

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
February 21, 2019

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

MEMBERS ABSENT: Eric Ottenbacher.

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, John Green, Tim Behlings, Todd Johnson, 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 Bulman seconded by Caesar and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 11 in accordance with the staff recommendations. (8 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 February 7, 2019 Planning Commission Meeting Minutes.
2. No. 19RZ002 - Morgans Subdivision  
A request by KTM Design Solutions, Inc for Sharaf 5 Properties, LLC to consider an application for a **Rezoning from High Density Residential District to Urban Commercial District** for Lot 22 of Block 1 of Morgans Subdivision, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 12 E. Kansas City Street.  
**Planning Commission recommended that the Rezoning request from High Density Residential District to Urban Commercial District be approved.**
3. No. 19RZ003 - Morgans Subdivision  
A request by KTM Design Solutions, Inc for Sharaf 5 Properties, LLC to consider an application for a **Rezoning from General Commercial District to Urban Commercial District** for Lot 21 of Block 1 of Morgans Subdivision, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 12 E. Kansas City Street.  
**Planning Commission recommended that the Rezoning request from General Commercial District to Urban Commercial District be approved.**
4. No. 19PL002 - Una-Del Acres No. 2

A request by D. C. Scott Surveyors, Inc for Robert T. Sundby to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 12A and Lot 12B of Una-Del Acres No. 2, legally described as Lot 12 of Una-Del Acres No. 2, located in the NE1/4 of the SE1/4 of Section 21, T1N, R7E, BHM, Rapid City, South Dakota, more generally described as being located southwest of the intersection of Sheridan Lake Road and Wildwood Drive.

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

- 1. Upon submittal of a Final Plat application, an approved cost estimate and surety for the installation of sidewalk along proposed Lot 12B and for the removal of the driveway adjacent to proposed Lot 12B shall be submitted;**
- 2. Prior to submittal of a Final Plat application, the existing on-site wastewater system shall be abandoned and the existing residence shall be connected to City sewer; and,**
- 3. Prior to submittal of a Final Plat application, the plat document shall be revised to show access and drainage easements on proposed Lot 12A as proposed.**

5. No. 19PL004 - Orchard Meadows No. 2

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 and Lot 2 of Orchard Meadows No.2, legally described as a portion of the balance of Tract A of the E1/2 of the SW1/4 and the W1/2 of the SE1/4 less Lot H1 of Section 9, T1N, R8E, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Elk Vale Road and E. Highway 44.

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

- 1. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. 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;**
- 2. Upon submittal of a Development Engineering Plan application, construction plans for the Jaffa Garden Way cul-de-sac bulb shall be submitted for review and approval showing the dedication of a minimum 118-foot diameter right-of-way and the construction of a minimum 96-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;
3. Upon submittal of a Development Engineering Plan application, construction plans for the Jim Street cul-de-sac bulb shall be submitted for review and approval showing the dedication of a minimum 118-foot diameter right-of-way and the construction of a minimum 96-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, the plat document shall be revised to show access to Lot 2 of Tract A. In addition, construction plans shall be submitted showing the access located within a minimum 50-foot wide easement and constructed with a minimum 20-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 Elk Vale Road shall be submitted for review and approval showing the installation of curb, gutter, street light conduit, sewer and water or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk along Elk Vale Road or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;
  6. Prior to approval of a Development Engineering Plan application, the lift station construction plans currently being reviewed by Rapid Valley Sanitary District shall be finalized. In addition, utility easement(s) shall be secured as needed;
  7. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required;
  8. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
  9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  10. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;
  11. 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,**
- 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**
6. No. 19PL005 - Big Sky Subdivision  
A request by KTM Design Solutions, Inc for DTH, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 2 thru 13 and drainage lot of Block 9 and Lots 2 thru 14 of Block 10 of Big Sky Subdivision, legally described as Tract A less Tract BR of Neff F and S Subdivision No. 4, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the intersection of Degeest Drive and Avenue A.

