

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
November 21, 2018

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollither, Galen Hoogestraat, Curt Huus, Eric Ottenbacher, Mike Quasney, Justin Vangraefschepe and Vince Vidal. Jason Salamun, Council Liaison was also present.

MEMBERS ABSENT: John Herr

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, John Green, Sarah Hanzel, Patsy Horton, Tim Behlings, Todd Peckosh, Wade Nyberg 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.**

**Motion by Gollither seconded by Caesar and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 5 in accordance with the staff recommendations. (9 to 0 with Braun, Bulman, Caesar, Gollither, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

**Consent Calendar**

**The following items have been placed on the Consent Calendar for action to be taken on all items in accordance with staff's recommendation by a single vote. Any item may be removed from the Consent Calendar by any Planning Commissioner, staff member, or audience member, for separate consideration:**

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

1. Approval of the November 8, 2018 Planning Commission Meeting Minutes.
2. No. 98TD013 - FiberSwitch Technologies  
A request by City of Rapid City to consider an application for a **Resolution to Dissolve Tax Increment District #29** for Tract L, Fountain Springs Business Park located in the SW1/4 of the NE1/4, Section 27, Township 2 North, Range 7 East, B.H.M., Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of North Plaza Drive and Fountain Plaza Drive.  
  
**Planning Commission recommended that the Resolution for the Dissolution of Tax Increment District No. 29 be approved.**
3. No. 18RZ025 - Providence Addition  
A request by Joe Avvampato for Avvampato Construction Company, Inc. to consider an application for a **Rezoning request from General Commercial District to Office Commercial District** for Lots 9 thru 15 of Block 19 of

Providence Addition, located in Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2821 West Rapid Street and 410 National Street.

**Planning Commission recommended that the Rezoning request from General Commercial District to Office Commercial District be approved.**

4. No. 18CA003 - Freeland #2 Subdivision

Summary of Adoption Action on a request by KTM Design Solutions, Inc for Hagg-Gomez LLC to consider an application for a **Comprehensive Plan Amendment to Amend the Future Land Use Plan from Low Density Neighborhood to Urban Neighborhood** for a portion of the SW1/4SW1/4, Section 19, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: commencing at the southeast corner of Lot 2 of Prairie Hills Subdivision, located in Section 19, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, also the point of beginning; Thence first course: N00°00'52"E, a distance of 321.78 feet; Thence second course: S41°37'12"E, a distance of 173.45 feet; Thence third course: S41°37'12"E, a distance of 262.28 feet; Thence fourth course: N89°52'42"W, a distance of 272.98 feet; Thence fifth course: N78°26'33"W, a distance of 16.85 feet, to the point of beginning, more generally described as being located north of the intersection of Seger Drive and Mall Drive.

**Planning Commission approved the summary and authorized publication in the Rapid City Journal.**

5. No. 18PL100 - 4-J Ranch Addition

A request by Davis Engineering, Inc for 4-J Ranch Limited Partnership to consider an application for a **Preliminary Subdivision Plan** for proposed Tract A of 4-J Ranch Addition, legally described as Government Lots 2 thru 3; the NE1/4 of the SW1/4; the NW1/4 of the SE1/4; Lot 1 of the NE1/4 of the SE1/4 less that part lying east of Highway 79; less Lot H2; the N1/2 of the SW1/4 of the SE1/4; the SE1/4 of the SW1/4 of the SE1/4; Lot 1 of the SE1/4 of the SE1/4 less Lot H2, all located in Section 5, T1S, R8E, BHM, Pennington County, South Dakota, more generally described as being located approximately 2.75 miles south of Rapid City landfill on the west side of S. D. Highway 79.

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

1. **Upon submittal of a Development Engineering Plan, the plat document shall be revised to address reline comments;**
2. **Upon submittal of a Development Engineering Plan application, construction plans for the north/south collector street as shown on the City's Major Street Plan shall be submitted for review and approval. In particular, the construction plans shall show the street located in a minimum 68-foot wide right-of-way and constructed with a minimum 34-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;
3. Upon submittal of a Final Plat application, the plat document shall be revised to show the dedication of a minimum 34-foot wide right-of-way along the north lot line and the south lot line with 5 additional feet of right-of-way the first 200 feet as they extend west from S.D. Highway 79, respectively, to provide half of the required right-of-way for the proposed collector street(s) as shown on the City's Major Street Plan;
  4. Upon submittal of a Final Plat application, the plat document shall be revised to include the following statement: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations."; and,
  5. Upon submittal of a Final Plat application, the plat title shall be revised to read "...N1/2SW1/2SE1/4; SE1/4SW1/4SE1/4; Lot 1 of SE1/4SE1/4 less Lot H2", removing the comma from the SE1/4SW1/4SE1/4 description;
  6. 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,
  7. 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).

