

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

October 30, 2006

Pursuant to due call and notice thereof, a special meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, October 30, 2006 at 7:00 P.M.

The following members were present: Mayor Jim Shaw and the following Alderpersons: Michael Schumacher, Karen Olson, Ron Kroeger, Sam Kooiker, Malcom Chapman, Tom Johnson, Lloyd LaCroix, Bill Okrepkie, Bob Hurlbut, and Deb Hadcock; and the following Alderpersons arrived during the course of the meeting: None; and the following were absent: None.

Staff members present included Assistant Finance Officer Coleen Schmidt, City Attorney Jason Green, Police Chief Craig Tieszen, Growth Management Director Marcia Elkins, Public Works Director Dirk Jablonski, Fire Captain Bill Knight, Development Service Center Coordinator Bob Dominicak, and Administrative Secretary Risë Ficken.

Johnson moved, seconded by Chapman and carried to adopt the following meeting format: staff and/or the petitioner will make a presentation of the applications, followed by a ninety-minute public hearing period with each speaker limited to a three minute comment period and if additional time is remaining after all speakers have had one opportunity to comment, a second opportunity to comment will be offered.

Growth Management Director Elkins reviewed the Comprehensive Plan Amendment and rezoning applications noting that a neighborhood meeting was held on September 25, 2006 and the Planning Commission forwarded the applications to the City Council without recommendation as a result of a tie vote.

Johnson moved, seconded by Schumacher and unanimously carried to open the ninety minute public comment period.

Gerald Butz, 4844 Enchanted Pines Drive, expressed opposition to the proposed change in zoning for the purposes of constructing a big box store near an existing residential area. Butz stated that he feels there are more appropriate locations and he expressed concern that the development of the property for a big box store will be harmful to the residential life and homes of people living in the area.

Mary Butz, 4844 Enchanted Pines Drive, expressed her objections to the requested amendments.

Tim Rogers, President of Enchanted Hills Homeowners Association, 1309 Panorama Circle, advised that the applicant's engineer had met with four Enchanted Hills homeowners last week to discuss the proposed Wal-Mart project plans noting that they were advised that an alternate site was not an option. Rogers objected to the proximity of the proposed General Commercial zoning to a residential neighborhood. Rogers expressed concern that the proposed Wal-Mart business will generate 15,000 car trips per day noting that he does not feel the ravine provides an adequate buffer between the uses. Rogers expressed concerns related to a decrease in property value in the Enchanted Hills Subdivision, payment for infrastructure improvements, and

the potential need to widen Enchantment Road to support the additional traffic generated by the development. Rogers expressed concerns related to grading, erosion, drainage, pollution and storm water runoff from the proposed development into the adjacent wetland property under the ownership of the Enchanted Hills Homeowners Association.

Tom Gagliano, 1324 Panorama Circle, expressed his objections to the requested comprehensive plan amendments and rezoning requests. Gagliano requested that as the development moves forward that the City require Wal-Mart to provide real architecture, proper drainage and reconstruction work, stop lights at all affected intersections, construct and pay for all infrastructure improvements and for widening and rebuilding of Enchantment Road to Fifth Street. Gagliano requested that overnight camping be prohibited on the property and that air quality standards on the property be continually maintained.

Jess Hamm, 1400 Panorama Circle, expressed his objections regarding the impact of the development related to waste water, drainage and view shed and the neighboring residential properties.

Dale Jensen, 5440 Plains Vista Court, expressed disappointment that the site development plan is not available for display during the meeting and he relinquished his time so that Tim Rogers could speak a second time.

Monte Dirks, 1348 Panorama Circle, objected to the proposed rezoning and the negative effect the proposed commercial development will have on the existing residential neighborhood. Dirks noted that the proposed development is not an appropriate representation of the gateway to the Black Hills. Dirks expressed concern regarding the need to grade one million cubic yards of fill into the ravine to develop the property and the ecological impact of the runoff from the proposed development. Dirks requested that the Council deny the rezoning request noting that there are more appropriate sites for Wal-Mart.

