

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
April 5, 2018

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Golliher, John Herr, Galen Hoogestraat, Curt Huus, Mike Quasney, Justin Vangraefschepe and Vince Vidal.

MEMBERS ABSENT: John Roberts, Council Liaison

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, Kip Harrington, Tim Behlings, Ted Johnson, Carla Cushman and Andrea Wolff.

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

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

**Staff requested that Items 7 be removed from the Consent Agenda for separate consideration.**

**Motion by Hoogestraat seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 8 in accordance with the staff recommendations with the exception of Item 7. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)**

**---CONSENT CALENDAR---**

1. Approval of the March 22, 2018 Planning Commission Meeting Minutes.
2. No. 18PL014 - Red Rock Estates  
A request by KTM Design Solutions, Inc for Alan Dietrich Living Trust/ Dean Ham Trust to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1AR of Block 19, Red Rock Estates, legally described as that portion of the W1/2 of the NE1/4 of the SE1/4 located north of Portrush Road, less Red Rock Estates, and Lot 1A of Block 19 of Red Rock Estates, located in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Ainsdale Court and Portrush Road.

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

1. **Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing the installation of sidewalk along Muirfield Drive and the balance of Portrush Road, including ADA access ramps, or a Variance shall be obtained from City Council;**

2. Upon submittal of a Development Engineering Plan application, construction plans for Ainsdale Court shall be submitted for review and approval showing the construction of two additional feet of pavement and the dedication of 1.5 additional feet of right-of-way or an Exception shall be obtained. If an Exception is obtained, a copy of the Exception shall be submitted with the Development Engineering Plan application;
  3. Upon submittal of a Development Engineering Plan application, construction plans for Muirfield Drive shall be submitted for review and approval showing the construction of 7 additional feet of pavement to allow on-street parking and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
  4. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
  5. Upon submittal of a Final Plat application, the plat document shall clarify whether the existing 8 foot wide minor drainage and utility easement currently located along the rear lot line of existing Lot 1A is being retained or vacated. If the easement is being vacated, then documentation from all of the affected utility companies indicating concurrence with the vacation of the easement shall be submitted;
  6. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements if applicable;
  7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval if applicable;
  8. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
  9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
3. No. 18PL015 - Rushmore Center  
A request by KTM Design Solutions, Inc for Crossing Land Company, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 3, 4 and 5 of Tract B of Rushmore Center, legally described as Tract B less Lots 1 and 2 of Rushmore Crossing Subdivision, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described

as being located northwest of the intersection of E. Anamosa Street and Luna Avenue.

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

- 1. Prior to submittal of a Final Plat application, the site plan and master plan shall be revised addressing redline comments;**
- 2. Prior to submittal of a Final Plat application, the plat document shall show the dedication of four additional feet of right-of-way along Luna Avenue with an additional five feet the first 200 feet as Luna Avenue extends north from E. Anamosa Street or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Final Plat application;**
- 3. Prior to submittal of a Final Plat application, the plat document shall show the dedication of a non-access easement along E. Anamosa Street;**
- 4. Prior to submittal of a Final Plat application, the plat title shall identify the subdivision as "Rushmore Center" in lieu of "Rushmore Center Subdivision"; and,**
- 5. Prior to submittal of a Final Plat application, the plat document shall show the recording information for the existing drainage easements.**

