

**From:** peggykvernum <peggykvernum@gmail.com>  
**Sent:** Sunday, January 23, 2022 3:23 PM  
**To:** cpweb <cpweb@rcgov.org>  
**Subject:** Residential Construction on Forest Hills Drive

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Please send this information to the "Rezoning Department":

Mark and Peggy Kvernum live at 1520 Forest Hills Drive in Rapid City; a couple of blocks west of the First Congregational Church; also, a couple of blocks east of the cul-de-sac on Forest Hills Drive.

Mark and I, as well as, many of our neighbors along that road, are concerned about the amount of construction (destruction) occurring on that lot, without a rezoning approval.

I have been informed that whole area is designated as "Park Forest" acreage whereby only one house can be built on a 3 acre lot. I don't know, how the "Park Forest" designation limits the amount of healthy pine trees removed without a rezoning applied, but a high percentage of them have already been destroyed.

Evidently, there is a meeting on 1/27/22 for the rezoning application. I recognize, if a person purchases the land, they too have certain rights but not if it adversely impacts the rest of the neighborhood and we were believing the Park Forest status would offer some protection from their removing so many trees....already. Also, we and neighbors we have spoken to, are mutually concerned about a high rain season, causing drainage issues. There was a retaining ditch/culvert.... previously operable, which curtailed runoff. I'm not an expert but I'm hoping this reshaping of this very steep hill (east of Skyline Drive) will not cause damage to our brand new road constructed last summer (on Forest Hills Drive).

I recognize these people are legitimate owners of this land now and have their rights too but thought the city had zoning laws to stop potential damage to the existing neighborhood and our lot values.

I would like these comments submitted to the proper department, for consideration, before the 1/27/22 rezoning meeting.

Thank you kindly for your assistance.

Peggy Kvernum  
1520 Forest Hills Drive  
Rapid City, SD 57701  
605/390-4534  
605/390-8123

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**From:** mac <kmstaley@centurylink.net>  
**Sent:** Monday, January 24, 2022 10:19 AM  
**To:** cpweb <cpweb@rcgov.org>  
**Subject:** Rezoning off Forest Hills Drive

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We live on Lot #3 of Lot G at 1529 Forest Hills Drive adjoining the proposed Rezoning of 1539 Forest Hills Drive.

We oppose more destruction of the forest and habitat, erosion negligence, new pavement damage, and disruption of a quiet cul-de-sac area. We believe the City will protect our city forested area adjoining Skyline Wilderness and the wildlife included. Already found has been a dead great horned owl, fox, and lost a family of skunks.

We cannot prevent someone from building on a sold property but can stop further development for the future.

Thank you for your attention to this matter.

Ken and Maureen Staley  
Rapid City native and living on property for 23 years

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From: Carol Risdall <lorac@rushmore.com>  
Sent: Monday, January 24, 2022 9:10 AM  
To: cpweb <cpweb@rcgov.org>  
Subject: Letter to City Planning Commission, Attention Kelly Brennan

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Letter to City Planning Commission

We received a letter stating the owner of the neighboring lot wishes to rezone the lot from park forest to low density residential. We sent in an earlier shorter version of our concerns and now are sending a list with more details.

We have lived 25 years next to this lot, which has gone through a number of owners and now has an owner who has finally gone ahead to build on it.

The lot is unique in that it is a hilly forested terrain and is contiguous with Skyline Wilderness area on its south border and west border. Over the years we have enjoyed seeing falcons, kestrels, hawks, owls, turkey, woodpeckers, flickers and fox, skunk, racoon and deer utilize the lot for their habitat. Hikers used a trail on the lot to get to the Skyline Wilderness Area, even before it was designated such.

The owners elected to build their home on what we feel was the most beautiful part of the lot- the area on the western and upper part of the lot which is about 40 feet from one of the Skyline wilderness trails. This piece had been home to wildflowers and many healthy Ponderosa pine, some 80 feet tall or more, many 75 to 100 years old. At least 20 of these majestic trees have been cut to clear the area for the house. We do hope the storm water drainage further down the hill will be properly managed after the removal of so many trees and the restructuring of the landscape on this site.

The driveway to the house goes along their northern most border which happens to be literally right next to our southern border. The driveway starts from the cul de sac and is about 5 feet from our driveway. It follows the border of our properties along the side of the hill to the building sight. Many healthy trees have been cut to make this road and another road dozed earlier in the process. Prior to the driveway construction the view directly from our living room window was of a vibrant stand of tall ponderosa pine and a heavily forested area behind it. These have been cleared and now instead of forest we have a view of the neighbor's driveway and of a very distressed lot. I mention this to point out that we have been particularly impacted by the what has been going on with this lot. When I told the builder that I miss the trees he cut he replied that he gets a lot of hate from people surrounding the areas he is building on. Not sure that is something the builder (Cody Schad of Schad Construction) should be proud of. We wonder if this is indicative of how his approach to building another home will be- the heck with what the neighbors think. Realize it is the owner's

property and they can do what they want however their actions should include respect of the landscape and the neighborhood.