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

- \*6. No. 18PD033 - Section 14, T1N, R7E  
A request by Bob Brandt to consider an application for a **Final Planned Development Overlay to allow an oversized garage** for the W1/2 of the NE1/4 of the NW1/4 of the SW1/4 and the north 141 feet of the W1/2 of the SE1/4 of the NW1/4 of the SW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1780 Skyline Ranch Road.

Lacock presented the application noting that this item had been continued from the November 10, 2018 Planning Commission meeting to allow the applicant to

provide revised elevations. Lacock further noted that staff has received numerous letters of concern some of which are before the Planning Commissioners which will be linked to the online item for review as the item goes forward. Lacock stated that the applicant has requested that the item be continued the December 6, 2018 Planning Commission Meeting.

**Planning Commission continued the Final Planned Development Overlay to allow an over-sized garage the December 6, 2018 Planning Commission Meeting. (9 to 0 with Braun, Bulman, Caesar, Golliher, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal 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.***

\*7. No. 18PD034 - Ranger Station Subdivision

A request by FMG Engineering for Black Hills Works Foundation, Inc. to consider an application for an **Initial Planned Development to allow multiple dwelling units in conjunction with the existing Black Hills Works Foundation** for Lot 1 less right-of-way of Ranger Station Subdivision, located in Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 803 Soo San Drive.

Green presented the application and reviewed the associated sides. Green noted that the applicant is proposing to build nine detached dwelling units, with each unit being built as an individual phase. Green noted that the applicant is requesting an Exception to waive the requirement to provide a screening fence along the northern property boundary, which is adjacent to a residential district. Green noted that there is a dense foliage buffer that already exists along the northern side of the property that abuts the residential district. Green stated that staff recommends that the Exception be granted and the application for an Initial Planned Development to allow multiple dwelling units in conjunction with the existing Black Hills Works Foundation be approved with stipulations.

In response to a question from Huus regarding whether the proposed buildings are stick built or modular construction, Fisher stated that the houses are anticipated to be Governor Homes. Fisher clarified that this is just the Initial Planned Development and further information will be received upon the submittal and review of the Final Planned Development.

**Caesar moved, Hoogestraat seconded and the Planning Commission approved the Initial Planned Development Overlay to allow multiple dwelling units in association with the existing Black Hills Works Foundation facility with the following stipulations:**

- 1. An Exception is hereby granted to waive the requirement to provide a screening fence along the northern property boundary;**
- 2. Upon submittal of a Final Planned Development Overlay application, a**

landscape plan shall be submitted for review and approval. In particular, the landscape plan shall include a minimum of 253,893 landscape points and three landscape islands. The landscape islands shall contain a minimum of 100 square feet each and provide a minimum of 1 tree with shrubs, groundcover and/or mulch covering at their base;

3. Upon submittal of a Final Planned Development application, elevation plans for each dwelling unit shall be submitted for review and approval;
4. Upon submittal of a Final Planned Development application, a minimum of 56 off-street parking spaces shall be provided on the entire property, with a minimum of 3 of those being ADA spaces. One of the ADA spaces shall be "Van Accessible";
5. Upon submittal of a Final Planned Development application, all turnarounds shall be designed to meet minimum design standards as per the Infrastructure Design Criteria Manual;
6. Upon submittal of a Final Planned Development application, a design report demonstrating adequate water service to meet domestic flows and required fire flows shall be submitted for review and approval. The design report shall be signed and sealed by a registered professional engineer;
7. Upon submittal of a Final Planned Development application, a design report demonstrating adequate sanitary sewer service to meet domestic flows and provide sufficient system capacity shall be submitted for review and approval. The design report shall be signed and sealed by a registered professional engineer;
8. Upon submittal of a Final Planned Development application, pedestrian access shall be provided between the proposed dwelling units, the Black Hills Works facility, and the sidewalks along Range Road;
9. Upon submittal of a Final Planned Development application, a drainage plan shall be submitted for review and approval;
10. Upon submittal of a Final Planned Development Overlay application, a sign package shall be submitted for review and approval if signage is being proposed;
11. Upon submittal of a Final Planned Development Overlay application, a lighting plan shall be submitted for review and approval;
12. Prior to issuance of a building permit, the applicant shall coordinate with the Rapid City Fire Department to provide a fire hydrant within 600 feet of all residential structures;
13. Prior to issuance of a building permit, the applicant shall coordinate with the Rapid City Fire Department to provide fire sprinkler protection to each dwelling unit;
14. Prior to issuance of a building permit, the applicant shall coordinate with the Rapid City Fire Department to provide directional signage and addressing for emergency vehicle access;
15. Prior to issuance of a building permit, a site plan showing adequate