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

- 1. Prior to submittal of a Development Engineering Plan, the construction drawings shall be revised to address redline comments or an Exception to the Infrastructure Design Criteria Manual and/or the Standard Specifications shall be obtained. The redlined comments shall be returned to Engineering Services. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application. The redlined comments shall be returned to the Engineering Division;**
- 2. Upon submittal of a Development Engineering Plan application, construction plans for Avenue A 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, street light conduit, water and sewer or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk along Avenue A or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;**
- 3. Upon submittal of a Development Engineering Plan application, construction plans for Sweetbriar Street 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, street light conduit, water and approximately 130-feet of sewer from proposed Avenue A to the northern boundary of the property or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk along Sweetbriar Street or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;**
- 4. 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, the Rapid City Municipal Code and Rapid Valley Sanitary District requirements. A water master plan, or excerpts from the water master plan, for the entire development shall be submitted for review and approval to show how the water system will be addressed to serve the proposed development. In addition, utility easements shall be secured as needed;**
- 5. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual, the Rapid City Municipal Code and Rapid Valley Sanitary District requirements. In particular, the design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. A sewer master plan, or excerpts from the sewer master plan, for the entire development shall be submitted for review and approval showing how the sewer system will be addressed to serve the proposed development. Utility easements shall also be secured as needed;**
  - 6. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval;**
  - 7. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Infrastructure Design Criteria Manual and the Race Track Drainage Basin Plan shall be submitted for review and approval. The drainage plan shall demonstrate that stormwater is being detained to pre-developed/historic rates and provides stormwater quality. A drainage master plan, or excerpts from the drainage master plan, for the entire development shall be submitted for review and approval to show how the drainage system will be addressed to serve the proposed development. In addition, drainage easements shall be secured as needed;**
  - 8. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. 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. The utility plans shall also be reviewed and approved by the South Dakota Department of Environment and Natural Resources. The private utility layout plan shall also be submitted to the respective utility companies. All final engineering reports shall be signed and sealed by a Professional Engineer;**
  - 9. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;**
  - 10. Prior to approval of the Development Engineering Plan application, a**

**Development Agreement shall be entered into with the City for all public improvements;**

11. **Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;**
  12. **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,**
  13. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**
7. No. 19PL006 - Homestead Subdivision  
A request by Sperlich Consulting, Inc for Sodak Development Company to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 9 thru 19 of Block 4, Lots 11 thru 17 of Block 5, Lot 8 of Block 9, Lots 7 thru 21 of Block 10 and Lots 1 thru 7 of Block 11 of Homestead Subdivision, legally described as the SE1/4 of the NE1/4 less Homestead Subdivision and less right-of-way of Section 3, T1N, R8E, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the existing terminus of Homestead Street.

**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 for Homestead Street shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way and with an additional 10-feet of right-of-way the first 200 feet as the street extends west from Reservoir Road, and constructed with a minimum 34-foot wide paved surface, curb, gutter, street light conduit, water and sewer or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk along Homestead Street or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;**
2. **Upon submittal of a Development Engineering Plan application, construction plans for Reservoir Road shall be submitted for review and approval showing the dedication of 83 feet of right-of-way (66-foot wide section line highway and 17 additional feet dedicated from the subject property) and the construction of a minimum 36-foot wide paved surface, curb, gutter, street light conduit, sewer and water mains or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;**
3. **Upon submittal of a Development Engineering Plan application,**

- construction plans for Braelynn Lane 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, street light conduit, water and sewer or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk along Braelynn Lane or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, construction plans for Jones Drive shall be submitted for review and approval showing the street located in a minimum 50-foot wide right-of-way and constructed with a minimum 24-foot wide paved surface, curb, gutter, street light conduit, water and sewer or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk along Jones Drive or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;
  5. Upon submittal of a Development Engineering Plan application, construction plans for Shape Court shall be submitted for review and approval showing the street located in a minimum 50-foot wide right-of-way and constructed with a minimum 24-foot wide paved surface, curb, gutter, street light conduit, water and sewer or an Exception shall be obtained. In addition, the cul-de-sac bulb shall be located within a minimum 104-foot diameter right-of-way and constructed with a minimum 84-foot diameter paved surface or an Exception shall be obtained. The construction plans shall also show the construction of a sidewalk along Shape Court or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;
  6. 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, the Rapid City Municipal Code and Rapid Valley Sanitary District requirements. The water plans shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows and provide sufficient system capacity. In addition, utility easements shall be secured as needed;
  7. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual, the Rapid City Municipal Code and Rapid Valley Sanitary District requirements. In particular, the design report shall demonstrate that the sanitary sewer capacity is

- adequate to meet estimated flows and provide sufficient system capacity. Utility easements shall also be secured as needed;
8. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval;
  9. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Infrastructure Design Criteria Manual and the County Heights Drainage Basin Plan shall be submitted for review and approval. The drainage plan shall demonstrate that stormwater is being detained to pre-developed/historic rates and provides stormwater quality. In addition, drainage easements shall be secured as needed;
  10. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. 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. The utility plans shall also be reviewed and approved by the South Dakota Department of Environment and Natural Resources. The private utility layout plan shall also be submitted to the respective utility companies. All final engineering reports shall be signed and sealed by a Professional Engineer;
  11. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show Lot 17, Block 5 with a minimum lot size of 6,500 square feet or a Variance from the Zoning Board of Adjustment shall be obtained;
  12. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
  13. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  14. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;
  15. 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,
  16. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
8. No. 19PL007 - Auburn Hills Subdivision  
A request by Sperlich Consulting, Inc for Doeck, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Tract A, Lots 22 thru 40 of Block 4, Lot 2 and Lot 3 of Block 11 and Lots 1 thru 14 of Block 15 of Auburn

Hills Subdivision, legally described as the unplatted portion of the SW1/4 of the NW1/4 of Section 13, T2N, R7E, and a portion of the SE1/4 of the NE1/4 of Section 14, T2N, R7E, all located in Sections 13 and 14, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the intersection of Cobalt Drive and Coal Bank Drive.