Dave Kappenman, 1356 Panorama Circle, stated his opposition to the proposed rezoning and expressed concerns regarding the grading to be done on the site, size of the parking lot, aesthetics, and the potential for fill material to damage seasonal stream beds. Kappenman addressed concerns related to the potential for runoff from the development to contain pollutants, oil, gasoline and antifreeze that will contaminate the adjacent wetland property. Kappenman suggested that detention ponds constructed to control the runoff would create breeding conditions for mosquitoes and increase chances for spreading the West Nile virus. Kappenman expressed concerns regarding traffic safety issues and he suggested that Wal-Mart should pay for widening Enchantment Road.

Tim Voegele, 1032 Enchantment Road, expressed concerns regarding the location for the proposed development citing road grades and traffic safety issues. He stated that Enchantment Road would become a main traffic artery to the store increasing danger to children and wildlife in the area. Voegele expressed concern that the additional traffic would lower property values and increase instances of litter and vandalism. Voegele suggested that the property is appropriate for development with medical uses and small retail shops.

Jim Phoenix, 1332 Panorama Circle, discussed concerns with issues related to Wal-Mart business practices, low wages and the potential negative affect of the new store on small downtown businesses. Phoenix stated that this is not an appropriate location for a big box store

and advised that he has contacted the Environmental Protection Agency and the Department of Environment and Natural Resources and requested an environmental assessment to determine the impact of the development on the existing pond and area wildlife.

Steven Brenden, Rapid City, expressed concerns regarding traffic issues, environmental issues and issues related to grading and fill on the site. Brenden stated that he understood that the properties were to be left as Office Commercial as a buffer zone to the Enchanted Hills residential neighborhood. Brenden objected to the proposed zoning change on the property and he suggested that the City should adopt and uphold a long range plan.

In response a question from Mayor Shaw, Elkins stated that in the 1970s property along the majority of Highway 16 extending to Reptile Gardens was zoned Highway Service by Pennington County to allow commercial tourist business activities. Elkins noted that when the property was annexed into the City it was placed in the General Agriculture holding district until utilities were extended to the area.

Jim Scull advised that he is representing the developer for the entire area and is not representing Wal-Mart. Scull advised that all plans that have been presented and discussed are preliminary in nature and are subject to change. Scull expressed an interest in developing a good plan for the neighborhood and the City noting that he has approached the area residents to identify agreements that can be reached. Scull discussed the potential to use terrain, trees, and sound mitigation to screen a substantial amount of the development from the neighboring residential properties. Scull indicated an interest in the use of high end landscaping and directing lighting downward. Scull discussed the proposed elevation of the store noting that the roof line would be approximately 15 feet below the existing Highway 16 roadway. Scull reiterated the preliminary nature of the development plans at this time and he expressed his willingness to work with all interested parties to mitigate situations that develop through the process.

Alderman Johnson advised that speakers would now be allowed a second opportunity to comment on the issues.

Tim Rogers advised that the Enchanted Hills Homeowner's Association owns and plans to protect a large wetlands and pond adjacent to proposed development. Rogers emphasized that citizens can take action and businesses can be penalized by the Environmental Protection Agency for environmental violations. Rogers stated that there are significant environmental issues associated with developing the property along this ravine and stated his opinion that limited hour office commercial uses are appropriate for the subject property. Rogers expressed concern that a large 24 hour commercial business use with delivery vehicles, forklifts and truck traffic is not appropriate adjacent to a residential neighborhood.

Dale Jensen suggested that the orientation of the proposed Wal-Mart structure can be adjusted to minimize impact on his property and he identified concerns regarding backfill on the northern parcel. Jensen addressed his concerns with Wal-Mart business practices in other communities. Jensen stated that the project can be accomplished without rezoning the two small parcels.

Dave Kappenman expressed concern that because the Enchanted Hills residential area is 300 feet from the Tower Ridge Subdivision, the developer was not required to notify them of the 2002 rezoning of the property from Office Commercial to General Commercial. Kappenman

stated that he does not feel that the 300 foot Park Forest area is a sufficient buffer between the uses noting concerns related to activities at 24 hour commercial businesses, runoff, grades, detention pond, and erosion issues. Kappenman requested that the Council deny the development applications.

John Maas, 1100 Enchantment Road, described positive changes in the Robbinsdale neighborhood as a result of the expansion of office commercial uses in that area. Mass expressed concern that the Wal-Mart development will cause substantial commercial growth in this area and he suggested other locations that would be more appropriate for the project.