We oppose the rezoning of the lot for several reasons:

1. Both our lot and the neighboring lot are zoned Park Forest and need to remain so in order to preserve the beauty of Skyline Drive, a scenic byway, and to blend in with the Skyline Wilderness Area. The Park Forest Area is intended to preserve open space and natural beauty. The owners' lot and ours can be easily viewed from the Petrified Wood Trailhead on Skyline Drive.

2. Another home will require more trees and brush to be cut down and the loss can further impact the wildlife in the area, including in the adjacent Skyline Wilderness Area. The lot has already felt the loss of about 70 per cent of the healthiest and tallest trees for building the primary house and road to the house and to thin out the forest.

3. The location is on a quiet cul de sac, and adding another home to this lot will add more traffic and noise.

4. The driveway to the lot is only 5 feet from our driveway by the cul-de-sac and this already feels a bit too close for comfort. Having cars go up and down this driveway or another driveway near by to more than one home will be even more disturbing and an added invasion of privacy.

5. Our motivation to preserve the land as park forest is to save the forest and minimize drainage problems. It appears the impetus for building another home is primarily financial.

6. The driveway to the owners home is along a drainage easement for deep ravines originating from further up the Skyline ridge. Much dirt has been disturbed. It may prove to be stable, and it may not. Adding more traffic on it for another home can stress it even more. The heavy equipment used to build a home will also stress the newly paved Forest Hills Drive as well as the road on the property.

7. We are about 100 feet up in elevation from West Blvd and our water pressure can be low as it is and may be decreased even more by having more homes take water from the city water line.

8. The placement of a home next to the Skyline Wilderness trails has altered the open nature of the area to those who use the Park. Having more homes on the lot will do the same. The city has been making an effort to protect its park forest areas, as indicated by its denial in 2017 to grant rezoning of a lot in Skyline Pines Subdivision, and continued denials to rezone an area near Grandview in Robbinsdale. We applaud that attempt in a period when vacant real estate around Rapid City is being heavily exploited.

9. The land is on a steep slope and anything built on it has potential to add drainage of rain water down the street ultimately towards West Blvd. As it is the builder has put a culvert through a dam used at least 25 years as a rain water storage area between the lots, close to the street. Whether this culvert can handle a heavy rainfall such as in 2019, and the increasing drainage problems related to the forest removal and construction of a home high on the lot remains to be seen. A second home can add to drainage issues.

10. Rezoning the lot to low density residential could potentially mean building more than two homes on the lot. By definition low density residential means a lot of a minimum of approximately 6500 square feet or 0.15 acre.

11. It seems the handling of the lot has been rough from the very start. There was initially grading without a permit, then our gas and water lines were cut and also the neighbor's electric and gas lines were cut all in the process of moving the utilities from the road to the lot. Many large tall trees were cut down and some were left hanging onto other trees until days or weeks later when the wind blew them down. There has been a lot of excavation on the lot and now there are piles of dirt and other exposed areas. If we were to have a lot of rain I think there would be much mud down the road, especially with as many trees as have been removed. At the time of writing this letter we note that nothing has been put in place to control erosion from the exposed soil areas. We also see that a chunk of the city curb was removed when

putting in the utilities from the road to the lot, but not replaced. And lastly we wonder what such aggressive deforesting and excavation has done to the animals in the forest. We noticed a dead Great Horned Owl near the lot and daily for the last several months there is the smell of dead skunk from the culvert, and we wonder if the excavation process and tree cutting may have been involved in the demise of these creatures.

12. It is very likely that having the view from our living change from forest to one of a driveway, a deforested lot and more homes, along with having a driveway right next to ours may decrease our resale value. We suspect, and that rezoning the lot to low density residential will increase our property taxes. A lose lose situation for us.

Our big sorrow is that we did not buy the lot ourselves, but we did not want the responsibility of clearing the downed trees especially post Atlas. Ironically none of the previous owners did anything to the lot anyway! We are at an age where we are starting to think about leaving a legacy, and if we had purchased the lot could have donated it to the Wilderness Area so that others could have enjoyed it too. Hindsight is 20/20 and we really did not think the lot would sell but real estate has gone crazy the last year or two, and homes are being built on places you never thought there would be houses placed.

We do regret having to speak against the wish of our neighbor to rezone as we would like a warm relationship with the family. However we feel so strongly against it, and we have already been negatively affected by what has happened with this lot (loss of privacy and view, potential drainage and resale problems). We need to make our opinions known, and all involved need to look longer range into what will happen with developing park forest land within the city.

From Lawrence Lehr and Carol Risdall

Owners of home and lot on 1530 Forest Hills Drive Lot 1 of Lot G We are directly adjacent on north side of the Lot 2 of Lot G.