4. No. 18RZ008 - Orchard Meadows Subdivision

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for a **Rezoning from General Agricultural District to Low Density Residential District** for that portion of the W1/2 of the SE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the southwest corner of Lot 14, Block 4 of Orchard Meadows, from which the south ¼ corner of Section 9 lies South 61°46'22" West, 831.78 feet; Thence with the west line of Lots 14 and 15, Block 4 of Orchard Meadows, North 0°06'14" East, 43.37 feet to a point; Thence leaving said west line, North 90°00'00" West, 57.87 feet to a point on the west line of previously filed LDR 1 zoning limit and being the point of beginning; Thence, the following 12 courses (1-12) with the future platted boundary of Orchard Meadows Phase 6, (1) North 90°00'00" West, 174.05 feet to the beginning of a curve concave northeasterly; Thence (2) northwesterly along said curve through a central angle of 89°43'27", a radius of 32.00 feet, an arc distance of 50.11 and a chord bearing of North 45°08'16" West, 45.15 feet to a point of tangency; Thence (3) North 0°16'33" West, 241.32 feet to the beginning of a curve concave southwesterly; Thence (4) northwesterly along said curve through a central angle of 54°49'36", a radius of 271.00 feet, an arc distance of 259.32 feet and a chord bearing of North 27°41'21" West, 249.54 feet to a point of tangency; Thence (5) North 55°06'09" West, 75.73 feet to the beginning of a curve concave northeasterly; Thence (6) northwesterly along said curve through a central angle of 55°12'21", a radius of 142.00 feet, an arc distance of 136.82 feet and a chord bearing of North 27°29'59" West, 131.59 feet to a point of tangency; Thence (7) North 0°06'12" East, 111.22 feet to a point of non-tangency; Thence (8) North 16°22'49" West, 68.85 feet to a point of non-tangency; Thence (9) North

4°57'56" West, 8.00 feet to a point of non-tangency; Thence (10) North 89°53'48" West, 92.54 feet to a point of non-tangency; Thence (11) North 0°01'06" West, 52.00 feet to a point of non-tangency; Thence (12) South 89°53'48" East, 92.38 feet to a point; Thence leaving aforementioned future platted boundary, (13) South 89°53'48" East, 129.17 feet to a point of non-tangency, being on the west line of aforementioned previously filed LDR 1 zoning limit; Thence the following 6 courses (14-19) being with the previously filed LDR zoning limit, (14) South 1°01'01" West, 65.63 feet to a point of non-tangency; Thence (15) North 90°00'00" East, 176.00 feet to a point of non-tangency; Thence (16) South 0°00'00" East, 99.00 feet to a point of non-tangency; Thence (17) North 90°00'00" East, 152.00 feet to a point of non-tangency; Thence (18) South 0°00'00" East, 600.00 feet to a point of non-tangency; Thence (19) South 4°34'19" East, 126.98 feet, more generally described as being located west of Elderberry Boulevard.

**Planning Commission recommended that the Rezoning from General Agricultural District to Low Density Residential District be approved.**

5. No. 18RZ009 - Orchard Meadows Subdivision

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for a **Rezoning from General Agricultural District to Low Density Residential District II** for that portion of the W1/2 of the SE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at a point on the west line of previously filed LDR 2 zoning limit, from which the south ¼ corner of Section 9 lies South 14°17'04" West, 1370.34 feet and being the point of beginning: Thence (1) North 89°53'48" West, 129.17 feet to a point of non-tangency; Thence (2) North 0°00'36" East, 100.00 feet to the southwest corner of Tract L of Orchard Meadows; Thence (3) with the south line of said Tract L, South 89°53'48" East, 130.93 feet to a point on the west line of previously filed LDR 2 zoning limit; Thence (4) leaving said south line of Tract L, South 1°01'01" West, 100.01 feet to the point of beginning, more generally described as being located west of the intersection of Elderberry Boulevard and Jim Street.

**Planning Commission recommended that the Rezoning from General Agricultural District to Low Density Residential District II be approved.**

6. No. 18RZ010 - Orchard Meadows Subdivision

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for a **Rezoning from General Agricultural District to Medium Density Residential District** for that portion of the NW1/4 of the SE1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at a point on the south line of previously filed MDR zoning limit and being the point of beginning: Thence (1) South 0°43'37" East, 4.27 feet to the southeast corner of Tract L of Orchard Meadows; Thence (2) with the south line of said Tract L, North 89°53'51" West, 625.81 feet to the southwest corner of said Tract L; Thence (3) with the west line of said Tract L, North 0°00'34" East, 739.51 feet to the northwest corner of said Tract L; Thence (4) with the north line of said Tract L, North 83°21'03" East, 26.80 feet to a point

on the west line of aforementioned previously filed MDR zoning limit; Thence (5) with said west zoning limit, South 0°00'00" West, 739.47 feet to the southwest corner of said zoning limit; Thence (6) with the south line of said zoning limit, North 90°00'00" East, 599.01 feet to the point of beginning, more generally described as being located west of the northern end of Elderberry Boulevard.

