Prairie Chicken, Amber Solay, Bob Scull, Bob Wall, and Stuart Wevik. Alan Hanks, Council Liaison was also present.

STAFF PRESENT: Marcia Elkins, Blaise Emerson, Vicki Fisher, Lisa Seaman, Bill Lass, Rod Johnson, Bill Knight, Tim Behlings, Randy Nelson, Dave Johnson and Risë Ficken

Chairperson Lang called the meeting to order at 7:04 a.m.

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

Staff requested that Items 18 and 23 be removed from the Consent Agenda for separate consideration. Wall requested that Items 17, 19, 21 and 25 be removed from the Consent Agenda for separate consideration.

Wevik moved, Scull seconded and carried unanimously to recommend approval of the Consent Agenda Items 1 through 29 in accordance with the staff recommendations with the exception of Items 17, 18, 19, 21, 23 and 25. (6 to 0)

1. Approval of the February 22, 2001 Planning Commission Meeting Minutes.
2. No. 00PD057 - Walpole Heights Subdivision
A request by SDC, Inc. to consider an application for a **Major Amendment to a Planned Commercial Development to allow a motel and restaurant** on Tract A Revised, Tract C Revised and Tract D, Walpole Heights Subdivision, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2710 Mount Rushmore Road.

Planning Commission recommended that the Major Amendment to a Planned Commercial Development be continued to the March 22, 2001 Planning Commission meeting to allow the applicant to submit additional information.

3. No. 00PL122 - White Tail Meadows
A request by Paul Hunt to consider an application for a **Layout Plat** on SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 13, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1/2 mile north of the intersection of S.D. Highway 44 and Anderson Road on the east side of Anderson Road.

Planning Commission recommended that the Layout Plat be continued to the March 22, 2001 Planning Commission meeting.

4. No. 00PL128 - Red Rock Estates

A request by Dream Design International, Inc. to consider an application for a **Preliminary & Final Plat** on Lots 1-4, Block 6, of Red Rock Estates Phase 1A located in the NE1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Sheridan Lake Road.

Planning Commission recommended that the Preliminary & Final Plat be continued to the March 22, 2001 Planning Commission meeting to allow the applicant to submit additional information.

5. No. 00PL134 - Wildwood Subdivision

A request by Peter Hendricksen to consider an application for a **Lot Split** on Lot 13R and 14R in Block 3 of Wildwood Subdivision, formerly Lot 13 and 14 in Block 3 of Wildwood Subdivision located in the W1/2 SE1/4 and the E1/2 SW1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5827 Wildwood Drive.

Planning Commission recommended that the Lot Split be continued to the May 10, 2001 Planning Commission meeting to allow the petitioner time to submit additional required information.

6. No. 01UR002 - Schlottman Addition

A request by Brendan Casey to consider an application for a **Use on Review to allow mini storage units in the General Commercial District** on Lots X and Y of Schlottman Addition, located in SE1/4 of SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the intersection of East St. Patrick Street and Valley Drive.

Planning Commission recommended that the Use on Review to allow mini storage units in the General Commercial District be continued to the April 5, 2001 Planning Commission meeting to allow the applicant to submit additional drainage information.

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

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

Planning Commission recommended that the Use on Review to allow a mobile home park in the Medium Density Residential District be continued to the April 5, 2001 Planning Commission meeting to allow the applicant to submit additional information, to complete improvements on the existing lagoon system and to remove structures from a water and pipeline easement.

8. No. 01PL004 - Forest Hills Subdivision

A request by Leo J. Boland for Rodney C. Egemo to consider an application for a **Preliminary and Final Plat** on Tracts A, B, and C of Tract S of Forest Hills Subdivision in the SW1/4 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of St. Cloud and Skyline Drive.

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

Fire Department Recommendations:

1. Prior to Preliminary Plat approval by the City Council, a wild land fire mitigation plan shall be submitted for review and approval; and,

Urban Planning Division Recommendations:

2. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid or Subdivision Variances waiving these required improvements shall be obtained or a Waiver of Right to Protest Future Assessment Project shall be signed for these improvements.

9. No. 01UR005 - Rapid City Greenway Tracts

A request by Country Fair, LLC to consider an application for a **Major Amendment to a Use on Review to allow temporary structures (arts and crafts festival) in the Flood Hazard Zoning District** on Tracts 1-3 and Lots A and B of Tract 3 of Rapid City Greenway Tracts located in Sections 8 and 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at Canyon Lake Park.

Planning Commission recommended that the Major Amendment to a Use on Review to allow temporary structures (arts and crafts festival) in the Flood Hazard Zoning District be approved with the following stipulations:

Fire Department Recommendations:

1. Prior to issuance of a temporary use permit, the Country Fair representatives shall submit all applicable plans to the Fire Department for review and approval;
2. Prior to initiation of the event, the County Fair shall have received approval of an inspection for all tents and other facilities as required by the Fire Code;

Engineering Division Recommendations:

3. Prior to initiation of the event, a copy of the evacuation plan shall be submitted to the City and Pennington County Emergency Management Department for review and approval;
4. No camping shall be permitted within the floodway or floodplain at any time;

5. All requirements of the Floodplain Development Ordinance shall be met at all times;

Building Inspection Division Recommendations:

6. No banners shall be allowed within the public right-of-way or on fences;

Urban Planning Division Recommendations:

7. The total number of restrooms (including handicapped accessible restrooms) to be provided shall be determined by the Building Inspections Division at the time for which a Temporary Use Permit is applied;
8. A Temporary Use Permit shall be received prior to initiation of the event each year;
9. As identified in the application, the park grounds shall be cleaned daily and shall be continually kept clear of debris and trash;
10. As identified in the application, twenty-four hour security shall be provided for the festival;
11. All requirements of Section 17.28 of the Zoning Ordinance regarding the Flood Hazard Zoning District shall be continually met including the requirements for temporary structures set forth in Section 17.28.040;
12. The Use On Review shall be effective for a period of one year from date of approval subject to renewal;
13. That no portion of the event shall occur on the bridge;
14. That the event shall be limited to the hours as follows: Saturday from 9:00 a.m. to 5:00 p.m. and Sunday from 10:00 a.m. to 4:00 p.m.; and, entertainment provided on the island shall be limited to the hours of 12:00 p.m. to 5:00 p.m.;
15. That all parking of vehicles shall be restricted to the developed parking lots in Canyon Lake Park and not on public streets or unpaved portions of the park, and that no parking signs to enforce this requirement shall be posted. Applicant shall work with the Police Department to determine the number of required signs and their placement;
16. That the applicant shall submit the date of the event six months before the start of the festival to the Parks Division for their review and approval;

Transportation Planning Division Recommendations:

17. That all booths along northern bike path shall maintain a minimum twenty foot setback from the bike path and a ten foot setback from all other paths;

Police Department Recommendation:

18. Prior to issuance of a temporary use permit, the applicant shall provide a traffic control plan for the parking at the Blessed Sacrament Church for review and approval;

Parks Department Recommendations:

19. Final vendor locations will require verification in the field due to topographic considerations and other park amenities; and,

Public Works Division Recommendations:

20. That the activity be limited to a maximum of 90 booths and that the location of the booths shall be in the areas identified on the site plan.

10. No. 01RZ003 - Section 22, T1N, R7E

A request by Fisk Engineering for Ken Berglund to consider an application for a **Rezoning from General Agriculture District to Park Forest District** on the north 825 feet of the NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5501 Berglund Road.

Planning Commission recommended that the Rezoning from General Agriculture District to Park Forest District be continued to the April 5, 2001 Planning Commission meeting to allow the petitioner time to submit a Planned Development Designation or Planned Residential Development request.

11. No. 01RZ001 - Section 8, T1N, R7E

A request by Fisk Engineering for John Skulborstad to consider an application for a **Rezoning from the Park Forest District to the Office Commercial District** on a portion of Lot F-1 of Fish Hatchery Subdivision, located in the North Half (N1/2) of the Southeast One Quarter (SE1/4) and in the Northeast One Quarter (NE1/4) of the Southwest One Quarter (SW1/4) of Section Eight (8) of Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot F-1 of Fish Hatchery Subdivision; Thence, S 51 degrees 31 minutes 28 seconds W, a distance of 210.39 feet more or less, along the Highway 44 Right-of-Way to a point of curvature; Thence, following the Highway 44 Right-of-Way along a curve to the right, said curve has a radius of 1095.92 feet and a length of 110.78 feet, chord bearing of S 54 degrees 23 minutes 15 seconds W, a chord distance of 110.73 feet more or less; Thence, N 42 degrees 46 minutes 16 seconds W, 268.89 feet more or less to the north line of Lot F-1 of Fish Hatchery Subdivision; Thence, S 89 degrees 44 minutes 15 seconds E, 437.33 feet more or less, along the north line of Lot F-1 to the point of beginning. Said tract of land contains 1.00 Acres, more or less, more generally described as being located west of the intersection of Jackson Boulevard and Chapel Lane.

Planning Commission recommended that the Rezoning from the Park Forest District to the Office Commercial District be continued to the March 22, 2001 Planning Commission meeting to be considered in conjunction with a Planned Development Designation.

12. No. 01PD003 - Fish Hatchery Subdivision

A request by Fisk Engineering for John Skulborstad and Peter Torino to consider an application for a **Planned Commercial Development - Initial and Final Development Plan** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8,

T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West.

Planning Commission recommended that the Planned Development Designation be continued to the March 22, 2001 Planning Commission meeting to be heard in conjunction with a rezoning request.

13. No. 01SV005 - Fish Hatchery Subdivision

A request by Fisk Engineering for John Skulborstad and Peter Torino to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for sewer, water, street light conduit and sidewalks** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement for sewer, water, sidewalk and street light conduit be continued to the March 22, 2001 Planning Commission meeting to be heard in conjunction with a Preliminary and Final Plat on the subject property.

14. No. 01PL007 - Fish Hatchery Subdivision

A request by Fisk Engineering for John Skulborstad and Peter Torino to consider an application for a **Preliminary and Final Plat** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West.

Planning Commission recommended that the Preliminary and Final Plat be continued to the March 22, 2001 Planning Commission meeting to allow the applicant to submit additional information.

15. No. 01SV004 - Sweetbriar Heights Subdivision

A request by D.C. Scott Co. Land Surveyors for Marjorie A. Fordyce to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks and street light conduit and to allow a lot more than twice as long as it is wide** on Lot 34A and Lot 34B of Lot 34 of Lot D of Sweetbriar Heights and 9.7' wide easement for irrigation ditch and drainage in Lot 34B, located in the SE1/4 NW1/4 of Section 10, T1N, R8E of the BHM, Pennington County, South Dakota, more generally described as being located at the intersection of Sweetbriar Street and Knox Street.

Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks and street light conduit be continued to the March 22, 2001 Planning Commission meeting to be heard in conjunction with a Preliminary and Final Plat on the subject property.

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16. No. 01PL006 - Sweetbriar Heights Subdivision

A request by D.C. Scott Co. Land Surveyors for Marjorie A. Fordyce to consider an application for a **Preliminary and Final Plat** on Lot 34A and Lot 34B of Lot 34 of Lot D of Sweetbriar Heights and 9.7' wide easement for irrigation ditch and drainage in Lot 34B, located in the SE1/4 NW1/4 of Section 10, T1N, R8E of the BHM, Pennington County, South Dakota, more generally described as being located at the intersection of Sweetbriar Street and Knox Street.

Planning Commission recommended that the Preliminary and Final Plat be continued to the March 22, 2001 Planning Commission meeting to allow the applicant to submit additional information.

