

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Finance Office 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.

**AGENDA FOR THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., February 6, 2012**

ROLL CALL AND DETERMINATION OF QUORUM

EXECUTIVE SESSION for the purposes permitted by SDCL 1-25-2

STAFF DIRECTION

INVOCATION

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

AWARDS AND RECOGNITIONS

1. Citizen of the Month

GENERAL PUBLIC COMMENT

A time for the members of the public to discuss or express concerns to the Council on any issue not on the agenda. Action will not be taken at the meeting on any issue not on the agenda, except by placement on the agenda by unanimous vote of the Council members present.

NON-PUBLIC HEARING ITEMS -- Items 2 - 90

Public Comment opened – Items 2 - 76

Public Comment closed

CONSENT ITEMS – Items 2 - 73

Remove Items from the “Consent Items” and Vote on Remaining Consent Items

APPROVE MINUTES

2. Approve Minutes for the January 17, 2012 Regular Council meeting, the January 23, 2012 Special Council meeting and to correct the minutes of December 19, 2011 to reflect the motion as “carried” for Item No. CC120511-02.2.

Vacations of Right-Of-Way Set for Hearing (None)

Alcoholic Beverage License Applications Set for Hearing (February 21, 2012)

3. B & C Inc DBA Ifrit’s Hookah Lounge, 725 St Joseph Street for a Retail (on-off sale) Wine License TRANSFER from Charles J Desmond General Partnership DBA Ifrit’s Hookah Lounge, 725 St Joseph Street (No. CC020612-04.2)
4. B & C Inc DBA Ifrit’s Hookah Lounge, 725 St Joseph Street for a Retail (on-off sale) Malt Beverage License TRANSFER from Charles J Desmond General Partnership DBA Ifrit’s Hookah Lounge, 725 St Joseph Street (No. CC020612.04.3)

5. Cimarron Casino Inc DBA GAP Casino II, 1727 W Main Street, Suite 2A for a Retail (on-off sale) Malt Beverage License with Video Lottery TRANSFER from Cimarron Casino Inc DBA Chicago St Casino, 3609 Sturgis Road
6. Bob's Amoco, Inc DBA Bob's Amoco, 721 Mt Rushmore Road for a Package (off-sale) Malt Beverage License
7. Fuji Japanese Steakhouse, Inc. DBA Fuji Japanese Steakhouse, Inc., 1731 Eglin Street, for a Retail (on-off sale) Wine License
8. Fuji Japanese Steakhouse, Inc. DBA Fuji Japanese Steakhouse, Inc., 1731 Eglin Street, for a Retail (on-off sale) Malt Beverage License

Public Works Committee Consent Items

9. No. PW013112-03 – Approve Change Order No.2 to Rapid Construction Co. LLC for Frontier Place Reconstruction, Project No. DR07-1679 / CIP No. 50806, for an increase of \$10,318.27.
10. No. PW013112-05 – Approve Change Order No.1 to Mainline Contracting Inc. for North Pinedale Water Storage Reservoir, Project No. W10-1890 / CIP No. 50832, for a decrease of \$5,658.88.
11. No. PW013112-06 – Approve Change Order No. 2 to Heavy Constructors for Cambell Street Reinforced Box Culvert, Project No. DR10-1909 / CIP No. 50020, for an increase of \$10,860.55.
12. No. PW013112-07 – Authorize Staff to Advertise for Bids for Pavement Marking, Project No. 12-2018 / CIP No. 50594. Estimated Cost: \$95,000.00.
13. No. PW013112-08 – Authorize Staff to Advertise for Bids for 2012 Miscellaneous Improvements Project, Project No. MIP12-2004 / CIP No. 50298. Estimated Cost: \$100,000.00.
14. No. PW013112-09 – Authorize Staff to Advertise for Bids for CSAC West Steps ADA Ramp Improvements, Project No. 12-1993 / CIP No. 50894. Estimated Cost: \$20,000.00.
15. No. PW013112-10 – Authorize Staff to Advertise for Bids for Utility Cut Portland Concrete Replacement. Estimated Cost: \$75,000.00.
16. No. PW013112-11 – Authorize Staff to Advertise for Bids for Odor Control Chemical for Lift Stations. Estimated Cost: \$75,000.00.
17. No. PW013112-12 – Authorize Staff to Advertise for Bids for Enchanted Pines Drive Sanitary Sewer Extension, Project No. SS10-1938 / CIP No. 50859. Estimated Cost: \$120,000.00.
18. No. PW013112-13 – Authorize Staff to Advertise for Bids for Stirling Street Sanitary Sewer Extension, Project No. SS10-1904 / CIP No. 50838. Estimated Cost: \$180,000.00.
19. No. PW013112-14 – Authorize Staff to Advertise for Bids for Sweeper Broom Refills. Estimated Cost: \$30,000.00.
20. No. PW013112-15 – Authorize Staff to Advertise for Bids for Roadway Deicer Sodium Chloride. Estimated Cost: \$500,000.00.
21. No. PW013112-16 – Authorize Staff to Advertise for Bids for Ready Mixed Concrete. Estimated Cost: \$63,000.00.
22. No. PW013112-17 – Authorize Staff to Advertise for Bids for Hot Mixed Asphaltic Concrete. Estimated Cost: \$161,000.00.