**Staff recommended that the Rezoning from General Agricultural District to Medium Density Residential District be approved.**

\*8. No. 18PD012 - Menard Subdivision

A request by Todd Mosher of R.A. Smith National, Inc for Richard Sommer of Halle Properties, LLC to consider an application for a **Final Planned Development Overlay to allow a tire store within the General Commercial District** for a parcel of land within a portion of Lot B of Menard Subdivision, located in the SE1/4 of the NW1/4, Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more particularly described as follows, commencing at the southeasterly corner of Lot B of Menard Subdivision; common to the northeasterly corner of Lot A of Menard Subdivision, and common to the northwesterly right-of-way line of North Creek Drive, said corner marked by a 5/8" rebar; thence N45°11'40"E along the southeasterly boundary of Lot B a distance of 355.89 feet to the PC of a curve which is marked by a 5/8" rebar; thence northwesterly along the southeasterly boundary of Lot B on a non tangent curve to the left with a delta angle of 2°19'51" and a radius of 710.00 feet (which chord bears N44°02'37"E with a length of 28.88 feet) for an arc length of 28.88 feet to the point of beginning (pob), said point being marked by a rebar with a cap stamped ls#6119; thence northwesterly along the southeasterly boundary of Lot B on a non tangent curve to the left with a delta angle of 18°31'46" and a radius of 710.00 feet (which chord bears N33°36'48"E with a length of 228.62 feet) for an arc length of 229.61 feet to the pt of the curve which is marked by a 5/8" rebar; thence N24°28'19"E along the southeasterly boundary of Lot B a distance of 16.15 feet to a rebar with a cap stamped ls#4225; thence N20°46'38"W along the easterly boundary of Lot B a distance of 28.27 feet to a rebar with a cap stamped ls#4225; thence N65°40'27"W along the northeasterly boundary of Lot B a distance of 35.30 feet to a rebar with a cap stamped ls#4225; thence N50°38'12"W along the northeasterly boundary of Lot B a distance of 99.43 feet to a rebar with a cap stamped ls#4225; thence N50°41'29"W along the northeasterly boundary of Lot B a distance of 60.66 feet to the pc of a curve which is marked by a rebar with cap a stamped ls#6119; thence southwesterly along the northwesterly boundary of Lot B on a non tangent curve to the right, concave to the northwest, with a delta angle of 4°25'04" and a radius of 3014.79 feet (which chord bears S42°30'55"W with a length of 232.39 feet) for an arc length of 232.45 feet to a rebar with a cap stamped ls#6119; thence S47°07'12"E a distance of 259.01 feet to the point of beginning and there terminating, more generally described as being located northeast of the intersection of E. Anamosa Street and North Creek Drive.

**Planning Commission recommended that the Final Planned Development Overlay to allow a tire store within the General Commercial District be approved with the following stipulations:**

1. **Upon submittal of a Building Permit, the plans shall be revised to address red-lined comments;**
2. **All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Final Planned Development Overlay. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,**
3. **The Final Planned Development Overlay shall allow a tire discount store. Permitted uses within the General Commercial District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development.**

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

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

\*7. No. 18PD009 - McMahon Subdivision

A request by Select Construction for Doeck LLC to consider an application for a **Final Planned Development Overlay to allow an apartment Complex** for Lot 5R of Track G-1 of McMahon Subdivision, located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3124 Champion Drive.

Lacock presented the application and reviewed the associated slides. Lacock noted that the applicant is not requesting any Exceptions with this application. Lacock stated that the applicant anticipates building the apartment complex in two phases. Lacock noted that the complex is proposing to build garages to the back of the complex, which along with the access lane, will create a larger distance and buffer between the apartment structures and the adjacent properties. Lacock presented staff's recommendation that the Final Planned Development Overlay to allow an apartment complex be approved with the stipulations as note in the project report.