20. No. 01UR006 - Bice Subdivision

A request by Samuel J. and Faye E. Bice to consider an application for a **Use on Review to allow a caretakers residence in the Light Industrial Zoning District** on Lot 2 of Lot K of Bice Subdivision located in the NW1/4 of the SW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1220 1/2 Creek Drive.

Planning Commission recommended that the Use on Review to allow a caretakers residence in the Light Industrial Zoning District be continued to the April 5, 2001 Planning Commission meeting to allow the applicant time to submit additional required information.

22. No. 01PL011 - Section 23, T1N, R7E

A request by City of Rapid City to consider an application for a **Layout Plat** on Tract A of Tract 1 of W1/2 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on U.S. Highway 16 north of Golden Eagle Drive and adjacent to the Old Marine Life.

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

Engineering Division Recommendations:

1. Upon submittal of the Preliminary Plat, the plat shall be revised to show a non-access easement along the service road except for the approved approach location(s);
2. Upon submittal of the Preliminary Plat, grading plans and a complete drainage plan shall be submitted for review and approval;
3. Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval;
4. Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer shall be submitted showing the extension of water mains for review and approval;
5. Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall

be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, and sidewalk improvements;

6. Prior to submittal of the Preliminary Plat, the applicant shall review the potential vacation of that portion of Golden Eagle Drive located adjacent to proposed Lot D with the Engineering Division and the Planning Department;
7. Prior to Final Plat approval by the Planning Commission, major drainage easements shall be shown on the plat as required by the Engineering Division;
8. Prior to Final Plat approval by the City Council, the section line highway shall be improved or a Subdivision Regulations Variance shall be obtained to waive improving that portion of the section line highway located north of the proposed interior road;

South Dakota Department of Transportation Recommendations:

9. Upon submittal of the Preliminary Plat, access locations, crossover locations and turn lane locations shall be submitted for review and approval;
10. Prior to Final Plat approval by the City Council, all necessary road improvements along U. S. Highway 16 and the service road shall be completed;

Fire Department Recommendations:

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

Register of Deed's Office Recommendation:

12. Upon submittal of the Preliminary Plat, a revised subdivision name shall be submitted for review and approval;

Emergency Services Communication Recommendation:

13. Upon submittal of the Preliminary Plat, the proposed road shall be named;

Urban Planning Division Recommendations:

14. Prior to Final Plat approval by the City Council, the property shall be rezoned as identified on the adopted Southwest Connector Neighborhood Future Land Use Plan;
15. Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and,
16. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.

24. No. 01RD001 - Section 22, 23, 26 and 27, T1N, R7E

A request by Jerald and Luane Johnson and Everett and Ruth Call to consider an application for a resolution naming the existing unnamed roadway which is primarily located along the north/south section line located between Sections 26 & 27 and Sections 22 & 23 in T1N, R7E, BHM and also located in the NE ¼ NE1/4

of Section 27, T1N, R7E, BHM and E1/2 of SE1/4 of Section 22, T1N, R7E, BHM and all located within Rapid City, Pennington County, South Dakota to "Black Hills Boulevard".

Planning Commission recommended that the Resolution naming the unnamed roadway to "Black Hills Boulevard" be continued to the March 22, 2001 Planning Commission meeting to allow the petitioners to submit a new proposed street name.

26. No. 01CA002 - Comprehensive Plan Amendment - Amendment to the Major Street Plan

A request by City of Rapid City to consider an application for a **Comprehensive Plan Amendment - Amendment to the Major Street Plan**.

Planning Commission recommended that the Comprehensive Plan Amendment - Amendment to the Major Street Plan be approved.

27. No. 01OA003 - Ordinance Amendment

A request by City of Rapid City to consider an application for an Ordinance amending Section 17.40.030 of the Rapid City Municipal Code by adding Recreational Facilities to the list of Uses Permitted on Review in the Office Commercial Zoning District.

Planning Commission recommended that the Ordinance Amendment allowing Recreation Facilities as a Use on Review in the Office Commercial Zoning District be approved.

28. No. 01RD002 - North Street Areas

A request by City of Rapid City to consider an application for a **Resolution for Road Name Change from North Street to Fillmore Street** on that portion of the dedicated North Street right-of-way located adjacent to Blocks 15, 16 and 17 of North Rapid Addition, NW1/4 Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota.

Planning Commission recommended that the Resolution renaming North Street to Fillmore Street be approved.

29. No. 01RD003 - Springbrook Acres Subdivision

A request by City of Rapid City to consider an application for a **Resolution for Road Name Change** on the private and public roadways known as: Spring Brook Road, Horse Creek Road, Hidden Timber Road, Happy Hollow Road, Lookout Mountain Road, Mystic Mountain Road, Bobtail Gulch Road, Cuyahogo Road, Mountain Meadow Road, Nugget Gulch Road, Buffalo Berry Road, Jenny Gulch Road, Buckhorn Road, Redfern Road, Crown Hill, Castle Creek, Dakoming, Foothill Drive and Estates Drive all located within Springbrook Acres Subdivision, Sections 15 and 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

Planning Commission recommended that the Resolution for Road Name Change confirming the existing road names within Springbrook Acres Subdivision be approved.