Sent from my iPad

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**From:** Janice <jknutsen@rushmore.com>

**Sent:** Monday, January 24, 2022 5:40 PM

**To:** cpweb <cpweb@rcgov.org>

**Subject:** CorrectionFwd: Evan Hays's request for rezoning on Forest Hills Drive.

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Sorry for confusion—correction to street name in 5th paragraph: curve onto Forest Hills Drive from Clark Street.

Begin forwarded message:

**From:** Janice <jknutsen@rushmore.com>

**Subject:** Evan Hays's request for rezoning on Forest Hills Drive.

**Date:** January 24, 2022 at 7:32:23 PM EST

**To:** cpweb@rcgov.org

I live at 1518 Forest Drive on a 3.5 acre lot, just to the south and east, some 200+ feet from the boundary of the lot in question. We have enjoyed living in the Skyline Drive area for 34 years and admire the pristine beauty and wildlife habitat of the Skyline Wilderness Park. Living very close to this planned project, I am concerned about the rezoning application for several reasons.

The lot itself is zoned Park Forest, as is the lot next to it. My lot is not zoned as such because we added to it after its original designation. My lot, however, is still 3.5 acres in keeping with the surrounding Park Forest zoning. The lot in question abuts the Skyline Wilderness Park and trails on two sides which are also zoned Park Forest. I am not sure how many homes are planned, but because of the size of the lot, several could potentially be built there. Building two or more homes would be contrary to public interest because the Hays's lot line is only 40 feet from the nearest well-traveled hiking trail, and their plan does not appear to be consistent with the surrounding area.

This area is also home to numerous wild animals and birds. Those of us that live, hike and bike there can attest to seeing fox, owls, deer, coyotes, eagles and others. I am concerned that this project has and will continue to disturb and encroach on that habitat.

There is also the question of drainage and erosion. Parts of the the lot are very steep as indicated on the application: "Steep topography dropping in elevation from southwest to northeast approximately 100 feet". Originally there was a retaining ditch which would catch the run off, but it has been replaced with a culvert. Those of us who live in the Skyline area know only too well how the run off can gush down the hill during a heavy rainstorm. I hope the city was closely overseeing that issue because I am doubtful that this single culvert can adequately manage the extensive run-off during a storm or heavy rain season. Additionally numerous trees have been cut or uprooted and bulldozed. The result will be fewer impediments to erosion on a very steep hill.

Fire access is another major concern. I live on a steep hill, and the access to my driveway is curvy. We have been told by the fire department that larger fire trucks might have trouble getting to our house. Building two or more homes means more fire issues in an already highly susceptible area. Has the city considered this?

Increased traffic on this road could become an issue. There is a right-angle-partially-obscured curve onto Forest Hills Drive from St. Cloud, and in the winter this is especially treacherous because of the ice. The sharp angle of the curve and the height of the Congregational Church parking lot make it hard to see if a car or pedestrian is approaching from around the corner. There are no sidewalks, so this blind slippery-in-the-winter curve is also dangerous for children, walking to/from school, who cannot see a car approaching. Additionally Forest Hills Drive is not a drive-through street but rather ends in a cul-de-sac; traffic flow can be doubled ie, cars come; cars turn around at cul-de-sac and then go back the way they came. This happens often with UPS, USPS and vendor trucks.

Lastly is it not incongruous to undertake such extensive, destructive and expensive site work before appropriate zoning has been granted?

With all of this in mind, I ask that you consider the current zoning, the surrounding area, all of the safety features, the wildlife habitat and keep the current zoning as is. I also hope that the Hays family can continue to plan their home on this lot. It's a lovely, peaceful place to live.

Thank you for reading and serving on the board! Janice Knutsen

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**From:** Carol Risdall <lorac@rushmore.com>

**Sent:** Monday, January 24, 2022 11:27 PM

21RZ040

**To:** cpweb <cpweb@rcgov.org>

**Subject:** Photos dor public comment 1539 Forest Hills Drive

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The photos did not seem to go through so resending them . The first two show the forest in lot before the trees were cut down. The others show how many trees have been cut. The last one shows the lot from Skyline Wilderness Area trail.

Carol Risdall and Larry Lehr

Lot 1 of Lot G, 1530 Forest Hills Drive, RC SD 57701



**Sorry, the photos are not in order of how I thought I sent them.**

**Photo 1 and 3 are BEFORE road construction on the lot, May 2021 and 2016, both looking south.**







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**From:** Chris Stanley <cstanleyrad@gmail.com>  
**Sent:** Monday, January 24, 2022 10:25 PM  
**To:** cpweb <cpweb@rcgov.org>; Brennan Kelly <Kelly.Brennan@rcgov.org>  
**Subject:** Rezoning Request for 1539 Forest Hills Dr

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To the Rapid City Planning Committee,

I own 1524 Forest Dr with my wife, and this property directly touches the 1539 Forest Hills Dr, the lot being requested for rezoning. My wife and I are strongly opposed to this rezoning.