23. No. PW013112-18 – Authorize Staff to Advertise for Bids for Limestone Gravel. Estimated Cost: \$87,000.00.
24. No. PW013112-19 – Authorize Staff to Advertise for Bids for Water Treatment Coagulant. Estimated Cost: \$50,000.00.
25. No. PW013112-20 – Authorize Staff to Advertise for Bids for Water Treatment Chlorine Gas and Hydrofluosilicic Acid. Estimated Cost: \$92,000.00.
26. No. PW013112-21 – Authorize Staff to Advertise for Bids for Water Reservoir Maintenance Project; Project No. W10-1879 / CIP No. 50804. Estimated cost \$615,000.00.
27. No. PW013112-28 – Authorize Staff to Seek Proposals for the Alfalfa/Hay Harvest.
28. No. PW013112-22 – Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and American Engineering and Testing Inc. for the 2012 Environmental Monitoring Contract Landfill/MRF for \$70,851.05.
29. No. PW013112-23 – Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and FourFront Design Inc. for the Kansas City Street Reconstruction Project, Project No. 12-2005 / CIP No. 50119 for \$114,410.00.
30. No. PW013112-24 – Authorize Lowering the Percentage of Work that the General Contractor must perform from 50% to 35% for the Water Reservoir Maintenance Project, Project No. W10-1879.
31. No. PW013112-26 – Authorize Staff to Seek Proposals for Engineering Services for Silver Street Area Utility Improvement Phase 2 – Gold Street, Project No. 12-2020 / CIP No. 50828. Estimated Cost for Design and Construction: \$1,440,000.00.
32. No. PW013112-27 – Authorize Staff to Seek Proposals for Design and Installation Services for the Sewer Lift Station Monitoring and Control System; Project No. SS11-1950 / CIP No. 50877. Budgeted Cost for Design and Installation: \$100,000.00.
33. No. PW013112-29 – Adopt Infrastructure Design Criteria Manual with Effective Date Concurrent with Revisions to Titles 12, 13, and 16.
34. No. PW013112-30 – Approve Resolution 12-015, Construction Fee Resolution for Heights Drive Sanitary Sewer Extension, Project No. SS09-1831.
35. No. PW013112-31 – Approve Second Amendment to Lease Agreement between the City of Rapid City and Baseball 320, Inc.
36. No. PW013112-32 – Acknowledge 42nd Annual “City Pride Week and City Clean Up Day 2012” Report.
37. No. PW013112-33 – Acknowledge Report on Greenway Trails and Pedestrian Facilities Project.
38. No. PW013112-34 – Authorize Staff to Advertise for Bids for Two 72” Outfront Mowers for the Parks Division, Estimated Total Cost of \$50,000.00.
39. No. PW013112-41 – Acknowledge 2011-212 Deer Management Report.

40. No. PW013112-02 – Acknowledge Report - Meadowbrook School Area Traffic Study.
41. No. PW013112-35 – Request the Mayor to Authorize Staff to look into using the trolley service for alleviating parking issues during construction of the Presidents Plaza.
42. No. PW091311-14 – Request the Mayor to Authorize staff to investigate the implementation and establishment of a drainage utility fee and estimating the allocation of funds from the existing drainage basin fees to the individual sub-basins with an update at the May 29, 2012, Public Works Committee Meeting.
43. No. PW013112-40 – Deny the Request for an Exception to Substitute 16-inch Butterfly Valves in Lieu of 16-inch Gate Vales in the Proposed East Minnesota Street Phase 2 Water Main Installation.
44. No. PW013112-40a - Request the Mayor to Authorize staff to look at the specifications and design criteria to see if any changes need to be made.
45. No. PW013112-39 – Acknowledge Report - Update on Pine Beetle Emergency.
46. No. PW013112-42 – Authorize Mayor and Finance Officer to Sign a Professional Services Agreement between the City of Rapid City and 42nd Street Design Studio for the Memorial Park and Civic Center Irrigation Improvements, Project No. 12-2002 / CIP No. 50896, in the amount of \$38,812.50.