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

17. No. 01AN003 - Sections 34 and 35, T1N, R7E

A request by FMG, Inc. for Commerford LLP to consider an application for a **Petition for Annexation** on A tract of land located in the NW 1/4 of NW 1/4, NE 1/4 of NW 1/4, SE 1/4 of NW 1/4, SW 1/4 of NW 1/4 of Section 35, T1N, R7E, BHM and in the SE 1/4 of NE 1/4 of Section 34, T1N, R7E, BHM, Pennington County, South Dakota more particularly described as follows: Commencing at a point which is a 5/8" rebar which is the northwest corner of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, Thence N89°53'06"E a distance of 283.67', more or less, along the section line to the Point of Beginning which is a 5/8" rebar with cap marked 4225 set on the north section line of Section 35, T1N, R7E and the easterly right-of-way line of U.S. Highway 16; Thence N89°53'06"E a distance of 1,042.05', more or less, along the north section of line of Section 35, T1N, R7E, to a point; Thence S89°42'56"E a distance of 1,327.92', more or less, along the north section line of Section 35, T1N, R7E, to a point at the N 1/4 corner of Section 35, T1N, R7E; Thence S00°00'06"E a distance of 1,338.24', more or less, along the section 1/4 line of Section 35, T1N, R7E, to a point; Thence S00°01'17"E a distance of 668.30', more or less, along the section 1/4 line of Section 35, T1N, R7E, to a point; Thence S00°01'54"E a distance of 668.47', more or less, along the north-south section 1/4 line of Section 35, T1N, R7E, to a point at the center of Section 35, T1N, R7E; Thence N89°24'46"W a distance of 1,326.32', more or less, along the east-west section 1/4 line of Section 35, T1N, R7E, to a point; Thence N89°24'46"W a distance of 1,326.32', more or less, along the east-west section 1/4 line of Section 35, T1N, R7E, to a point at the W 1/4 corner of Section 35, T1N, R7E and E 1/4 corner of Section 34, T1N, R7E; Thence S89°42'51"W a distance of 104.64', more or less, along the east-west section 1/4 line of Section 34, T1N, R7E, to a point at the intersection of the east-west section 1/4 line of Section 34, T1N, R7E and easterly right-of-way line of U.S. Highway 16; Thence northeasterly along said easterly right-of way of U.S. Highway 16 on a curve with a radius of 2,492.00' and an arc length of 692.47', more or less, to a point; Thence N82°41'04"W a distance of 50', more or less, along the east right-of-way line of U.S. Highway 16 to a point; Thence N07°18'56"E a distance of 658.85', more or less, along the easterly right-of-way line of U.S. Highway 16 to a point; Thence N07°18'56"E a distance of 1,338.03', more or less, along the easterly right-of-way line of U.S. Highway 16 to the Point of Beginning; and Lot H2 of the E1/2 of the NE1/4 of Section 34, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located approximately 1/2 mile south of the intersection of Catron Boulevard and U.S. Highway 16.

In response to a question from Wall, Elkins advised that the Resolution of Annexation will designate the zoning of the property as No Use District upon annexation into the City limits.

Wall moved, Soley seconded and unanimously carried to recommend approval of the Petition for Annexation with the following stipulations:

Pennington County Fire Coordinator Recommendations:

1. Prior to City Council approval, the City shall provide any required compensation to the Whispering Pines Fire Protection District;

Pennington Highway Department Recommendations:

2. Prior to City Council approval, the applicant shall provide documentation on the location of the centerline of Sammis Trail; and,

Urban Planning Division Recommendations:

3. Prior to City Council approval, the applicant shall provide documentation on the partners in the Commerford LLP. (6 to 0)

18. No. 01PL008 - Wise's Addition

A request by Doug Sperlich for Black Hills Regional Food Bank to consider an application for a **Preliminary and Final Plat** on Lots 1 and 2 of Block 21, Wise's Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Maple Avenue and East Adams Street.

Emerson distributed a revised staff report to the Planning Commissioners. He advised that the applicant has provided information as requested and he reviewed staff's recommendation for approval with stipulations.

In response to a question from Lang, Emerson explained that the sign referenced in condition no. 2 is already existing on the property.

Scull moved, Wall seconded and unanimously carried to recommend that the Preliminary and Final Plat be approved with the following stipulation:

Engineering Division Recommendations:

1. Prior to Final Plat approval by the City Council, the applicant shall identify a drainage easement as delineated on the redlined drainage plan on the plat document;

Building Inspection Division Recommendations:

2. Prior to Final Plat approval, the applicant shall obtain a sign permit for the dentist office sign;

Urban Planning Division Recommendations:

3. Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and,
4. Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted. (6 to 0)

19. No. 01PL009 - Debra Subdivision

A request by James Letner to consider an application for a **Final Plat** on Lots 1 and 2 and dedicated R.O.W. of Debra Subdivision, (formerly Lots B & C of Lot 2 of OutLot 2 of the SE1/4 of the SW1/4 of Section 4, T1N, R7E, BHM and a portion

of Debra Drive R.O.W.) located in the SE1/4 of the SW1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the intersection of Clifton Street and Debra Drive.

In response to a question from Wall, Elkins advised that provisions for a cul-de-sac are included in the recommended conditions of the Planned Development approval.

Wall moved, Wevik seconded and unanimously carried that the Final Plat be approved with the following stipulations:

Engineering Division Recommendations:

1. **Prior to City Council approval, the structures located within the storm water channel/sewer alignment shall be removed or surety shall be posted for their removal;**

Fire Department Recommendations:

2. **Prior to City Council approval, a site plan shall be submitted for review and approval identifying the size and location of water lines and fire hydrant locations within 500 feet of the property and proposed on-site fire hydrant location(s);**

Urban Planning Division Recommendations:

3. **Prior to City Council approval, a miscellaneous document shall be filed at the Register of Deed's Office creating a utility easement for the extension of the storm water and sewer line(s) from 38th Street to the subject property or the plat shall be revised to include Lot 61 of Leisure Hills and identify the utility easement(s) as necessary;**
4. **Prior to City Council approval, a subdivision estimate form shall be submitted and all subdivision inspection fees shall be paid; and,**
5. **Prior to City Council approval, surety for any required subdivision improvements that have not been completed shall be posted. (6 to 0)**

21. **No. 01UR007 - Section 7, T1N, R8E**

A request by Les Sackreiter for Black Hills BMX to consider an application for a **Major Amendment to a Use On Review to amend the Robbinsdale Park Master Plan to allow a storage area, shelter, announcing tower and lighting** on Robbinsdale Park located in the SW1/4 SE1/4 and E1/2 SW1/4 of Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at Robbinsdale Park.