emergency vehicle access to each dwelling unit shall be submitted for review and approval;

16. Prior to issuance of a building permit, a Floodplain Development Permit shall be obtained;
17. The Initial Planned Development Overlay shall allow for construction of up to nine detached dwelling units housing up to 5 people per unit. A Final Planned Development shall be submitted for review and approval prior to issuance of a building permit. Each additional phase of development shall require a Major Amendment to the Final Planned Development Overlay to be submitted for review and approval. Any change in use or expansion of use that is permitted in the Office Commercial District shall require a minimal amendment to the Final Planned Development. Any change in use or expansion of use that is a Conditional Use in the Office Commercial District shall require a Major Amendment to the Final Planned Development to be submitted for review and approval. (9 to 0 with Braun, Bulman, Caesar, Golliher, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal 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.*

8. No. 18OA014 - Ordinance Amendment to Update the Requirements for Private Garages

A request by City of Rapid City to consider an application for a **An Ordinance Amendment to Update the Requirements for Private Garages by Amending Sections 17.04.315, 17.08.030, 17.10.030N, 17.38.030L and 17.58.030L of Rapid City Municipal Code.**

Lacock stated that staff identified that the sections listed in the title of the Ordinance Amendment needed to be revised to correctly reflect the intent of the Ordinance Amendment. Lacock further noted that these revisions require the republication of the Ordinance Amendment and as such staff requests that the Ordinance Amendment be continued to the December 6, 2018 Planning Commission meeting to allow the publication requirements to be met.

**Hoogestraat moved, Huus seconded and the Planning Commission recommended that the Ordinance Amendment to Update the Requirements for Private Garages be continued to the December 6, 2018 Planning Commission meeting to allow the publication to be correctly advertised. (9 to 0 with Braun, Bulman, Caesar, Golliher, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

9. No. 18OA015 - Ordinance to Revise the Requirements for Townhouses  
A request by City of Rapid City to consider an application for a **An Ordinance to**

**Revise the Requirements for Townhouses by Amending Section 17.50.020 and 17.50.030 of the Rapid City Municipal Code.**

Lacock briefly reviewed the changes this amendment makes to the Rapid City Municipal Code, noting first that the districts in which townhomes are permitted is being amended to include Low Density Residential District I in a Planned Development. The amendment also revises the setback from 25 feet to 20 feet on sub-collector streets as per the underlying zoning district. Lacock presented staff's recommendation that the Ordinance to Revise the Requirements for Townhouses by Amending Section 17.50.020 and 17.50.030 of the Rapid City Municipal Code be approved.

**Bulman moved, Caesar seconded and the Planning Commission recommended that the Ordinance Amendment to revise the requirements for townhomes be approved. (9 to 0 with Braun, Bulman, Caesar, Gollither, Hoogestraat, Huus, Quasney, Vangraefschep and Vidal voting yes and none voting no)**

10. No. 18TI002 - Park Hill Subdivision No. 7

A request by Sperlich Consulting, Inc for Park Hill Development, Inc. to consider an application for a **Resolution Creating Park Hill Tax Increment District and Approving Project Plan** for a portion of the unplatted balance of the N1/2 of the NE1/4 of the SE1/4 and a portion of the unplatted balance of the SE1/4 of the NE1/4 less right-of-way, located in the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. A portion of the dedicated right-of-way of Sidney Drive located in the NE1/4 of the SE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. The Vacated right-of-way of Wilma Street located in the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. A portion of the dedicated right-of-way of Wilma Street located in the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. Lot H1 of the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more generally described as being located north of Sydney Drive, east of Smith Avenue and west of Cambell Street.