Trevor Shoemaker, 627 Kathryn Avenue, asked about the proposed trees between the garages and the duplexes. Shoemaker stated that he fears that the development of a three-story complex will detract from the value of his property. Shoemaker asked if the cost range of the apartments is known at this time. Fisher stated that they do not know that, but anticipates they will be market rate rather than subsidized. Shoemaker also inquired about access options or potential signaling of the Haines Avenue and Kathryn Avenue intersection. Fisher clarified that this development does not trigger a Traffic Impact Study and that the City does not have plans to signalize the intersection at this time.

Fisher spoke to her concerns that the zoning of adjacent properties and what is allowed in those zoning districts should be disclosed by realtors when a property is being marketed for the sale.

Autumn Shoemaker, 627 Kathryn Avenue, in response to a question from Vidal as to who her real estate agent was and whether that agent had informed them of the zoning of the undeveloped property adjacent to their home prior to purchasing, stated that her realtor did not provide that information or the potential for apartments. Shoemaker continued stating that she had learned through talk in the neighborhood that what they believed were low rent apartments were being built on that property.

**Planning Commission recommended that the Final Planned Development Overlay to allow an apartment complex be approved with the following stipulations:**

1. **Upon submittal of a Building Permit, the site plan shall be revised to provide ADA compliant 5 foot wide access aisles for two of the ADA parking spaces or the ADA spaces shall be removed as they are not required to meet the minimum 5 required ADA spaces;**
2. **Upon submittal of a Building Permit, the applicant shall revise the plans to address red-lined comments;**
3. **Upon submittal of a Building Permit, a complete Drainage Report shall be submitted for review and approval;**
4. **All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Final Planned Development Overlay. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,**
5. **The Final Planned Development Overlay shall allow for a 72 unit apartment complex and six detached garage structures. Permitted uses within the Medium Density Residential District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Huus, Hoogestraat, Quasney and Vangraefschepe voting yes and none voting no)**

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

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

- \*9. No. 18PD006 - Gemstone Subdivision

A request by Scott and Laura Schirber to consider an application for a **Major Amendment to a Planned Development to allow a 6 feet fence 4 feet from property line in second front yard** for Lot 7 of Block 1 of Gemstone Subdivision, located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 323 E. Enchanted Pines Drive.

Lacock reviewed the application and stated that the applicant is requesting that the application be continued to the April 26, 2018 Planning Commission meeting.

**Planning Commission recommended that the Major Amendment to a Planned Development to allow a 6 feet fence 4 feet from property line in second front yard be continued to the April 26, 2018 Planning Commission meeting. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Huus, Hoogestraat, Quasney and Vangraefschepe voting yes and none voting no)**

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

\*10. No. 18PD007 - Tuscany Square Subdivision

A request by Elisabeth Ketterer of Boss Pizza and Chicken to consider an application for a **Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a restaurant** for , legally described as Tract 1 (also in Section 1, T1N, R7E) Tuscany Square Subdivision, located in Section 36, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 325 Omaha Street, Suite 6.

Lacock presented the application and reviewed the associated slides. Lacock noted that there are other individual Conditional Use Permits in the same development for other users. Lacock noted that no additional construction is proposed and no additional parking would be required. Lacock presented staff's recommendation that the Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a restaurant be approved with stipulations outlined in the project report.

In response to a question from Huus on parking, Lacock clarified that the existing Exception granted for parking has not caused issues to date and that the separate leased parking agreement which Headlines Academy is required to maintain, allows for the parking for that use to be addressed separately and that no concerns have been brought to staff's attention.