In response to a question from Wall, Elkins advised that since the staff report was written five calls were received with the callers expressing concern about the proposed track and lighting.

Les Sackreiter, applicant, explained that complaints about the track have primarily been concerning the fencing of the track. He noted that they had installed fencing in order to keep motorized vehicles off the track. He advised that the lighting would only be used once a week with racing ending by 9:30 p.m.

Wall moved, Scull seconded and unanimously carried to recommend that

the Major Amendment to a Use On Review to amend the Robbinsdale Park Master Plan to allow a storage area, shelter, announcing tower and lighting be approved with the following stipulations:

Building Inspection Department Recommendations:

1. A Building Permit shall be obtained prior to any construction;
2. A Certificate of Occupancy shall be obtained prior to occupying the building addition;

Urban Planning Division Recommendations:

3. The lighting shall be designed and installed to reflect away from the adjacent residential areas and the existing softball fields;
4. That usage of the lighting shall be limited to Thursday evenings from 6:00 p.m. to 10:00 p.m. during June, July and August and any expansion of these hours will require a Major Amendment to the Use on Review;
5. That "No-Parking" signs shall be posted on the park access road to the east and north of the BMX Track; and,

Air Quality Division Recommendations:

6. Prior to City Council approval, a Continuance Operation Compliance Plan application shall be submitted. (6 to 0)

23. No. 01PD005 - Stoney Creek Subdivision Phase I

A request by Dream Design International to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Lots 1 thru 3 of Block 2; Lots 1 thru 23 of Block 3; and Lots 2 and 3 of Block 4 all located in Stoney Creek Subdivision Phase I, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of the current terminus of Winterset Drive and Stoney Creek Drive.

Wall requested clarification concerning what type of lighted signage will be used in the development.

Discussion followed concerning lighted entryway signs to the development and the need for landscaping to create a buffer between the subject property and the adjacent commercial properties.

Wall moved and Solay seconded to recommend that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

Engineering Division Recommendation:

1. Prior to City Council approval of the Final Development Plan, drainage information shall be submitted for review and approval;

Fire Department Recommendations:

2. Prior to issuance of a Certificate of Occupancy, all fire codes shall be met;
3. Prior to issuance of a building permit, signs shall be posted along Princeton Court and Yale Court to preclude parking in the cul-de-sac bulbs;

Air Quality Recommendation:

4. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;

Building Inspection Division Recommendations:

5. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
6. Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted;

Urban Planning Division Recommendations:

7. Prior to Planning Commission approval of the Final Development Plan, a landscaping plan shall be submitted for review and approval. In particular, a substantial landscaping buffer including berms, shrubs and trees shall be provided along the east side of Bendt Drive;
8. Prior to Planning Commission approval of the Final Development Plan, a sign and lighting package shall be submitted for review and approval. The sign package shall include the location, height and size, and setback dimensions of any and all proposed signs to be located within the development;
9. Prior to Planning Commission approval of the Final Development Plan, a revised site plan shall be submitted for review and approval to show a 49 foot wide right-of-way on Princeton Court and Yale Court; or the site plan shall be revised to show an off-street parking area for visitors;
10. A minimum 15 foot front yard setback for all principal structures and a minimum 18 foot setback for all garages(s) shall be provided on Princeton Court, Yale Court and Harvard Avenue. A minimum 25 foot front yard setback for all structures shall be maintained on Winterset Drive;
11. All provisions of the Low Density Residential Zoning District shall be met unless otherwise authorized; and,
12. The Planned Residential Development shall allow single family residential use.

Fisher advised that the Engineering Division has requested that an additional stipulation be added to the conditions of approval as follows: Prior to issuance of grading permits or building permits, revisions to construction plans shall be made and any additional required easements shall be dedicated by miscellaneous document.

Wall and Solay accepted a friendly amendment and unanimously carried to recommend that the Planned Residential Development - Initial and Final Development Plan be approved with the following stipulations:

Engineering Division Recommendation:

1. Prior to City Council approval of the Final Development Plan, drainage information shall be submitted for review and approval;
2. Prior to issuance of grading permits or building permits, revisions to construction plans shall be made and any additional required

easements shall be dedicated by miscellaneous document;

Fire Department Recommendations:

3. Prior to issuance of a Certificate of Occupancy, all fire codes shall be met;
4. Prior to issuance of a building permit, signs shall be posted along Princeton Court and Yale Court to preclude parking in the cul-de-sac bulbs;

Air Quality Recommendation:

5. An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre;

Building Inspection Division Recommendations:

6. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
7. Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted;

Urban Planning Division Recommendations:

8. Prior to Planning Commission approval of the Final Development Plan, a landscaping plan shall be submitted for review and approval. In particular, a substantial landscaping buffer including berms, shrubs and trees shall be provided along the east side of Bendt Drive;
9. Prior to Planning Commission approval of the Final Development Plan, a sign and lighting package shall be submitted for review and approval. The sign package shall include the location, height and size, and setback dimensions of any and all proposed signs to be located within the development;
10. Prior to Planning Commission approval of the Final Development Plan, a revised site plan shall be submitted for review and approval to show a 49 foot wide right-of-way on Princeton Court and Yale Court; or the site plan shall be revised to show an off-street parking area for visitors;
11. A minimum 15 foot front yard setback for all principal structures and a minimum 18 foot setback for all garages(s) shall be provided on Princeton Court, Yale Court and Harvard Avenue. A minimum 25 foot front yard setback for all structures shall be maintained on Winterset Drive;
12. All provisions of the Low Density Residential Zoning District shall be met unless otherwise authorized; and,
13. The Planned Residential Development shall allow single family residential use. (6 to 0)

25. No. 01CA001 - Comprehensive Plan Amendment - Amendment to the Major Street Plan

A request by City of Rapid City to consider an application for a **Comprehensive Plan Amendment - Amendment to the Major Street Plan.**

Wall requested clarification concerning the elimination of the Wildwood Drive extension from Major Street Plan.