The request to rezone this Lot from Park Forest to Low Density Residential District is directly contradictory to the Rapid City Comprehensive Plan, developed in 2014 to guide future development.

In this plan is overwhelming guidance that we need to protect and preserve the natural open spaces, forests and wildlife in our city, while at the same time protecting the fragile soils and ecosystems that thrive on our slide prone forested hillsides.

These new owners are asking to rezone this Park Forest zoned lot (that allows a single home on this lot) into a zoning category that would allow up to 6 individual houses. That change would starkly contrast our city's previous written guidance to have future use of this lot as "Forest" zoning so as to continue the conservation of this delicate land, forest as well as the wildlife that live and pass through this area into the Skyline Wilderness Area.

It should be noted that a change to Low density Residential would not be consistent with its surroundings, as this lot is surrounded over 85% by Park Forest property and only shares one small lot line with an adjacently zoned Low Density Residential Property.

The backyard of our home overlooks this property. We bought into to this neighborhood specifically because of the wonderful forest in our backyard and the beautiful Skyline Wilderness Area. We were fully aware of the zoning on the adjacent lot, 1539 Forest Hills Dr, and we knew zoning only allows one house on that lot. Certainly the Hays' also knew this restriction when they purchased if they did their required due diligence during that purchase.

It is of no doubt that our property value as well as our neighbor's property values will suffer if this lot is rezoned to allow a development of multiple homes, which is so contrary to the original development plans for this area as well as contrary to the city's future development plan.

In reference to the Planning Commission Criteria and Findings for Approval or Denial

1. The proposed amendments shall be necessary because of substantially changed or changing conditions in the area and districts affected, or in the city generally.

NO. There have been no substantial changes in this area...except that the property was purchased by new owners, and they want to put more houses on it than they legally can per zoning rules. The petitioner is requesting the only substantial change.

2. The proposed amendments shall be consistent with the intent and purposes of this title.

NO. We really don't know the petitioners' intent. They claim they want to build two homes though are petitioning for rezoning that would allow up to 6 homes! They haven't submitted a proposed replat. Is the intent 2 homes or 6? Does the petitioner have the ability to provide legal access to these 2 to 6 houses?

3. The proposed amendment shall not adversely affect any other part of the city, nor shall any direct or indirect adverse effects result from the amendment.

NO. The development of multiple houses on this property will adversely affect the limited forest we have been able to protect in our city. It will deter wildlife from this corridor. It will detract from the beautiful Skyline

Wilderness Park, whose trail passes just feet from the property. It will substantially decrease my and my neighbors' property values as well as diminish my enjoyment of my property as I did not sign up for a development next door. When I purchased this property, I did so knowing the present zoning of that adjacent lot, so it would be unjust to change this now.

4. The proposed amendments shall be consistent with and not in conflict with the development plan of Rapid City including any of its elements, major road plan, land use plan, community facilities plan and others.

NO. This proposed amendment is absolutely contradictory to Rapid City's written development plan.

The Future Land Uses Plan puts this property into "Forest." The Rapid City Comprehensive plan clearly and repeatedly dictates that we continue to protect our forests, open areas, fragile steep sloping lands as well as wildlife corridors in our city.

Refer to my many citations.

I plead to this board to deny this request, as it is bad for our city.

Before giving any consideration to voting in favor of this rezoning request, I urge you to walk the trail in Skyline Wilderness Area that passes by this lot so you can see what a negative impact the change in zoning would have on this area. I know you are certainly very busy, but this is important. This bell cannot be unrung.

Please refer to the following excerpts from the Rapid City Comprehensive Plan that very clearly spell out the city's intentions for future developments.

Sincerely,

Chris Stanley

Goal LC-6.2: Conserve and protect Rapid City's natural resources and environment.

LC-6.2C: NATURAL FEATURES

Protect the natural and scenic character of key areas such as Skyline Driver Wilderness area, greenway tracts, and Jackson Boulevard/Highway 44 corridor to the west by avoiding extensive development, signage, and lighting in these areas.

LC-5.2E: WILDLIFE CORRIDORS

Explore guidelines or standards to protect and limit new development in established wildlife corridors.

LC-6.2F: SUSTAINABLE DEVELOPMENT

Encourage the use of sustainable development practices in public facilities, private development and the design of parks, landscaping, and stormwater management facilities to reduce water and energy consumption, protect water and air quality, and minimize impacts on natural features and wildlife habitat.

21RZ040

Goal SHIS-2.1: Reduce hazard risks by minimizing development in areas with safety or environmental risks or constraints.

#### SHIS- 2.1A: LIMITED DEVELOPMENT IN RISKY AREAS

Limit development in areas with environmental risks such as flood prone areas, areas with unsuitable soils for septic systems and slide prone slopes.

#### RC-1.2B: OPEN SPACE AND NATURAL RESOURCE CONSERVATION

Pursue opportunities to expand or enhance the community's open space and network and areas of natural resource conservation like greenways, forested hills, and drainages. Seek opportunities to achieve conservation objectives as development occurs, such as through land set-asides or cluster development.