**Planning Commission recommended that the Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a restaurant be approved with the following stipulations:**

**1. Acknowledge the previously granted Exception to reduce the parking**

requirement from 246 parking spaces to 178 parking spaces. In addition, a minimum of 58 off-site parking spaces shall be continually provided for the cosmetology, esthetics and massage therapy school and salon. A Major Amendment to the Planned Development shall be required at any time should a complaint be received regarding shortage of parking; and,

2. The Major Amendment to a Planned Development shall allow an on-sale liquor establishment in conjunction with a restaurant on the property operated in compliance with the applicant's operations plan. Permitted uses within the General Commercial District and any change in use that does not increase the minimum parking requirement shall be reviewed as a Minimal Amendment. Any change in use that increases the minimum parking requirement or is a Conditional Use shall require a Major Amendment to the Planned Development. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Huus, Hoogestraat, Quasney and Vangraefschepe voting yes and none voting no)

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

\*11. No. 18PD008 - Tuscany Square Subdivision

A request by Pamela Rysavy to consider an application for a **Major Amendment to a Planned Development to allow an on sale liquor establishment with a home improvement store** for Tract 1 (also in Section 1, T1N, R7E) Tuscany Square Subdivision, located in Section 36, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 333 Omaha Street, Suite 1.

Lacock presented the application and reviewed the associated slides. Lacock again noted that there are other Conditional Use Permits in the same development for other uses. Lacock noted that no additional construction is proposed and no additional parking would be required. Lacock noted that the applicant is requesting the Conditional Use Permit to allow them to offer a more enjoyable shopping experience. Lacock presented staff's recommendation that the Major Amendment to a Planned Development to allow an on sale liquor establishment in conjunction with a home improvement store be approved with stipulations.

In response to a question from Caesar on what training the staff will receive. Rysavy stated that to receive the license they are required to complete training and that training would extend to their staff.

In response to a question from Bulman on the idea behind offering drinks at a retail store, Rysavy stated that theirs is a more in-depth shopping process and

they are hoping this will allow the customer to enjoy the time involved.

**Planning Commission recommended that the Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a home improvement store be approved with the following stipulations:**

1. **Acknowledge the previously granted Exception to reduce the parking requirement from 246 parking spaces to 178 parking spaces. In addition, a minimum of 58 off-site parking spaces shall be continually provided for the cosmetology, esthetics and massage therapy school and salon. A Major Amendment to the Planned Development shall be required at any time should a complaint be received regarding shortage of parking; and,**
2. **The Major Amendment to a Planned Development shall allow an on-sale liquor establishment in conjunction with a home improvement store on the property operated in compliance with the applicant's operations plan. Permitted uses within the General Commercial District and any change in use that does not increase the minimum parking requirement shall be reviewed as a Minimal Amendment. Any change in use that increases the minimum parking requirement or is a Conditional Use shall require a Major Amendment to the Planned Development. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Huus, Hoogestraat, Quasney and Vangraefschepe voting yes and none voting no)**

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

Fisher requested that Items #12, #13 and #14 be taken together and if the Planning Commission so decided be approved together also.

12. No. 18PL016 - Johnson Ranch Subdivision

A request by KTM Design Solutions, Inc for Yasmeeen Dream LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 15 thru 25 of Block 1, Lots 15 thru 56 of Block 2, Lot C, D, E and F and wetland and Drainage Tract A of Johnson Ranch Subdivision, legally described as the N1/2 of the NW1/4, the N1/2 of the SE1/4 of the NW1/4, Lot AB of The NW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of St. Patrick Street and E. Highway 44.

Fisher reviewed the applications and associated slides. Fisher reviewed the Preliminary Subdivision Plan identifying that it is proposing 52 single-family lots, one multi-family lot, four commercial lots and two tracts. Fisher reviewed the phasing plan for the development noting that Phase I has been approved