Elkins explained the proposed change noting the existing development and topographic constraints along the route as originally identified for the extension of Wildwood Drive.

Discussion followed.

Wall moved, Scull seconded and unanimously carried to recommend that the Comprehensive Plan Amendment - Amendment to the Major Street Plan be approved deleting the proposed road from the plan. (6 to 0)

Emerson requested that 30 to 31 be considered concurrently.

30. No. 01SV002 – Gray's Subdivision

A request by Gary Renner for Suzanne Gabrielson to consider an application for a **Variance to the Subdivision Regulations to waive the requirement for all improvements to Section Line and Access Easement** on Tract L of Gray's Subdivision, Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of City Springs Road.

31. No. 00PL136 - Gray's Subdivision

A request by Doug Sperlich for Suzanne Gabrielson to consider an application for a **Final Plat** on Lots 1 and 2 of Tract L of Gray's Subdivision (formerly Tract L of Gray's Subdivision) located in the N1/2 of the NW1/4 of Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the western terminus of City Springs Road.

Emerson advised that the Zoning Board of Adjustment meeting scheduled for March 6, 2001 was continued to March 20, 2001 as a quorum was not present. He requested that the Variance to the Subdivision Regulations and Final Plat be continued to the March 22, 2001 Planning Commission meeting in anticipation of the decision of the Zoning Board of Adjustment regarding the associated variance requests.

Wall moved, Soley seconded and unanimously carried to recommend that the Variance to the Subdivision Regulations and the Final Plat be continued to the March 22, 2001 Planning Commission meeting. (6 to 0)

32. No. 01UR004 - Marshall Heights Tract

A request by Shooters, Inc. to consider an application for a **Use On Review to allow an On-Sale Liquor Establishment in conjunction with a full service restaurant** on Lot 2 of Lot K-3 of Marshall Heights Tract located in the SW1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1803 LaCrosse Street.

Seaman presented the request and reviewed the staff report and slides. She indicated that staff recommends approval of the Use on Review request with stipulations.

In response to a question from Wevik, Seaman indicated where the barrier between Bullets and the Ramada Inn would be located.

Connie Lester, owner of Ramada Inn, expressed concern that they have had continuing problems with Bullets customers using the Ramada Inn parking lot. She reviewed the number of parking spaces at both Bullets and the Common Cents store located north of the subject property. She expressed concern that granting the Use on Review would exacerbate the parking problems.

Wall expressed concern that it appears there is not adequate parking for the existing use on the property. He noted that serving alcohol will increase the amount of time people spend at the restaurant and he expressed concern that control of the alcohol at a fast food restaurant is questionable. Wall expressed concern that the accident study prepared by the South Dakota Department of Transportation emphasizes the need for improvements to this intersection.

Lorie Guthy, General Manger of the Quality Inn, advised that they have had problems with overflow parking from the Bullets Restaurant and Common Cents. She noted that pedestrians crossing LaCrosse Street are causing traffic hazards. She expressed concern that allowing an alcoholic beverage license at this location will contribute to the existing problem.

Mark Massa, representing Ramada Inn, stated that the current parking at the Bullets and Common Cents is extremely congested, especially during the summer and holiday season. He expressed concern that the north easement on the Common Cents lot is dangerous and he noted than there is an existing liquor license at the Hideway Casino on LaCrosse Street.

Prairie Chicken spoke in opposition to the proposed use. He noted that he is an area resident and he concurred that this location experiences a high volume of traffic, especially during tourist season and the holidays.

Wevik advised that he felt additional traffic generated by the proposed use would aggravate existing parking and access issues.

Wevik moved, Wall seconded and carried to recommend that the Use On Review to allow an On-Sale Liquor Establishment in conjunction with a full service restaurant be denied. (5 to 1 with Scull voting no)

33. No. 01RZ004 - Denman's Subdivision

A request by David Howard to consider an application for a **Rezoning from General Commercial District to High Density Residential District** on Lots 12 and 13 of Block 4 of Denman's Subdivision, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 209 East Saint Joseph Street.

Fisher presented the request and reviewed the staff report and slides. She recommended that the rezoning request be denied based on a lack of compliance

with the established zoning map amendment criteria and adopted Comprehensive Plan. She referenced a letter objecting to the proposed rezoning submitted by an area property owner.

David Howard, applicant, reviewed the occupancy history of the structure located on the subject property. He explained that there are other structures in the General Commercial Zoning District that are grandfathered for existing residential purposes. He expressed concern regarding property taxes and insurance and reviewed improvements that have been made to the property. He added that he has two letters from neighboring property owners offering no objection the proposed rezoning request.

Lauren Miles, listing agent for the subject property, advised that this property has been listed for sale for commercial use since 1999. He explained that all potential buyers for the property have expressed a desire to see the structure used for residential purposes. He stated that the current contract for purchase of the property is contingent upon the approval of the zoning change so the property can be rented to students attending the South Dakota School of Mines and Technology.

Fisher explained that the successful commercial use of the property for 20 years effectively eliminated any previously grandfathered residential use.

Discussion followed concerning spot zoning.

Wall moved and Wevik seconded to recommend that the Rezoning from General Commercial District to High Density Residential District be denied.

Wall noted that the Planning Commission does not make the final decision in these matters and encouraged the applicant to share his comments with the City Council at the meeting on March 19, 2001.