Tim Voegele expressed concerns regarding issues related to increased traffic, environmental impact, drainage, grading and the potential for Wal-Mart to leave a large vacant structure on the property in the future. Voegele requested that the zoning applications be denied.

Jess Hamm expressed his objection to the requests stating that there are more appropriate locations for the development and he expressed concern that many people in the area are not aware of the current proposals.

Tom Gagliano suggested that a building moratorium could be implemented to allow a formal corridor study to be conducted.

Dale Jensen discussed the proposed grading on the site and reiterated his statement that he believes the development can proceed without rezoning the two office commercial parcels.

Jim Scull advised that he is recommending the use of an architectural review committee for the entire development and the potential to use retaining walls to minimize grading into the canyon. Scull indicated that Wal-Mart appears to be sensitive to drainage issues and he discussed the additional requirements for personnel to attend specialized training to be permitted to work on the site. Scull stated that the developer has expressed a willingness to listen to suggestions and stated that he will work to make the development one of the premier districts in the area.

Diane Dahl, Enchanted Hills resident, spoke against the proposed Wal-Mart development at this location and she suggested that the intersection of Catron Boulevard and Highway 16 would be an ideal location for this development. Dahl expressed concern that the residential character of the neighborhood will not continue if the property is developed as proposed.

In response to a question from Jess Hamm, Scull stated that a big box store can be constructed on the property without the use of the two parcels currently under discussion. Alderman Olson questioned the need for the rezoning applications.

Johnson moved, Kooiker seconded and carried unanimously to close the public hearing.

The Mayor presented No. 06CA025, a request by Dan Wilson for Site Work Specialists for an **Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to a General Commercial with a Planned Commercial Development** on Parcel "A" located in the NE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning for said parcel bears N00°00'39"E a distance of 712.38 feet

from the former southeast corner of Aladdin Heights Subdivision, said point of beginning also bears S00°00'39"W a distance of 30.01 feet from the southeast corner of Lot 3 of Block 3 of the Aladdin Heights Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 1019", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S89°59'21"E and a distance of 175.00; Thence Second Course: along a line with a bearing of S00°00'39"W and a distance of 475.19 feet; to an intersection with the northerly line of Lot 4 of Block 1 of Tower Ridge 2 Subdivision; Thence Third Course: along said Lot 4 with a bearing of N25°59'34"W and a distance of 55.28 feet; to the northeast corner of Lot 3 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117"; Thence Fourth Course: along the north line of said Lot 3 with a bearing of N71°06'44"W and a distance of 159.33 feet; to an intersection with easterly line of Aladdin Heights Subdivision; Thence Fifth Course: along the easterly line of Aladdin Heights Subdivision with a bearing of N00°00'39"E and a distance of 373.95 feet to the point of beginning, located northeast of the intersection of Promise Road and South Highway 16. The following resolution was introduced, read and Okrepkie moved its adoption:

RESOLUTION AMENDING THE COMPREHENSIVE PLAN  
OF THE CITY OF RAPID CITY

WHEREAS, the Rapid City Planning Commission has reviewed the proposed amendment to the Comprehensive Plan and made a recommendation to the Rapid City Council; and

WHEREAS, the Rapid City Council held a public hearing on the 30<sup>th</sup> day of October, 2006 at which they considered the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan; and

WHEREAS, the proposed Amendment to the Comprehensive Plan would revise the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to a General Commercial with a Planned Commercial Development, on Parcel "A" located in the NE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, located east of Highway 16 and 1/4 mile north of Catron Boulevard. The point of beginning for said parcel bears N00°00'39"E a distance of 712.38 feet from the former southeast corner of Aladdin Heights Subdivision, said point of beginning also bears S00°00'39"W a distance of 30.01 feet from the southeast corner of Lot 3 of Block 3 of the Aladdin Heights Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 1019", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S89°59'21"E and a distance of 175.00; Thence Second Course: along a line with a bearing of S00°00'39"W and a distance of 475.19 feet; to an intersection with the northerly line of Lot 4 of Block 1 of Tower Ridge 2 Subdivision; Thence Third Course: along said Lot 4 with a bearing of N25°59'34"W and a distance of 55.28 feet; to the northeast corner of Lot 3 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117"; Thence Fourth Course: along the north line of said Lot 3 with a bearing of N71°06'44"W and a distance of 159.33 feet; to an intersection with easterly line of Aladdin Heights Subdivision; Thence Fifth Course: along the easterly line of Aladdin Heights Subdivision with a bearing of N00°00'39"E and a distance of 373.95 feet to the point of beginning.; and