previously and is already under construction, Phases II, III and IV are identified on the Master Plan as single-family and multi-family development. Fisher stated that Phase II, which is the Initial and Final Planned Development (18PD010) is the area of the development identified as single-family homes and one of the stipulations of approval defines the construction of a park area be completed as a part of that phase of development. Fisher noted that Phases III and IV are addressed by the Initial Planned Development (18PD011) which is for the 35 residential lots identified in the southeast section of the development. Fisher reviewed the Exception requests similar to those requested for Phase I to reduce the minimum required lot size from 6,500 square feet to 4,890 square feet for Phase II and 4,922 for Phases III and IV, as a part of this the park will be constructed to provide a community area. Fisher noted that reduced lot sizes have been allowed in other developments, such as PLM Subdivision, when an average of 6,500 square foot was being provided. Fisher reviewed the average residential lot size for the development noting that it exceeded the required 6,500 square foot minimum requirement. Fisher also noted that the applicant is requesting Exceptions to reduce the minimum required lot width at the front building line from 50 feet to 46 feet for both the two Planned Development application. Fisher noted that the applicant has shown that they can still provide the needed street parking as long as the maximum approach is no larger than 20 feet, which is within the allowable approach widths. Fisher noted that a note on the plat will identify the 20 foot maximum approach. Fisher noted that the applicant is also requesting an Exception to increase the maximum allowed lot coverage from 30% to 35% due to the smaller lot. Fisher stated that the applicant has identified two specific drainage areas that will be engineered and approved prior to any issuance of a building permit as a stipulation associated with the Preliminary Subdivision Plan (18PL016). These drainage areas should accommodate the drainage associated with the additional lot coverage. Fisher briefly reviewed the applications and exceptions for these applications and presented staff's recommendation that the Preliminary Subdivision Plan be approved with stipulations; that the Initial and Final Planned Development Overlay to allow a residential development be approved with stipulations; and that the Initial Planned Development Overlay to allow a residential development be approved with stipulations outlined in the project report.

Braun confirmed that the Commission would be acceptable to approving as a group; the Commission confirmed that they were acceptable.

In response to a question from Quasney on the cost of the houses, Kyle Treloar, KTM Design Solutions, Inc., agent for the applicant, stated that based on the current construction and the builder that the costs are estimated to run between \$160,000 and \$190,000.

Johnson confirmed that the intersection of East St. Patrick Street will have full turning movement, meaning that traffic will be able to turn right or left at the intersection and that the intersection has adequate width to allow this function.

In response to a question from Huus regarding fire sprinkling of the residential buildings due to the reduced lot sizes and setbacks, Behlings spoke to this

indicating that the initial request had included reduced setbacks which would have triggered fire sprinkler requirement, but that was no longer the case.

Huus stated that he feels this development is forcing a large number of houses in a small area creating heavy density and asked if this was how the City is looking to meet the need for affordable housing. Fisher noted that that is not her understanding but did state that the Comprehensive Plan promotes higher density to minimize the use of acreage to provide more housing.

Caesar left the meeting at this time.

In response to a question from Herr on the size of the park, Treloar clarified the overall green area is 2 acres. Fisher stated that through discussion it has been agreed that the City Parks Department will manage the park.

In response to a question from Bulman regarding the prior development of Kateland Subdivision where reduced lots and setback reductions had been allowed, Fisher stated that staff has not heard of any issues or problems with the development.

**Hoogestraat moved, Gollieher moved, and the Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations:**

- 1. Upon submittal of a Development Engineering Plan application, the redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application. The revised plans shall be to a readable scale;**
- 2. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual**
- 3. Upon submittal of a Development Engineering Plan application, construction plans for Johnson Ranch Road and North Hutt Court shall be submitted for review and approval showing the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb(s) shall be located in a minimum 104 foot diameter right-of-way and constructed with a minimum 84 foot diameter paved surface or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;**

4. Upon submittal of a Development Engineering Plan application, construction plans for the southern 540 feet of Providers Boulevard shall be submitted for review and approval showing the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
5. Upon submittal of a Development Engineering Plan application, construction plans for the northern 580 feet of Providers Boulevard shall be submitted for review and approval showing the street located in a minimum 70 foot wide right-of-way with an additional 10 feet the first 200 feet as it extends south from E. St. Patrick Street and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
6. Upon submittal of a Development Engineering Plan application, construction plans for E. Saint Patrick Street shall be submitted for review and approval showing the street constructed with curb, gutter, sidewalk, street light conduit, sewer and dual water or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
7. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual and in compliance with the Rapid Valley Sanitary District master plan. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development;
8. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and in compliance with the Rapid Valley Sanitary District master plan shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual and the Rapid Valley Sanitary District master plan;
9. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report