#### RC-1.2C: NEIGHBORHOOD DESIGN

Encourage the protection of unique natural features and the incorporation of linkages to the overall system of trails in the design of new neighborhoods.

#### GDP-N1: PRESERVATION OF NATURAL FEATURES

Incorporate innovative site planning into the design of new neighborhoods to maximize the preservation of natural features, such as:

- Floodplains, drainages, and wetlands;
- Forested areas or other areas with significant native vegetation or mature shade trees;
- Documented wildlife habitat; and/or
- Steep slopes and other unique or environmentally sensitive features.

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#### GDP-N3: CLUSTER DEVELOPMENT

Preserve cohesive blocks of agricultural land or forest;

#### FOREST CONSERVATION DISTRICT:

Primary: Open lands preserved by the City or other government agencies, or as part of a private development (e.g. planned unit development) for conservation, resource protection, recreational, or utility use.

Emphasis on conservation for natural beauty, open character, and recreational access.

These design principles also intended to address considerations to promote increased awareness of potential risks and responsibilities associated with development in the Wildland Urban Interface (WUI).

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maximize the preservation of natural features, such as: • Floodplains, drainages, and wetlands; • Forested areas or other areas with significant native vegetation or mature shade trees; • Documented wildlife habitat; and/or • Steep slopes and other unique or environmentally sensitive features.

From: Lisa Stanley <lgschwanson@yahoo.com>  
Sent: Monday, January 24, 2022 10:18 PM  
To: cpweb <cpweb@rcgov.org>; Brennan Kelly <Kelly.Brennan@rcgov.org>  
Subject: Please deny rezoning of 1539 Forest Hills Dr

CAUTION: This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

To the Members of the Rapid City Planning Commission,

I live at 1524 Forest Drive with my husband and two children. Our home is located just to the south and east of 1539 Forest Hills Drive. The corner of our property abuts the Hays' property. I am writing in opposition to the rezoning of the Hays' property.

We closed on our home very recently in June of 2021. We are SD natives and have always loved Rapid City and the surrounding Black Hills. We purchased our property at this location in Rapid City because of the secluded forested surroundings as well as the proximity to downtown. As you know, the price of real estate in the area has been skyrocketing, both due to increasing demand and the cost of construction. We had done our research in buying and researched the surrounding properties. We looked at properties for a good year before we purchased. We were aware that the neighboring empty lot was zoned park forest and at one point had even considered purchasing it to build a single home. When the recently renovated house next door to the lot became available, we jumped on it because we knew this was the area we wanted to be and felt secure that other than the inevitable single home that could be built next door, the area would remain as is. We wanted to buy in an already established neighborhood with developed trees. Because of that security of no further neighborhood development and the inherent value that goes with keeping things secluded, we were willing to spend more on our home, especially given the price of building in the current market. I now strongly believe that the clearing of the land and the plan to build multiple homes has depreciated our property value.

I looked into the zoning ordinances, and from what I can see, low density residential allows for 1 home per 0.5 acres, whilst park forest is 1 home per 3 acres. Looking back through the past platting of the property in 1974 and associated contracts, it is clear that the intent was to keep the lots mostly forested. These lots now serve as a buffer between the low density residential area and the Sky Line Drive park. Even if the current owner claims he only intends to build two homes, I'm concerned that rezoning opens the door for more divisions of the property further down the road.

I also have questions with regard to drainage, erosion, impact on wildlife, impact on traffic, and access for fire control. How will the driveway easements work, especially given the need for 40' minimum easement width? Where will all the water run off go given the new driveway, lack of trees and filling of sections off the current natural drainage ravine? How will loss of this buffer further impact the wildlife in the park area? I would also argue that rezoning does not fit with the Rapid City Comprehensive Plan that states we need to protect and preserve our natural open spaces, forests and wildlife in our city, while at the same time protecting the fragile soils and ecosystems that thrive on our steep forested hillsides.

As I mentioned earlier, we looked at this lot to build. We met with a couple of contractors, discussed building a road, drainage issues, cost of housing, home design, easements and zoning restrictions. We knew it would be a challenge, there were potential legal issues and the cost was an unknown. We also knew it was zoned to build one home, and I'm sure Evan Hays did his due diligence also knew that when he bought the land. I imagine he wants to build a second home to help recoup the cost of his dream home. I totally understand that and if he had bought the property already zoned as low density residential, I would have to acknowledge that was his prerogative. But without the proper zoning in place, he has started developing the property with plans for at least two homes and the door would be left open for more. He is not entitled to build a second home to help fund his home while at the same time devaluing all of the neighbors' homes. He is essentially asking for forgiveness after the deed has been started. He bought the property

21RZ040

knowing the zoning restrictions. I also bought my property with knowledge of those restrictions as likely did many of the other neighbors. There are many of us being impacted by the gain of one person.