Horton said that the staff recommends that the Resolution Creating Park Hill Tax Increment District and Approving Project Plan be continued to the December 6, 2018 Planning Commission meeting at the applicants request.

**Gollither moved, Caesar seconded and the Planning Commission recommended carried to continue the Resolution Creating Park Hill Tax Increment District and Approving Project Plan to the December 6, 2018 Planning Commission meeting. (9 to 0 with Braun, Bulman, Caesar, Gollither, Hoogestraat, Huus, Quasney, Vangraefschep and Vidal voting yes and none voting no)**

11. No. 18TI003 - Minnesota Street TID #65

A request by KTM Design Solutions, Inc for SSST, LLC and Zandstra Real Estate Holdings to consider an application for a **Resolution to reallocate Project Plan Costs for TID #65 Revision #1** for Tract 1 of the E1/2 of Section 16 less Elks Country Estates and the SW1/4 of Section 16 less Plum Creek Subdivision, all located in Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the N1/2N1/2NE1/4NW1/4 and the N1/2N1/2NW1/4NE1/4 and the E1/2NE1/4, all located in Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota., more generally described as being located south and west of Elks Country Estates and east of Elk Vale Road.

Horton briefly reviewed the history of the Tax Increment District explaining the improvements to the initial Project Plan including the additional signalization, drainage, grading and the completion of Minnesota Street to the section line and reviewed the development in the area since the creation of the Tax Increment District. Horton briefly reviewed a few items of history concerning other Tax Increment Districts in the area. Horton explained that the applicant is requesting the reallocation to get the most eligible funds reimbursed that are possible and that they are not changing the base valuation or construction.

David Lamb, 4555 Reservoir Road, of the Harney View Peak Group, stated that he would like to receive more detailed information on the proposed changes.

Horton agreed that the Project Plan is complicated with agreements between developers sharing costs and providing portions of the project. Horton also noted that there is a follow-up Tax Increment District 74 with associated but separate proposed improvements.

In response a question from Braun regarding the completion of Minnesota Street, Horton confirmed that the time limit for that construction being covered by this Tax Increment District has expired.

**Bulman moved, Golliher seconded and the Planning Commission recommended approving the request to reallocate costs to coincide with those costs submitted for the associated project plan line items. (9 to 0 with Braun, Bulman, Caesar, Golliher, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

Horton requested that Item 10 be reconsidered

10. No. 18TI002 - Park Hill Subdivision No. 7

A request by Sperlich Consulting, Inc for Park Hill Development, Inc. to consider an application for a **Resolution Creating Park Hill Tax Increment District and Approving Project Plan** for a portion of the unplatted balance of the N1/2 of the NE1/4 of the SE1/4 and a portion of the unplatted balance of the SE1/4 of the NE1/4 less right-of-way, located in the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. A portion of the dedicated right-of-way of Sidney Drive located in the NE1/4 of the SE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington

County, South Dakota. The Vacated right-of-way of Wilma Street located in the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. A portion of the dedicated right-of-way of Wilma Street located in the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. Lot H1 of the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 7, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more generally described as being located north of Sydney Drive, east of Smith Avenue and west of Cambell Street.

**Caesar moved, Bulman seconded and Planning Commission carried to reconsider the Resolution Creating Park Hill Tax Increment District and Approving Project Plan. (9 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

Horton informed the Planning Commission that due to the 10 day publication requirement for Tax Increment Finance applications this item must be continued to the January 10, 2019 Planning Commission meeting.

**Caesar moved, Bulman seconded, and the Planning Commission carried to continue the Resolution Creating Park Hill Tax Increment District and Approving Project Plan to the January 10, 2019 Planning Commission meeting.. (9 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**

12. Discussion Items  
None

13. Staff Items  
Fisher thanked the Planning Commission for taking the time to attend the day before the holiday.

14. Planning Commission Items  
Planning Commission Liaison for the December 3, 2018 City Council Meeting will be Curt Huus.

**There being no further business, Gollhofer moved, Quasney seconded and unanimously carried to adjourn the meeting at 7:32 a.m. (9 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Quasney, Vangraefschepe and Vidal voting yes and none voting no)**