- shall address storm water quantity control and storm water quality treatment. Perpetual ownership and maintenance of rear yard drainage ways, detention ponds, drainage structures and other related drainage improvements shall be identified. Easements shall also be provided as needed and shall accommodate estimated maximum high water levels including minimum one foot of freeboard. Publicly maintained easements shall be a minimum 20 feet in width and in accordance with the Infrastructure Design Criteria Manual;
10. Upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction;
  11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
  12. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  13. The proposed plat shall be allowed as a phased development with all subdivision improvements needed to support a particular phase included in the construction plans for that phase;
  14. Prior to submittal of a Final Plat application, the plat document shall be revised to provide a minimum lot size of 6,500 square feet and a minimum lot width of 50 feet at the front building line or the associated Planned Development applications shall be approved reducing the lot size and lot width as proposed;
  15. Prior to submittal of a Final Plat application, a note shall be placed on the plat stating that "Approaches shall not exceed 20 feet in width";
  16. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of Tract A (wetland and drainage area) and Tract B (neighborhood park and drainage area). In addition, a Major Drainage Easement shall be dedicated for all proposed drainage improvements;
  17. Prior to submittal of a Final Plat application, the plat document shall show "North Hutt Court" as "Hutt Court";
  18. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
  19. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s). (8 to 1 with Braun, Bulman, Gollither, Herr, Hoogestraat, Quasney, Vangraefschep and Vidal voting yes and Huus voting no)

\*13. No. 18PD010 - Johnson Ranch Subdivision

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for a **Final Planned Development Overlay to allow a residential development** for that portion of the NW1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the NW1/16 corner of Section 9, Thence, South 87°50'18" West, 427.30 feet to a point on the southeast boundary and the point of beginning. Thence (1) North 89°50'10" West, 184.00 feet to a point of non-tangency; Thence (2) North 0°06'03" East, 16.66 feet to a point of non-tangency; Thence (3) North 0°40'03" East, 266.01 feet to a point of non-tangency; Thence (4) North 89°43'35" West, 46.00 feet to a point of non-tangency; Thence (5) North 0°14'11" East, 420.18 feet to a point of non-tangency; Thence (6) North 38°00'42" West, 18.87 feet to a point of non-tangency; Thence (7) South 89°45'49" East, 165.45 feet to the beginning of a non-tangent curve concave westerly; Thence (8) southerly along said curve through a central angle of 10°16'58", a radius of 326.00 feet, an arc distance of 58.51 feet and a chord bearing of South 04°54'18" East, 58.43 feet to a point of tangency; Thence (9) South 0°14'11" West, 90.57 feet to a point of non-tangency; Thence (10) South 89°53'57" East, 61.00 feet to a point of non-tangency; Thence (11) South 0°14'11" West, 159.00 feet to a point of non-tangency; Thence (12) South 0°10'07" West, 234.00 feet to a point of non-tangency; Thence (13) South 89°53'57" East, 7.34 feet to a point of non-tangency; Thence (14) South 0°06'03" West, 175.87 feet to the point of beginning, more generally described as being located along the northern section of Providers Boulevard.

**Planning Commission recommended that the Initial and Final Planned Development Overlay to allow a residential development be approved with the following stipulations:**

- 1. An Exception is hereby granted to reduce the minimum required lot size from 6,500 square feet to 4,890 square feet;**
- 2. An Exception is hereby granted to reduce the minimum required lot width at the front building line from 50 feet to 46 feet;**
- 3. An Exception is hereby granted to increase the maximum allowed lot coverage from 30% to 35%;**
- 4. Prior to issuance of a Building Permit, Development Engineering Plans shall be approved;**
- 5. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved;**
- 6. Prior to issuance of a Certificate of Occupancy for any dwelling in Phase 2, a Major Amendment to the Planned Development shall be approved for the proposed neighborhood park; and,**
- 7. This Initial and Final Planned Development Overlay shall allow a single-family residential development. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development. (8 to 1 with Braun, Bulman, Golliher, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal voting yes and Huus voting no)**