WHEREAS, it appears that good cause exists to amend the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the Comprehensive Plan of the City of Rapid City be amended by changing the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to a General Commercial with a Planned Commercial Development on Parcel "A" located in the NE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning for said parcel bears N00°00'39"E a distance of 712.38 feet from the former southeast corner of Aladdin Heights Subdivision, said point of beginning also bears S00°00'39"W a distance of 30.01 feet from the southeast corner of Lot 3 of Block 3 of the Aladdin Heights Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 1019", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S89°59'21"E and a distance of 175.00; Thence Second Course: along a line with a bearing of S00°00'39"W and a distance of 475.19 feet; to an intersection with the northerly line of Lot 4 of Block 1 of Tower Ridge 2 Subdivision; Thence Third Course: along said Lot 4 with a bearing of N25°59'34"W and a distance of 55.28 feet; to the northeast corner of Lot 3 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117"; Thence Fourth Course: along the north line of said Lot 3 with a bearing of N71°06'44"W and a distance of 159.33 feet; to an intersection with easterly line of Aladdin Heights Subdivision; Thence Fifth Course: along the easterly line of Aladdin Heights Subdivision with a bearing of N00°00'39"E and a distance of 373.95 feet to the point of beginning, as attached to the original hereof and that such amendment be filed with the City Finance Office.

Dated this 30<sup>th</sup> day of October, 2006.

ATTEST:  
s/ James F. Preston  
Finance Officer

CITY OF RAPID CITY  
s/ Jim Shaw, Mayor

(SEAL)

The motion for the adoption of the foregoing resolution was second by Hadcock. Alderman Olson indicated that she feels the Office Commercial zoning on these two parcels serves as a buffer zone for the nearby residential neighborhood and she suggested that a more appropriate uses for this site would include technological and other businesses that do not create pollution, makes use of green space and do not operate 24 hours. Alderman Olson stated that preservation of the neighborhood is important noting that she feels the property should remain zoned Office Commercial. In response to a question from Alderman Kooiker, Scull clarified that the applicant is requesting to rezone these parcels to correct an error made at the time the Tower Ridge subdivision was rezoned and he confirmed that the general commercial zoning would allow for a more complete site plan. Scull addressed the potential to develop the two office commercial parcels as outlots and reviewed issues associated with the legal description submitted at the time the Tower Ridge subdivision was rezoned in 2002. Alderman Johnson stated that it is his understanding that the property can be developed for use by a big box store regardless of whether the two subject parcels are rezoned. Alderman Johnson stated that the road extensions and infrastructure improvements identified in the preliminary development plan for the area appears to be a good plan. Alderman Johnson added that the developer has indicated a willingness to create an upscale development, address architectural design, view and dark sky issues. Alderman Hurlbut indicated that the proposed rezoning may allow the

applicant to submit a better proposal noting that he would closely review the plan that is submitted for the site and he encouraged the area residents to stay involved in the process. Alderman Hurlbut acknowledged concerns expressed by area residents and he indicated that he feels with local involvement and oversight an overall workable plan can be developed. Alderman Hadcock stated that if issues associated with drainage, traffic, aesthetics and infrastructure are addressed the development can be an asset and set a standard for development along Highway 16. Alderman Hadcock addressed issues related to the depth of commercial buffers zones in this area and other areas in Rapid City noting that she would work with all interested parties to develop a plan that addresses issues and concerns associated with the proposed development. Upon a vote being taken on the motion to approve, the following voted AYE: Schumacher, Kroeger, Kooiker, Okrepkie, Chapman, Johnson, LaCroix, Hurlbut, and Hadcock; NO: Olson; whereupon said resolution was declared duly passed and adopted.