Legal & Finance Committee Consent Items

47. No. LF020112-01 – Confirm Appointment of Robert Britt to the Retired Senior Volunteer Program Advisory Board for a Term to Expire December 31, 2014
48. No. LF020112-02 – Confirm Appointment of Kathleen Sheets, Barb Storbeck, and Sara Fiedler to the Mayor's Committee for People with Disabilities for Terms to Expire December 31, 2013
49. No. LF020112-03 - Acknowledge Capital Improvement Program Committee Monthly Update for January 2012
50. No. LF020112-03 - Authorize Up to \$155,000 from CIP Contingency Funding for the Bike Path Lighting Project
51. No. LF020112-03 - Approve \$50,000 from CIP Contingency Funding for the Dinosaur Park Concession Building Fire Insurance Deductible
52. No. LF020112-04 – Approve Special Event Permit from Main Street Square/Destination Rapid City for Discover Winter to be Held on March 3, 2012 from 12:00 p.m. to 9:00 p.m.
53. No. LF020112-05 – Approve Travel Request for Brad Staton and Brian Staton to Attend Paramedic Training at Western Dakota Tech in Rapid City, SD, in the Approximate Amount of \$10,973.22
54. No. LF020112-06 – Acknowledge November Sales Tax Update
55. No. LF020112-07 - Approve Property Tax Abatements as Follows: Iola M Butt, 2011, \$890.50; SM Rushmore Mall, 2011, \$1,865.20; Paradis Properties, 2011, \$102.48; Ronald R Sjodin, 2011, \$294.02

56. No. LF020112-08 – Authorize Mayor and Finance Officer to Sign Bleacher Rental Agreement with the Philip Arena Association
57. No. LF020112-09 – Authorize Mayor and Finance Officer to Sign Indenture of Restrictive Covenants for Community Development Block Grant Subrecipient – Lutheran Social Services
58. No. LF020112-10 – Authorize Mayor and Finance Officer to Sign Amendment to the Community Development Block Grant Funds Contract with Wellsprings, Inc.
59. No. LF020112-11 - Authorize Mayor and Finance Officer to Sign the FY2012 CDBG Annual Action Plan SF424 for Submittal to HUD
60. No. LF020112-12 - Approve Subsidy Committee Recommendation to Amend the FY2007, FY2009, and FY2010 CDBG Annual Action Plans to Reallocate \$102,223.10 of Unspent Community Development Block Grant (CDBG) Funds
61. No. LF020112-14 – Authorize Mayor and Finance Officer to Sign Memorandum of Understanding between the City of Rapid City and Skyline Drive Preservation, Inc. Relating to Land Purchase to Increase the Skyline Wilderness Area
62. No. LF020112-17 - Authorize Mayor and Finance Officer to Sign Consent to Assignment and Acceptance by Hisega Meadows Water, Inc. of Agreement for a Water Supply for Municipal and Industrial Water Service
63. No. LF020112-15 - Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and Smith Land Corporation Regarding the Payment of a Planned Development Fee for Property Located at 2904 Cactus Drive
64. No. LF020112-16 - Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and Kenneth Rose Regarding the Payment of a Planned Development Fee for Property Located at 2708 Cactus Drive
65. No. LF020112-18 – Acknowledge Raffle Request from Counts of the Cobblestone Car Club
66. No. LF020112-19 – Acknowledge Raffle Request from American Cancer Society Relay for Life
67. No. LF020112-20 – Acknowledge Raffle Request from Greater Dacotah Chapter Safari Club International
68. No. LF020112-21 – Acknowledge update on Town Hall meetings held on Saturday, January 14, 2012.
69. No. LF020112-22 – Acknowledge presentation of President’s Plaza funding.
70. No. LF020112-26 – Request Laurenti, Roberts, and Mason to work with staff on drafting a revised code of conduct and bring it back for discussion to the March 14, 2012, Legal and Finance Committee meeting.