The motion unanimously carried to recommend that the Rezoning from General Commercial District to High Density Residential District be denied. (6 to 0)

34. No. 01UR008 - Carefree Subdivision

A request by RCS Construction to consider an application for a **Use on Review to allow a warehouse in excess of 5000 square feet and to allow delivery vehicles rated at more than one and one half ton capacity in the General Commercial Zoning District** on Lots 1 and 2 of Carefree Subdivision, NE1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located immediately north of 2220 Eglin Street.

Elkins advised that the staff recommends that the Use on Review be approved with stipulations.

Scull advised that he would abstain from voting on this item.

Wevik moved and Wall seconded to recommend that the Use on Review to allow a warehouse in excess of 5000 square feet and to allow delivery vehicles rated at more than one and one half ton capacity in the General Commercial Zoning District be approved with the following stipulations:

Engineering Division Recommendations:

1. Prior to issuance of a Building Permit, detailed septic system plans for Lots 2 and 3 of Carefree Subdivision shall be submitted for review and approval;
2. Prior to issuance of a Building Permit, detailed construction plans shall be submitted for review and approval;

Building Inspection Division Recommendations:

3. Prior to issuance of a Building Permit, three sets of Architectural/Engineer stamped plans shall be provided;
4. Prior to issuance of a Building Permit a complete sign package shall be submitted and approved by the Building Inspection Division;
5. That no Off-Premise signs shall be allowed on the property;
6. A Building Permit shall be obtained prior to any construction;
7. A Certificate of Occupancy shall be obtained prior to occupying the building;

Fire Department Recommendations:

8. Prior to issuance of a Building Permit the applicant shall identify on the site plan the location of all fire hydrants within a 500 foot radius;

Urban Planning Division Recommendations:

9. Prior to issuance of a Building Permit, Lots 2 and 3 of Carefree Subdivision shall be designated as a Developmental Lot by the Planning Director;
10. Prior to issuance of a Building Permit a landscaping plan identifying a landscaping buffer of no less than ten coniferous trees on the west property line of Lot 2 of Carefree Subdivision;
11. A minimum setback of 58 feet from the north property line of Lots 1 and 2 of Carefree Subdivision shall be provided and, a revised site plan shall be submitted prior to issuance of a Building Permit;
12. Prior to issuance of a Building Permit the 8 foot minor drainage and utility easements between Lots 1 and 2 of Carefree Subdivision shall be vacated; and,

Air Quality Division Recommendations:

13. An Air Quality Construction Permit shall be obtained if more than one acre of surface area is disturbed prior to the issuance of any building permits or grading permits.

Discussion followed concerning the easement on the subject property, the aesthetic character of the proposed warehouse structure, and the landscaping plan for the property.

The motion carried to recommend that the Use on Review to allow a warehouse in excess of 5000 square feet and to allow delivery vehicles

rated at more than one and one half ton capacity in the General Commercial Zoning District be approved with the above listed following stipulations. (5 to 0 with Scull abstaining)

Emerson requested that 35, 36 and 37 be considered concurrently.

35. No. 01PD004 - Boulevard Addition

A request by Ferber Engineering Company for Richard O. Stahl to consider an application for a **Planned Residential Development - Initial and Final Development Plan** on Lots 1-6 of Stahl Victorian Addition, formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of the intersection of West Street and South Street.

36. No. 01SV006 - Boulevard Addition

A request by Ferber Engineering Company for Richard O. Stahl to consider an application for a **Variance to the Subdivision Regulations to allow curb, gutter and sidewalk on one side of the alley and sidewalk on one side of Stahl Court and to waive the street light conduit** on Lots 1-6 of Stahl Victorian Addition, formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of the intersection of West Street and South Street.

37. No. 01PL010 - Boulevard Addition

A request by Ferber Engineering Company for Richard O. Stahl to consider an application for a **Layout Plat** on Lots 1-6 of Stahl Victorian Addition, formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of the intersection of West Street and South Street.

Emerson presented the staff report and reviewed the slides of the subject property. He recommended that the Initial and Final Development Plan be approved with stipulations, that the Layout Plat be approved with stipulations, and that the Variance to the Subdivision Regulations to allow curb, gutter and sidewalk on one side of the alley and sidewalk on one side of Stahl Court be approved and the Variance to the Subdivision Regulations to waive the street light conduit be denied.

Dan Ferber, agent for applicant, clarified that the site plan contains an error and added that they are not requesting a reduction in setbacks.

In response to a question from Wall, Emerson clarified that staff is recommending that Stahl Court be maintained as a private street, in part because of the proposal for the parking to back directly into Stahl Court.

Discussion followed concerning the maintenance of a public access easement within the vacated South Street right-of-way. Discussion followed concerning pedestrian access to the existing path system.

Bill Kessloff, area resident, expressed his opinion that the proposed density for the project is inappropriate for the neighborhood. He noted that he believes that a portion of the development is located within the West Boulevard Historic District. He expressed concern that the addition of 16 vehicles to Hill Street traffic poses a safety hazard for children and family pets. He expressed further concern with the stability of the ravine as a result of the various fill materials that were dumped into it in the past. Additionally, Kessloff explained that area residents are experiencing sewer capacity problems and he stated that he believes that the additional density will significantly aggravate these problems.

Mike Brooks, area resident, concurred with Kessloff. He distributed a letter outlining his concerns. He expressed concern that an increase in the volume of traffic and the extreme grades on Hill Street, particularly where it intersects his driveway, would create significant safety issues. He expressed opposition to the proposed use citing negative impacts to air quality, security, crime, drainage, erosion and noise pollution.

Gary Rasmussen, speaking on behalf of area resident, Eva Rasmussen, spoke in opposition to the development as proposed. He emphasized the importance of the proper containment or management of runoff from the development noting that the homes at the bottom of Hill Street have experienced flooding during rain events for many years. He identified a variety of fill material he believed to be dumped onto the site during the construction of Mt. Rushmore Road and he expressed concern that the applicant would experience problems with the structures as a result of instability. He objected to the proposed reduction in setbacks to sixteen feet as he felt it would make the appearance of the structures overwhelming. He expressed concern that the proposed construction of a parking lot on the subject property for the purpose of serving a commercial use is inappropriate and he added that he does not feel traffic should be re-routed through a residential neighborhood to support a commercial business. He asked that careful consideration be given to the proposed angle and slope of curb and gutter to address drainage issues.