The Mayor presented No. 06CA026, a request by Dan Wilson for Site Work Specialists for an **Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development** on Parcel "B" located in the SE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning being coincident of the southeasterly angle point corner of Lot 6, Block 1, Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117", said point of beginning bears N14°47'32"E a distance of 83.36 feet from the northeasterly angle point corner of Lot 6 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S14°47'32"W and a distance of 462.12; Thence Second Course: along a line with a bearing of N47°07'10"W and a distance of 473.75 feet; Thence Third Course: along a line with a bearing of N51°24'18"W and a distance of 360.81 feet; to an intersection with southerly line of Lot 9 of Block 1 of Tower Ridge 2 Subdivision; Thence Fourth Course: along southerly line of Tower Ridge 2 Subdivision with a bearing of S62°12'23"E and a distance of 498.86 feet; to the southeast corner of Lot 7 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117"; Thence Fifth Course: along the southerly line of Lot 6 Block 1 of Tower Ridge 2 Subdivision with a bearing N66°39'36"E and a distance of 333.09 feet to the point of beginning, located northeast of the intersection of Promise Road and South Highway 16. The following resolution was introduced, read and Okrepkie moved its adoption:

RESOLUTION AMENDING THE COMPREHENSIVE PLAN  
OF THE CITY OF RAPID CITY

WHEREAS, the Rapid City Planning Commission has reviewed the proposed amendment to the Comprehensive Plan and made a recommendation to the Rapid City Council; and

WHEREAS, the Rapid City Council held a public hearing on the 30<sup>th</sup> day of October, 2006 at which they considered the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan; and

WHEREAS, the proposed Amendment to the Comprehensive Plan by revising the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned

Commercial Development on Parcel "B" located in the SE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning being coincident of the southeasterly angle point corner of Lot 6, Block 1, Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117", said point of beginning bears N14°47'32"E a distance of 83.36 feet from the northeasterly angle point corner of Lot 6 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S14°47'32"W and a distance of 462.12; Thence Second Course: along a line with a bearing of N47°07'10"W and a distance of 473.75 feet; Thence Third Course: along a line with a bearing of N51°24'18"W and a distance of 360.81 feet; to an intersection with southerly line of Lot 9 of Block 1 of Tower Ridge 2 Subdivision; Thence Fourth Course: along southerly line of Tower Ridge 2 Subdivision with a bearing of S62°12'23"E and a distance of 498.86 feet; to the southeast corner of Lot 7 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117"; Thence Fifth Course: along the southerly line of Lot 6 Block 1 of Tower Ridge 2 Subdivision with a bearing N66°39'36"E and a distance of 333.09 feet to the point of beginning; and

WHEREAS, it appears that good cause exists to amend the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the Comprehensive Plan of the City of Rapid City be amended to change the US Highway 16 Neighborhood Future Land Use Plan to change the land use designation from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development on Parcel "B" located in the SE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning being coincident of the southeasterly angle point corner of Lot 6, Block 1, Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117", said point of beginning bears N14°47'32"E a distance of 83.36 feet from the northeasterly angle point corner of Lot 6 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S14°47'32"W and a distance of 462.12; Thence Second Course: along a line with a bearing of N47°07'10"W and a distance of 473.75 feet; Thence Third Course: along a line with a bearing of N51°24'18"W and a distance of 360.81 feet; to an intersection with southerly line of Lot 9 of Block 1 of Tower Ridge 2 Subdivision; Thence Fourth Course: along southerly line of Tower Ridge 2 Subdivision with a bearing of S62°12'23"E and a distance of 498.86 feet; to the southeast corner of Lot 7 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117"; Thence Fifth Course: along the southerly line of Lot 6 Block 1 of Tower Ridge 2 Subdivision with a bearing N66°39'36"E and a distance of 333.09 feet to the point of beginning, as attached to the original hereof and that such amendment be filed with the City Finance Office.

Dated this 30<sup>th</sup> day of October, 2006.

ATTEST:  
s/ James F. Preston  
Finance Officer

CITY OF RAPID CITY  
s/ Jim Shaw, Mayor

(SEAL)

The motion for the adoption of the foregoing resolution was second by Chapman. Upon a vote being taken on the motion to approve, the following voted AYE: Schumacher, Okrepkie, Kroeger, Kooiker, Chapman, Johnson, LaCroix, Hurlbut, and Hadcock; NO: Olson; whereupon said resolution was declared duly passed and adopted.