Community Planning & Development Services Department Consent Items (None)

Vision Fund Committee Consent Items

71. No. CC012312-01 - Authorize Addendum for Feasibility Study for Indoor Olympic Size Pool at Roosevelt Park.

72. No. CC012312-02 - Request the Mayor to Authorize Staff to bring forward an Ordinance Amendment implementing the Vision Fund Time Frame Recommendations to the March 14, 2012 Legal & Finance Committee meeting.
73. No. CC012312-03 – Approve the following actions on the Vision Fund Phase 3 Remaining Projects funding: Performing Arts – carry forward \$1,372,261; Economic Development Partnership – carry forward \$26,363; Downtown Parking Ramp – carry forward \$2,800,000; ATTA Pow Wow Facility – carry forward \$667,957; Soccer Rapid City – carry forward \$3,680,500; Parks & Recreation – carry forward \$390,000 and relinquish \$199,392; Street Reconstruction – carry forward \$685,249; and, PETT Building – relinquish \$488,568.

END OF CONSENT CALENDAR

CONTINUED CONSENT ITEMS – Items 74 - 76

Remove Items from the “Continued Consent Items” and Vote on Remaining Continued Consent Items

Continue the following items until February 21, 2012:

74. No. 11PL068 - A request by Sperlich Consulting, Inc. for Century Resources, Inc. to consider an application for a **Preliminary Plat** for proposed Lot 8 of Block 1 of Menard Subdivision, legally described as a portion of the NE1/4 of the SW1/4 of Section 32, and a portion of the NW1/4 of the SE1/4 of Section 32 located in the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located on the south side of East Anamosa Street southeast of the intersection East Anamosa Street and North Creek Drive.
75. No. 11PL075 - A request by Centerline for Lazy P-6 Land Co., Inc. for a **Preliminary Plat** for proposed Lots 4 and 5 of North 80 Subdivision, legally described as Unplatted Government Lot 2 less North 80 Subdivision, less Lot H2 and less right-of-way all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located east of 5th Street lying south of East Stumer Road and on the north side of East Stumer Road west of Shelby Avenue.
76. No. 11PL077 - A request by Dream Design International, Inc. for Hagg Development, Inc. for a **Preliminary Plat** for proposed Lots 2, 3 and 4 of Block 1 of Gateway Business Park Subdivision, legally described as a portion of the NW1/4 of the SE1/4, and a portion of Lot E of the S1/2 of the SE1/4 of Section 28 located in the W1/2 of the SE1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located southwest of the intersection of East Mall Drive and Outfitter Road.

END OF CONTINUED CONSENT ITEMS

NON-CONSENT ITEMS – Items 77 - 90

Public Comment opened – Items 77 - 90

Public Comment closed

Ordinances

77. No. LF011112-12 – Second Reading, Ordinance 5792, Supplemental Appropriation #1 for 2012.
78. No. LF011112-13 – Second Reading, Ordinance No. 5796, An Ordinance to Prohibit Animals Which Disturb the Peace by Amending Section 6.08.090 of the Rapid City Municipal Code.

79. No. 11OA012 – First Reading, Ordinance No. 5772, An Ordinance Adopting New Subdivision Regulations by Amending Chapter 16 of the Rapid City Municipal Code.
80. No. LF101211-08 – First Reading, Ordinance No. 5767, An Ordinance to Modify the Length of Term of the Mayor by Amending Section 2.12.020 of the Rapid City Municipal Code.
81. No. LF101211-09 – First Reading, Ordinance No. 5768, An Ordinance to Establish the Qualifications and Term of Office for Aldermen by Adding Section 2.08.005 to the Rapid City Municipal Code.
82. No. LF020112-23 – First Reading, Ordinance No. 5793, An Ordinance to Regulate Streets, Sidewalks and Public Places by Repealing Title 12 of the Rapid City Municipal Code and Replacing it with a New Title 12 of the Rapid City Municipal Code.
83. No. LF020112-24 – First Reading, Ordinance No. 5794, An Ordinance to Regulate Public Utilities and Services within the City of Rapid City by Repealing Title 13 of the Rapid City Municipal Code and Adding a New Title 13 to the Rapid City Municipal Code.
84. No. LF020112-25 – First Reading, Ordinance No. 5795, An Ordinance Regulating Travel Parks by Repealing Chapter 12.44 of the Rapid City Municipal Code and Adopting a New Chapter 15.52 of the Rapid City Municipal Code.
85. No. 12RZ001 - First Reading, Ordinance 5798, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, Rezoning the within Described Property as requested by A request by John Sundby and Robert T. Sundby for a **Rezoning from Low Density Residential District to Office Commercial District** for Lot 1 less Lot H1 of Una Del Acres No. 2 located in Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northwest corner of the intersection of Catron Boulevard and Sheridan Lake Road.