I encourage you to go walk the trails to the west of the property and see the trauma to the land first hand before you make any decisions. Perhaps consider a site development plan. Once construction begins, there is no going back. My husband and I, along with several of our neighbors, are asking that you deny this rezoning request at this time. Thank you for your time and consideration. Please feel free to contact me with any questions.

Lisa G. Stanley, DVM  
lisagstanley@yahoo.com  
508-789-3650

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**From:** Dowell Caselli-Smith <dowell1007@gmail.com>  
**Sent:** Monday, January 24, 2022 3:43 PM  
**To:** Brennan Kelly <Kelly.Brennan@rcgov.org>  
**Subject:** No to variance at end of Forest Hill Dr.

**CAUTION:** This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Dear Department of Community Development

As a resident of the West Boulevard area for the past 22 years I have very much appreciated the development of the Skyline Wilderness area and the low density forest housing surrounding the Wilderness. And, it has been gratifying to have access to this urban wilderness through many access points.

Therefore, it is with some dismay that my wife and I and our hiking companions have witnessed the devastation at the end of Forest Hill Drive. Not only is our historical access being cut off, but the secluded nature of the adjacent wilderness is being severely affected. No more wild turkeys will be found gobbling or bucks grazing in this little glade! And now, entering from Skyline Drive will give you the feeling of intruding into someone's backyard!

Granting a variance to put even more structures onto this piece of forest just makes no sense. Next thing you know, they will be complaining about all the hikers and bikers intruding on their peace and quiet from Skyline Drive! And, why not grant variances to any and all property owners who might wish to profit from their immediate access to this public treasure.

Please deny the requested variance to our existing zoning law for this forested area at the end of Forest Hill Drive.

Thank you for your kind consideration of this request from a neighborhood taxpayer who is very proud of our community's investments in public space and recreation.

Sincerely Yours,  
Dowell Caselli-Smith  
916 Franklin St.  
Rapid City, SD 57701  
(605) 721-2977

21RZ040

**From:** Yoko Sugawara <wormsburrows@gmail.com>

**Sent:** Tuesday, January 25, 2022 9:21 AM

**To:** Brennan Kelly <Kelly.Brennan@rcgov.org>

**Subject:** No to variance at the end of Forest Hill Dr.

**CAUTION:** This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Dear Department of Community Development

As a resident of Rapid City for the past 21 years I have very much appreciated the development of the Skyline Wilderness area and the low density forest housing surrounding the Wilderness. Therefore, it is with some dismay that I have witnessed the devastation at the end of Forest Hill Drive. Not only is our historical access being cut off, but the secluded nature of the adjacent wilderness is being severely affected.

Please deny the requested variance to our existing zoning law for this forested area at the end of Forest Hill Drive.

Thank you for your kind consideration of this request from a neighborhood taxpayer who is very proud of our community's investments in public space and recreation.

Sincerely Yours,

Yoko Sugawara

**From:** Ray Tapper IV <tapperiv2@gmail.com>  
**Sent:** Tuesday, January 25, 2022 4:29 PM  
**To:** cpweb <cpweb@rcgov.org>  
**Subject:** Rezoning Public Feedback

**CAUTION:** This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Dear Department of Community Development,  
This letter is to ask that the low density residential rezoning request for 1539 Forest Hills Drive be denied.

My family has resided at 1524 Forest Hills Drive since May 2017. The work done on the property thus far has been disruptive with excessive trees being removed, wild animals scared from their natural habitat (some of which we no longer see around the neighborhood), and heavy equipment running loudly after dark scaring our young child.

While it is understood that construction is only for a season, the excessive traffic of more than one house would further disrupt the quiet and natural setting that brought us to this neighborhood. Please allow for the Park Forest zoning to remain in place for the preservation of our neighborhood and the natural habitat of the abundant wildlife in the neighborhood.

Sincerely,  
Mr. & Mrs. Raymond J. Tapper IV

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**From:** jgaffney@rap.midco.net <jgaffney@rap.midco.net>  
**Sent:** Tuesday, January 25, 2022 6:35 PM  
**To:** cpweb <cpweb@rcgov.org>; Brennan Kelly <Kelly.Brennan@rcgov.org>  
**Subject:** Rezoning request for 1539 Forest Hills Dr

**CAUTION:** This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Good Afternoon,

My husband and I live at 1522 Forest Dr.  
We are located on the property next to Chris and Lisa Stanley.  
We purchased the property in 2003 because of the central location and access to the Skyline Wilderness trails and have enjoyed hiking them for all these years.

We oppose the rezoning for all the same reasons all our neighbors have addressed.

Although, we do have a couple of questions.

1. Evan and his father were clearing the property last summer. Why are we just being notified of their intention to rezone now?  
Shouldn't we have been notified of this possibility months ago?

21RZ040

2. If the original intention of the owner was to only build one or two homes on the property, why has the entire property been demolished?

One homesite is already cleared on the west end of the property, so why are trees down everywhere all the way to the east side of the lot.