The Mayor presented No. 06RZ029, second reading of **Ordinance No. 5185**, a request by Dan Wilson for Site Work Specialists for a **Rezoning from Office Commercial District to General Commercial District** on Parcel "A" located in the NE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning for said parcel bears N00°00'39"E a distance of 712.38 feet from the former southeast corner of Aladdin Heights Subdivision, said point of beginning also bears S00°00'39"W a distance of 30.01 feet from the southeast corner of Lot 3 of Block 3 of the Aladdin Heights Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 1019", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S89°59'21"E and a distance of 175.00; Thence Second Course: along a line with a bearing of S00°00'39"W and a distance of 475.19 feet; to an intersection with the northerly line of Lot 4 of Block 1 of Tower Ridge 2 Subdivision; Thence Third Course: along said Lot 4 with a bearing of N25°59'34"W and a distance of 55.28 feet; to the northeast corner of Lot 3 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117"; Thence Fourth Course: along the north line of said Lot 3 with a bearing of N71°06'44"W and a distance of 159.33 feet; to an intersection with easterly line of Aladdin Heights Subdivision; Thence Fifth Course: along the easterly line of Aladdin Heights Subdivision with a bearing of N00°00'39"E and a distance of 373.95 feet to the point of beginning, located northeast of the intersection of Promise Road and South Highway 16. Notice of hearing was published in the Rapid City Journal on September 23, 2006 and September 30, 2006. Ordinance No. 5185 having had the first reading on September 18, 2006; it was moved by Okrepkie, and second by Johnson that the title be read the second time. Upon a vote being taken on the motion to approve, the following voted AYE: Schumacher, Kroeger, Kooiker, Chapman, Johnson, LaCroix, Okrepkie, Hurlbut, and Hadcock; NO: Olson; whereupon the Mayor declared the motion passed and read the title of Ordinance No. 5185 the second time.

The Mayor presented No. 06RZ030, second reading of **Ordinance No. 5186**, a request by Dan Wilson for Site Work Specialists for a **Rezoning from Office Commercial District to General Commercial District** on Parcel "B" located in the SE1/4 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of Highway 16 and ¼ mile north of Catron Boulevard. The point of beginning being coincident of the southeasterly angle point corner of Lot 6, Block 1, Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with a survey cap marked "LS 6117", said point of beginning bears N14°47'32"E a distance of 83.36 feet from the northeasterly angle point corner of Lot 6 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8" rebar with survey cap marked "LS 6117", said parcel is more particularly described as follows: Thence First Course: along a line with a bearing of S14°47'32"W and a distance of 462.12; Thence Second Course: along a line with a bearing of N47°07'10"W and a distance of 473.75 feet; Thence Third Course: along a line with a bearing of N51°24'18"W and a distance of 360.81 feet; to an intersection with southerly line of Lot 9 of Block 1 of Tower Ridge 2 Subdivision; Thence Fourth Course: along southerly line of Tower Ridge 2 Subdivision with a bearing of S62°12'23"E and a distance of 498.86 feet; to the southeast corner of Lot 7 of Block 1 of Tower Ridge 2 Subdivision which is marked with a 5/8"

rebar with a survey cap marked "LS 6117"; Thence Fifth Course: along the southerly line of Lot 6 Block 1 of Tower Ridge 2 Subdivision with a bearing N66°39'36"E and a distance of 333.09 feet to the point of beginning, located northeast of the intersection of Promise Road and South Highway 16. Notice of hearing was published in the Rapid City Journal on September 23, 2006 and September 30, 2006. Ordinance No. 5186 having had the first reading on September 18, 2006; it was moved by Okrepkie, second by Johnson that the title be read the second time. Upon a vote being taken on the motion to approve, the following voted AYE: Schumacher, Kroeger, Kooiker, Chapman, Johnson, LaCroix, Okrepkie, Hurlbut, and Hadcock; NO: Olson; whereupon the Mayor declared the motion passed and read the title of Ordinance No. 5186 the second time.

**ADJOURN**

As there was no further business to come before the Council at this time, the meeting adjourned at 8:45 P.M.

ATTEST:

CITY OF RAPID CITY

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Finance Office

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Mayor

(SEAL)