Community Planning & Development Services Department Items

86. No. 11PL076 - A request by Centerline for Flump & Lump, LLC for a **Preliminary Plat** for proposed Lot 1 of Founders Park North Subdivision, legally described as SW1/4 NE1/4 less right-of-way located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the intersection of Founders Park Drive and Philadelphia Street.

Legal & Finance Committee Items

87. No. LF020112-13 – Authorize staff to advertise for bids to provide City fireworks show for 2012 in an amount not to exceed \$30,000.
88. No. 11TI003 - Highway 16 Sewer – A request by Kent Hagg for Alta Terra Development, LLC to consider an application for a **Project Plan for Tax Increment District No. 70** for Utility Lot 1 Par Subdivision; Tract 2 and Tract 3 of Par Subdivision; all located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Unplatted Portion of NE1/4 SW1/4 Lying N of Hwy Right-of-Way; Unplatted Portion of NW1/4 SW1/4 Lying N of Hwy Less Lot H1; Unplatted Portion of NW1/4 SW1/4 Lying South of Hwy, Right-of-Way Less Lot H1; Unplatted SW1/4 SW1/4, Less Lot H2 & Less Right-of-Way; all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Tract A of Meadow View Subdivision; Lot A Tucker Subdivision; Lot 1 Shipman Heights Subdivision; Unplatted Portion of SE1/4 NW1/4 NW1/4 Lying East of Hwy 16 Less Right-of-Way; Lot A Ranch Subdivision; Tract 1 of W1/2 NW1/4 Less Lot A of Ranch Subdivision, Less Connector Subdivision, Less Lots H1, H2, H3 & Right-of-Way; Tract AR2 Needles Subdivision; Tract B Needles Subdivision; Tract 1 Waterslide Addition; Unplatted

Balance of S1/2 SE1/4 NW1/4; Unplatted Balance of NE1/4 SW1/4; Lot 4R and Lot 5 of Old Rodeo Subdivision; Lot 2 and Vacated Physician Drive Adjacent of Said Lot 2 Old Rodeo Subdivision; Lot 3 and Vacated Physician Drive Adjacent to Said Lot 3 Old Rodeo Subdivision; Lot 1 Less Lots 2, 3, 4R, 5 and ROW Old Rodeo Subdivision; Unplatted Lot B of SW1/4 SW1/4 Less RTY; Lot 9R, South Hill Subdivision; Right-of-Way of Tucker Street; Right-of-Way of Promise Road; Right-of-Way of Jordan Drive; Right-of-Way of Addison Avenue; all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 and Lot 2 of Connector Subdivision, all located in Sections 26 and 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Platted Tract 1 of SE1/4 NE1/4 Less Connector Sub & Less Lot H1 & Less TLC Subdivision; Lot 1 and Lot 2 of TLC Subdivision; all located in Section 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Unplatted NW1/4NW1/4 less Lot H1 and less right-of-way; Unplatted SE1/4NW1/4; Unplatted W1/2SE1/4 and SE1/4SE1/4; Unplatted NE1/4SW1/4; Unplatted SW1/4NW1/4 less Lot H1 and less right-of-way; all located in Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Right-of-Way of Catron Boulevard located in Sections 23, 24, 26, and the SE1/4 NE1/4 of Section 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, Right-of-Way of U.S. Highway 16 located in Section 26, 27, NE1/4 of Section 34, and NW1/4 of Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located Catron Boulevard from 5th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Sammis Trail and east to the proposed Hyland Crossing Subdivision.

89. No. LF020112-27 – Direction to pursue alternate funding sources for portions of Tax Increment District No. 70 Infrastructure.