Elaine Miller, Hill Street resident, advised that she has lived at this location for 43 years. She detailed the fill material she believes was dumped onto the subject property, including old cars, tires, refrigerators, and truckloads of wood chips. She expressed concern that the proposed detention facility would be contaminated by the fill material and drain into neighboring properties. She expressed concern regarding the additional traffic to be generated by the proposed use. She added that she feels that the construction of Stahl Court will contribute to the existing drainage problems along Hill Street noting that she believes culverts need to be constructed to direct runoff.

Dave Broadie, Hill Street resident, expressed concern regarding the additional traffic that would be generated by the proposed use and expressed concern with pedestrian access to trails that cross onto his property.

Elkins clarified that the City does not intend to construct any trails at this location; however, she noted that the City is retaining an easement in an area where a public right-of-way has existed previously.

Broadie requested that any lighting that is required for the development be directed away from the existing residential development.

Jean Jacobson, area property owner, discussed air quality issues that existed during the construction of The Victorian. She expressed concern that the additional traffic generated along Hill Street by the apartments and employee parking for The Victorian will be excessive. She added that she does not feel the proposed structures will be aesthetically pleasing. She expressed concern that the introduction of the additional residents and traffic to this area will compromise security. She stated that existing drainage is heavy in the alley and requires constant grading by the City noting that she feels additional development will create more drainage issues.

Barbara Larson, area resident, expressed concern regarding whether adequate parking would be provided for the proposed development, increased traffic and neighborhood security.

Mike Brooks stated that he feels parking along Hill Street must be prohibited so that emergency vehicles can pass.

Jean Kessloff, area resident, expressed concern that the increase in traffic and parking on both sides of the street in conjunction with winter weather would cause serious safety hazards. She advised that sewage backs up into her basement on weekends and expressed concern that additional development will cause more sewer problems.

Dan Daly, area resident, expressed concern with the size of the proposed development and noted that drainage is a serious problem in this area during rainstorms.

Gary Rasmussen, emphasized concerns he has regarding drainage and flooding in this neighborhood.

Benny Dale Miller, Hill Street resident, expressed concerns regarding noise, tax increases, security, crime, and property devaluation that could result from the proposed development. He stated that he did not receive notice of this request.

Dan Ferber, agent for applicant, advised that all setback requirements have been met. He noted that the property owner has completed a preliminary geotechnical evaluation to determine the content of the fill located within the ravine. He added that the applicant intends to live in this project. He reviewed the requirement of

the drainage basin for a detention facility to be maintained on the property. He indicated that the proposed density of the development is below the maximum established by the zoning district. Ferber noted that the proposed development will help the applicant recoup the cost of purchasing the property to construct additional parking for The Victorian. He noted that the applicant is willing to work with the City to try and address all issues as identified by the neighborhood.

Elaine Miller requested clarification concerning the proposed detention facility on the property. Discussion followed.

Barbara Kessloff emphasized her concerns with the level of traffic to be generated by the development.

Wevik requested clarification concerning existing parking for The Victorian and he spoke against the proposed parking for the assisted living facility being located in and accessed through a residential neighborhood. He stated that he does not want to see the South Street right-of-way vacated and he added that he is confident that staff can address the drainage issues.

In response to a question from Wall, Dick Stahl, owner of The Victorian and the subject property, provided a brief history of The Victorian and the need for additional parking for the facility. He explained that the additional parking would primarily serve as employee parking, noting that the facility employs approximately 30 people. He added that in the daytime approximately 3 to 5 employees at a time would be using the parking lot and he added that the night shift employees would park in front of The Victorian.

Wall requested clarification regarding why they are proposing 16 spaces for the parking lot. Stahl responded that during holidays or events they would have additional parking to accommodate family visitors. Stahl explained that the proposed development will be an improvement over some of the existing dwellings in the area.

Discussion followed concerning how many units the zoning district would allow as opposed to how many units the property would physically support, when taking into consideration the constraints created by the existing topography.

Wall encouraged dialogue between the landowners and developers to find a compromise that will be beneficial to all parties.

Discussion followed.

Wevik moved and Solay seconded to recommend that Items 35, 36 and 37 be continued to the April 5, 2001 Planning Commission meeting to allow staff to work with the petitioner to keep the South Street right-of-way in tact and to limit the traffic to the development to residential use only.

Stahl spoke in opposition to the motion and emphasized that his purpose for purchasing this property was specifically to obtain additional parking for The

Victorian. He added that the residential development of the property in conjunction with the parking lot will provide a means for him to recover the cost of the property.

Lang stated that she cannot support the development at the proposed density and she noted that she does not support the proposed commercial parking.

Discussion followed.

Wall spoke against the continuation of these items noting that he feels that the developer has proposed a reasonable project in terms of what the land will support.

Discussion followed concerning the appropriateness of routing business traffic through a residential neighborhood and the likelihood that the South Street right-of-way would be developed at some point.

Wevik moved and Solay seconded to recommend that Items 35, 36 and 37 be continued to the April 5, 2001 Planning Commission meeting to allow staff to work with the petitioner to keep the South Street right-of-way in tact and to limit the traffic to the development to residential use only. (4 to 2 with Wall and Scull voting no)

Solay moved, Wall seconded and unanimously carried to continue the remainder of the agenda items to the March 22, 2001 Planning Commission meeting. (6 to 0)

There being no further business Prairie Chicken moved, Wall seconded and unanimous carried to adjourn the meeting at 9:56 a.m. (6 to 0)