Could they not have waited for the rezoning decision before creating all the destruction?

If the rezoning is denied as it should be, the damage has already been done.

What will the owner and contractor do to resolve the unfortunate issues they have caused and any subsequent problems which may arise in the future?

Sincerely

Dave and Jan Salberg.

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From: Jim Books <jimbooks@msn.com>

Sent: Wednesday, January 26, 2022 8:11 AM

To: cpweb <cpweb@rcgov.org>

Cc: Carol Risdall <lorac@rushmore.com>; Glenna Books <skoob1@msn.com>

Subject: Rezoning of 1539 Forest Hills Drive

CAUTION: This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

> To whom it may concern:

>

> My name is Jim Books and my wife Glenna and I reside at 1425 Forest Hills Dr. Our house is the 3rd house down on the east side of Forest Hills Drive from the property mentioned above.

>

> We are opposed to the rezoning request of the above stated property because of the drainage and erosion issues of this very steep property. The lot in question narrows to a severe constraint point from a drainage basin that starts in the Skyline Wilderness Area and drains into a cul-de-sac at the upper end of Forest Hills Drive. In addition to runoff, there is substantial seepage that has caused erosion under Forest Hills Drive causing a major delay and re-design of the street resurfacing project in 2021. Please consult with Doug Noyes for more detail information.

>

> But our major concern is erosion and surface runoff that a second or additional homes on the lot will create above and beyond what the new house is creating. There already has been over 70 plus trees removed, nearly 300 yard driveway created in addition to the new house site that will all combine to accelerate runoff and erosion to the cul-de-sac resulting in pollution to 12th Street and possibly Rapid Creek.

>

> If the rezoning is allowed, the additional driveway, more tree removal and house site will worsen the situation that currently exist with the new home site under construction.

>

> It is our recommendation that the rezoning request be denied outright for the above reference lot. If not, a study needs to be conducted by the city to address the problems from the new house site and how a second or more house sites will impact additional runoff and erosion that will impact Rapid Creek and West Blvd area.

>

> Please note that storm sewers were not part of the 2021 Forest Hills Drive resurfacing project.

>

> Sincerely,

> Jim Books

> 605-359-5672

21RZ040

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From: Anita Winter <anitawinter@icloud.com>  
Sent: Tuesday, January 25, 2022 1:50 PM  
To: cpweb <cpweb@rcgov.org>  
Subject: Deny zoning request

CAUTION: This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Sirs,  
I'd like to voice my concern about a zoning request by Evan Hayes located in Forest Hills Subdivision. Please deny his request Rapid City needs park forest districts with the city limits for vegetation and animals. Mr Hayes has already cause horrific erosion on the proper by his tree cutting. This will effect erosion and flooding in the neighborhood

Please deny the request for rezoning lot 2 of lot G of Forest Hills Subdivision

Anita Winter

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**From:** Rick bell <etyview@yahoo.com>  
**Sent:** Tuesday, January 25, 2022 1:48 PM  
**To:** cpweb <cpweb@rcgov.org>  
**Subject:** Rezoning Request (File # RZ040)

**CAUTION:** This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Dear Sirs,

We are opposed to the Planning Commission granting the Rezoning Request for this property located at 1539 Forest Hills Drive to go from Park Forrest District to Low Density Residential District.

Please see the attached letter that was also sent to the Department of Public Works concerning the erosion control violations that are occurring during the ongoing construction at this site.

Thanks.

Richard & Carol Bell  
1206 Clark St.  
Rapid City, SD 57701

Richard & Carol Bell  
1206 Clark St.  
Rapid City, SD 57701

January 25, 2022

Rapid City  
Department of Public Works - Engineering Services, and  
Department of Community Development  
300 6<sup>th</sup> Street  
Rapid City, SD 57701

RE: 1539 Forest Hills Drive

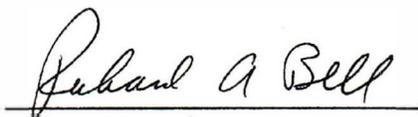
Dear Sirs,

It has come to our attention that there is a serious situation occurring at 1539 Forest Hills Drive, which is up the hill from us where we live on Clark Street. We recently walked up there to see for ourselves all the devastation to the land that has occurred in an effort to build new residential building(s) on this property. We are gravely concerned about the lack of erosion control occurring now during this construction and the impact of all the mud and silt that will come down the hill when a rain storm event inevitably occurs.

First, we don't understand how the City can allow this construction to continue since no erosion control is evident on the site. We assume they have a permit? Regardless, they appear to be in direct violation of the City's ordinances in CHAPTER 8.50: STORMWATER RUNOFF FROM LANDS MODIFIED BY HUMAN ACTIVITIES, which includes requirements for erosion and sediment control measures, the stabilization of vacant lots and new building sites, and has penalties resulting from noncompliance. It says: "Any person violating any provisions of this chapter shall become liable to the city for the expense of restoration." Why can't the City take immediate action in response to these violations by stopping construction and imposing penalties?