Public Works Committee Items (None)

Bids

- 89a. No. CC020612-02 – Jackson Boulevard Utilities Rapid Creek Bridge to Mt. View Road City Project No. SSW09-1509 / CIP No. 50351; State Project No. EM-P 0044(129)42; Pennington County PCN 009X

Alcoholic Beverage License Applications for Reissuance (NONE)

Mayor's Items

Council Items & Liaison Reports

- 89c. No. CC020612-04.5 - Resolution 2012-020 - A Resolution Encouraging Members of the South Dakota Legislature to Support the Will of the People of Rapid City, as Expressed in the June 7, 2011, Ballot Initiatives. – Aldermen Bonny Petersen and Ritchie Nordstrom

Reconsideration Notices

Motion for Delivery of Items from Committee

Staff Items

- 89b. No. CC020612-04.4 - Authorize Finance Office to Issue Treasurer's Check to Pennington Title Company in the amount of \$95,000 for the Skyline Drive Preservation Property Purchase.

Appeals

DARB

License application appeals

Sign Code Appeals

Other Appeals Heard by the Council

- 90. No. CC020612-04.1 - Jeffrey Patterson – Appeal of Denial of Application for Private Security License

CIP Committee Items

PUBLIC HEARING ITEMS – Items 91 - 106

Open Public Hearing (comment) -- Items 91 - 106 [Public Hearing Remains Open]

CONTINUED PUBLIC HEARING CONSENT ITEMS – Items 91 - 94

Remove Items from the “Continued Public Hearing Consent Items” and Vote on Remaining Continued Public Hearing Consent Items

Continue the following items until February 21, 2012:

- 91. Rapid City/BH Lodging LLC DBA Cambria Suites, 3333 Outfitters Road for a Retail (on-off sale) Wine License
- 92. Rapid City/BH Lodging LLC DBA Cambria Suites, 3333 Outfitters Road for a Retail (on-off sale) Malt Beverage License
- 93. No. 11SV023 - A request by Centerline for Lazy P-6 Land Co., Inc. for a **Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Catron Boulevard as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 4 and 5 of North 80 Subdivision, legally described as Unplatted Government Lot 2 less North 80 Subdivision, less Lot H2 and less right-of-way all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located east of 5th Street lying south of East Stumer Road and on the north side of East Stumer Road west of Shelby Avenue.
- 94. No. 11SV024 - A request by Dream Design International, Inc. for Hagg Development, Inc. for a **Variance to the Subdivision Regulations to waive the requirement to install water and sewer along Interstate 90, to reduce the width of the common access and parking easement from 59 feet to 40 feet and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along the common access and parking easement as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 2, 3 and 4 of Block 1 of Gateway Business Park Subdivision, legally described as NW¼ of SE¼ North of Interstate 90 Less Lot H13, less the Mall Drive Subdivision, less the Gateway Business Park Subdivision and less right of way; Lot E of the S½ of the SE¼ less the Gateway Business Park Subdivision all located in Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located southwest of the intersection of East Mall Drive and Outfitter Road.

END OF CONTINUED PUBLIC HEARINGS CONSENT ITEMS

Close Public Hearing (comment) -- Items 91 - 106

CONSENT PUBLIC HEARING ITEMS – Item 95 - 103

Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items

Community Planning & Development Services Department Items

95. No. 11CA017 - A request by Sperlich Consulting, Inc. for Century Resources, Inc. for an **Amendment to the Comprehensive Plan to change the land use designation from Commercial to Industrial** for a portion of the NE1/4 of the SW1/4 of Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the southeasterly corner of Lot 5 of Block 1 of Menard Subdivision, common to a point on the westerly edge of the right-of-way of East Anamosa Street, and the Point of Beginning; Thence, first course: southeasterly, curving to the right on a curve with a radius of 800.00 feet, a delta angle of 15°14'35", an arc length of 212.83 feet, a chord bearing of S07°44'51"E, and a chord distance of 212.21 feet, to a point of tangency; Thence, second course: S00°07'33"E, a distance of 414.06 feet, Thence, third course: S44°59'57"W, a distance of 14.11 feet; Thence, fourth course: N89°52'32"W, a distance of 476.45 feet; Thence, fifth course: N00°07'28"E, a distance of 497.46 feet, to the southwesterly corner of said Lot 5 of Block 1 of Menard Subdivision; Thence, sixth course: S89°52'32"E, along the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision, a distance of 317.97 feet, to an angle point on the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision; Thence, seventh course: N45°16'55"E, along the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision, a distance of 194.01 feet, to the southeasterly corner of Lot 5 of Block 1 of Menard Subdivision, common to a point on the westerly edge of the right-of-way of East Anamosa Street, and the Point of Beginning, located on the south side of East Anamosa Street southeast of the intersection East Anamosa Street and North Creek Drive.
96. No. 11CA018 - A request by Dream Design International, Inc. for an **Amendment to the Comprehensive Plan to change the land use designation from Commercial to Residential** for Lots 1 through 16 of Block 3 of Denman's Subdivision all located in SW1/4 of the NW1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located south of East Saint Joseph Street between Elm Avenue and Birch Avenue.
97. No. 11VR008 - A request by Chamberlin Architects for Destination Rapid City for a **Vacation of Right-of-Way** for the alley right-of-way adjacent to Lots 10-23 of Block 75 of the Original Townsite of the City of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located south of Rapid Street and north of Main Street.