***The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals***

***must be submitted in writing to the Department of Community Development by close of business on the seventh full calendar day following action by the Planning Commission.***

\*14. No. 18PD011 - Johnson Ranch Subdivision

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for a **Initial Planned Development Overlay to allow a residential development** for that portion of the NW1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the NW1/16 corner of Section 9, thence, South 87°50'18" West, 427.30 feet to a point on the southeast boundary and the point of beginning. Thence (1) North 89°50'10" West, 184.00 feet to a point of non-tangency; Thence (2) North 0°06'03" East, 16.66 feet to a point of non-tangency; Thence (3) North 0°40'03" East, 266.01 feet to a point of non-tangency; Thence (4) North 89°43'35" West, 46.00 feet to a point of non-tangency; Thence (5) North 0°14'11" East, 420.18 feet to a point of non-tangency; Thence (6) North 38°00'42" West, 18.87 feet to a point of non-tangency; Thence (7) South 89°45'49" East, 165.45 feet to the beginning of a non-tangent curve concave westerly; Thence (8) southerly along said curve through a central angle of 10°16'58", a radius of 326.00 feet, an arc distance of 58.51 feet and a chord bearing of South 04°54'18" East, 58.43 feet to a point of tangency; Thence (9) South 0°14'11" West, 90.57 feet to a point of non-tangency; Thence (10) South 89°53'57" East, 61.00 feet to a point of non-tangency; Thence (11) South 0°14'11" West, 159.00 feet to a point of non-tangency; Thence (12) South 0°10'07" West, 234.00 feet to a point of non-tangency; Thence (13) South 89°53'57" East, 7.34 feet to a point of non-tangency; Thence (14) South 0°06'03" West, 175.87 feet to the point of beginning, more generally described as being located southwest of the intersection of St. Patrick Street and E. Highway 44.

**Planning Commission recommended that the Initial Planned Development Overlay to allow a residential development be approved with the following stipulations:**

- 1. An Exception is hereby granted to reduce the minimum required lot size from 6,500 square feet to 4,922 square feet;**
- 2. An Exception is hereby granted to increase the maximum allowed lot coverage from 30% to 35%;**
- 3. An Exception is hereby granted to reduce the minimum required lot width at the front building line from 50 feet to 46 feet;**
- 4. Prior to issuance of a Building Permit, Development Engineering Plans shall be approved;**
- 5. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved; and,**
- 6. This Initial Planned Development Overlay shall allow a single-family residential development. Prior to issuance of a Building Permit, a Final Planned Development Overlay shall be submitted for review and approval. Any conditional use shall require the review and approval of a Final Planned Development Overlay. (8 to 1 with Braun, Bulman, Gollither, Herr, Hoogestraat, Quasney, Vangraefschepe and Vidal**

voting yes and Huus voting no)

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

15. Discussion Items  
None

16. Staff Items  
A. Major Street Plan Revisions – Kip Harrington

Harrington stated that Long Range Planning is looking to address changes to the Major Street Plan and requested direction from the Planning Commission to proceed with the revisions. Harrington stated that these changes are located throughout the Major Street Plan and that by addressing them at one time it simplifies the overall process.

In response to questions from Braun, Harrington confirmed that the changes would come back before the Commission as a Comprehensive Plan Amendment.

Bulman moved, Quasney seconded and the Planning Commission approved directing staff to proceed with revisions to the Major Street Plan. **(9 to 0 with Braun, Bulman, Gollither, Herr, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

17. Planning Commission Items  
A. Planning Commission Liaison for the April 16, 2018 City Council Meeting will be Mike Gollither.

Huss congratulated Ted Johnson on his promotion to City Engineer.

**There being no further business, Bulman moved, Quasney seconded and unanimously carried to adjourn the meeting at 7:58 a.m. (9 to 0 with Braun, Bulman, Gollither, Herr, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**