Second, we are asking that the Planning Commission NOT approve the owner's request to have the property rezoned from Park Forest to "Low Density Residential." All the surrounding homes in this Skyline Wilderness Area are on large lots. Therefore, allowing more than one house to be built on this lot would severely detract from the nature of this Wilderness Area.

Sincerely,



Richard A. Bell



Carol E. Bell

**From:** A. E. Poynor <aepoynor@gmail.com>  
**Sent:** Wednesday, January 26, 2022 1:16 PM  
**To:** Wolff Andrea <Andrea.Wolff@rcgov.org>  
**Cc:** Georgia Poynor <gcpoynor@gmail.com>  
**Subject:** Opposition to rezoning of 1539 Forest Hills Dr

**CAUTION:** This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

To: Rapid City Planning Commission  
From: Alan and Georgia Poynor, 1401 Forest Hills Dr., Rapid City  
We are sending this email to express our opposition to the proposed rezoning of the lot at 1539 Forest Hills Dr. from its current zoning of Park Forest (single house) to Low Density Residential, which would allow multiple homes to be built on that three acre area.  
Such a rezoning would, in our opinion, be detrimental to the Forest Hills neighborhood. Multiple residences at the end of Forest Hills Drive would directly impact the amount of traffic, all of which would have to travel past our home. Furthermore, the topography of the lot is not amenable to the construction of multiple structures as it is very steep and such construction would invite erosion/drainage issues. Which, in our estimation, is why the lot is three acres. Additionally, the removal of trees that would be required for construction of and access to multiple structures would have a negative impact on the Skyline Wilderness Area which borders the property.  
When we purchased our home on Forest Hills Drive several years ago we did so in large part for the quiet setting and general nature of the neighborhood. The proposed rezoning would negatively impact not just our home, but those of our neighbors.  
In conclusion, we would ask that if the members of the Commission are not familiar with the property they take the time to look at it. We believe doing so would convince the Commission that rezoning is not prudent.  
Respectfully,  
Alan Poynor and Georgia Poynor

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**From:** Hans Stephenson <hansrc@gmail.com>  
**Sent:** Wednesday, January 26, 2022 2:31 PM  
**To:** Brennan Kelly <Kelly.Brennan@rcgov.org>  
**Subject:** 21RZ040

**CAUTION:** This email is from an outside source. Use caution before opening attachments, clicking links or providing confidential information.

Dear members of the planning commission and staff of the Rapid City long-range planning department,

We are writing to oppose the proposed re-zoning of 1539 Forest Hills Drive to low-density residential. We live on Forest Drive and have come to think of the Skyline Drive Wilderness Area as one of Rapid City's most valuable assets. On nice days, we have counted hundreds of people a day accessing the trails via the trailhead on St. Cloud Street. These hikers, runners, bikers, bird-watchers and kids playing in the woods benefit in countless ways from having easy access to this wilderness area. It has been devastating to watch the destruction of this beautiful lot that formed a natural drainage and a vital habitat for wildlife.

While one home on the lot, as permitted with the Park Forest zoning designation, is understandable and feels inevitable, crowding multiple homes onto the three acre lot will

compromise the quality of life for the thousands of Rapid Citizens who use these trails every year ... not just for those of us lucky enough to call the SDWA our back yard. Please reject this re-zoning request.

Sincerely,  
Hans and Christine Stephenson  
1521 Forest Drive  
Rapid City, SD. 57701



Photos provided by Lawrence Lehr showing previous run-off issues



## SIGBJORNSON, LLLP

**Date:** 29 January 2022

**To:** Rapid City Planning Commission

**From:** Margaret (Peg) Seljeskog

**RE: REZONING REQUEST FILE # 21RZ037  
(3637 EDWARDS STREET)**

Sigbjornson, LLLP, owns the 5.00 acre property (Lot 2 of Lot D of K-W Subdivision) at 3715 Edwards Street, *directly adjacent on the east* to Mr. Boyle's property that he wishes to rezone from General Commercial District to Light Industrial District.

Our 3715 Edwards Street property is currently not developed with the exception of the retention pond that was constructed during our planned development of the properties that include the Comfort Suites and Dakota Steakhouse. Sigbjornson no longer owns the Comfort Suites property but retains ownership (as Elk Vale Investments) of the Dakota Steakhouse property.

Our 3717 Edwards Street property ((Lot 2 of Lot D) is currently on the market with a zoning designation as General Commercial District, which we desire to maintain, particularly since we want any future purchaser to be an economically favorable good neighbor to the Comfort Suites business, nor one that might possibly have a negative impact on Dakota Steakhouse.

For the above reasons, we will not oppose Mr. Boyle's lot rezoning request for Light Industrial District ***as long as*** the Planning and Development Staff's recommendation ***that the condition for the rezoning request is that it be in conjunction with a planned development designation so that any use will require prior public comment.***