Alcohol Licenses

98. Luo Corporation DBA Imperial Chinese Restaurant, 702 E North Street for a Retail (on-off sale) Wine License TRANSFER from Yeung, Inc DBA Imperial Chinese Restaurant, 702 E North Street
99. Luo Corporation DBA Imperial Chinese Restaurant, 702 E North Street for a Retail (on-off sale) Malt Beverage License TRANSFER from Yeung, Inc DBA Imperial Chinese Restaurant, 702 E North Street
100. Knights of Columbus DBA Knights of Columbus for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for March 17, 2012 at the Church of the Blessed Sacrament, 4500 Jackson Blvd.
101. Black Hills Center for Equality, Inc. DBA Black Hills Center for Equality, Inc. for a SPECIAL EVENT Wine License for an Event Scheduled for February 14, 2012 at Black Hills Center for Equality, 1102 West Rapid.
102. American Advertising Federation of the Black Hills DBA American Advertising Federation of the Black Hills for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for February 24, 2012 at the Elks Theatre, 512 6th Street
103. Youth & Family Services, Inc. DBA Youth & Family Services, Inc for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for February 10-11, 2012 at Youth & Family Services, Inc., 120 East Adams Street

Assessment Rolls

Other Items Requiring Public Hearings

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 104 - 106

104. No. 11PD041 – **Appeal of the Planning Commission’s Decision** on a request by Fisk Land Surveying & Consulting Engineers for Hughes Network Systems, LLC for a **Initial and Final Commercial Development Plan to allow a Transmission Facility in the General Agriculture District** for Lot 1 of Thomson Tower Subdivision located in Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 3840 Tower Road.
105. No. 11RZ028 - Second Reading, Ordinance 5791, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, Rezoning the within Described Property as requested by Sperlich Consulting, Inc. for Century Resources, Inc. for a **Rezoning from General Agriculture District to Light Industrial District** for a portion of the NE1/4 of the SW1/4 of Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the southeasterly corner of Lot 5 of Block 1 of Menard Subdivision, common to a point on the westerly edge of the right-of-way of East Anamosa Street, and the Point of Beginning; Thence, first course: southeasterly, curving to the right on a curve with a radius of 800.00 feet, a delta angle of 15°14’35”, an arc length of 212.83 feet, a chord bearing of S07°44’51”E, and a chord distance of 212.21 feet, to a point of tangency; Thence, second course: S00°07’33”E, a distance of 414.06 feet, Thence, third course: S44°59’57”W, a distance of 14.11 feet; Thence, fourth course: N89°52’32”W, a distance of 476.45 feet; Thence, fifth course: N00°07’28”E, a distance of 497.46 feet, to the southwesterly corner of said Lot 5 of Block 1 of Menard Subdivision; Thence, sixth course: S89°52’32”E, along the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision, a distance of 317.97 feet, to an angle point on the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision; Thence, seventh course: N45°16’55”E, along the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision, a distance of 194.01 feet, to the southeasterly corner of Lot 5 of Block 1 of Menard Subdivision, common to a point on the westerly edge of the right-of-way of East Anamosa Street, and the Point of Beginning, located on the south side of East Anamosa Street southeast of the intersection East Anamosa Street and North Creek Drive.
106. No. 11RZ029 – Second Reading, Ordinance 5797, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, Rezoning the within Described Property as requested by Dream Design International, Inc. for a **Rezoning from General Commercial District to High Density Residential District** for Lots 1 through 16 of Block 3 of Denman’s Subdivision all located in SW1/4 of the NW1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located south of East Saint Joseph Street between Elm Avenue and Birch Avenue.

BILLS

107. No. CC020612-01 – Bill List for February 6, 2012

ADJOURN