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

- 1. Upon submittal of a Development Engineering Plan application, all redlined comments shall be addressed. All redlined comments shall be returned with the Development Engineering Plan application;**
- 2. Upon submittal of a Development Engineering Plan application, construction plans for Misty Woods Lane and Coal Bank 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, street light conduit, water and sewer or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;**
- 3. Upon submittal of a Development Engineering Plan application, water plans and analysis shall be submitted for review and approval demonstrating that the water service to the proposed development is adequate to meet domestic flows and fire flow. Additionally, pressure reducing valves shall be provided for all water services within the development. Construction plans shall be in conformance with Infrastructure Design Criteria Manual and shall be signed and sealed by a Professional Engineer. In addition, utility easements shall be provided as necessary;**
- 4. Upon submittal of a Development Engineering Plan application, a sewer design report shall be submitted for review and approval demonstrating that sewer service to the proposed development is adequate to meet domestic flows. Construction plans shall be in conformance with Infrastructure Design Criteria Manual and shall be signed and sealed by a Professional Engineer. In addition, utility easements shall be provided as necessary;**
- 5. Upon submittal of a Development engineering Plan application, a drainage plan and report shall be submitted for review and approval demonstrating adequate on-site stormwater detention and storm water quality management in conformance with the Infrastructure Design Criteria Manual. In addition, drainage easements shall be provided as necessary;**
- 6. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;**
- 7. Prior to approval of a Development Engineering Plan application, submitted engineering reports required for construction 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;

8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  9. Prior to submittal of a Final Plat application, the plat document shall be revised to identify "Coal Bank Drive" as "Coal Bank Court" north of the intersection of Coal Bank Drive and Cobalt Drive;
  10. Prior to submittal of a Final Plat application, the plat document shall be revised to identify "Misty Woods Drive" as "Misty Woods Lane";
  11. Prior to submittal of a Final Plat application, the plat document shall identify the recording information for the previously vacated Section Line Highway;
  12. Prior to approval of a Final Plat application, the portion of the subject property currently zoned General Agricultural District shall be rezoned to Medium Density Residential District;
  13. Upon submittal of a Final Plat application, documentation shall be submitted for recording securing maintenance and ownership of any proposed drainage elements;
  14. Upon submittal of a Final Plat application, the plat document shall show all easements as necessary, including drainage easements and utility easements;
  15. 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,
  16. 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);
  17. 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. No. 19PL008 - Johnson Ranch Subdivision  
A request by KTM Design Solutions, Inc. for Yasmeen Dream, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 57 of Block 2, Lot E Revised, Lot F Revised and Tract B Revised of Johnson Ranch Subdivision, legally described as Tract B, Lot E and Lot F of Johnson Ranch Subdivision, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Provider Boulevard.

**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 for Elk Vale Road shall be submitted for review and approval showing the installation of curb, gutter, street light conduit, sewer and water or an Exception shall be obtained. In addition, the construction plans shall show the construction of a sidewalk along Elk Vale Road or a Variance from the City Council shall be obtained. If an Exception and/or Variance is obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application; and,**
- 2. Prior to issuance of a Building Permit, a Final Plat application shall be submitted for review and approval.**

\*10. No. 19PD005 - Johnson Ranch Subdivision

A request by KTM Design Solutions, Inc for Yasmeen Dream, LLC to consider an application for a **Major Amendment to a Planned Development to expand the boundaries, construct a public park** for Lot F of Johnson Ranch Subdivision, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Northwest Corner of Tract B, common to Lot F, of Johnson Ranch Subdivision, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning; Thence first course: S81°47'53"E, a distance of 391.73 feet, Thence second course: S51°16'05"E, a distance of 125.03 feet; Thence third course: N74°33'02"W, a distance of 503.45 feet; to the point of beginning and Tract B of Johnson Ranch Subdivision, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Northwest Corner of Tract B, common to Lot F, of Johnson Ranch Subdivision, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning; Thence first course: S74°33'02"E, a distance of 503.45 feet, Thence second course: S07°28'58"W, a distance of 30.24 feet; Thence third course: N74°30'06"W, a distance of 142.99 feet; Thence fourth course: N89°53'57"W, a distance of 96.82 feet; Thence fifth course: S00°14'11"W, a distance of 51.28 feet; Thence sixth course: N89°53'57"W, a distance of 245.00 feet; Thence seventh course: N00°14'11"E, a distance of 90.57 feet; Thence eighth course: on a curve turning to the left with an arc length of 84.63 feet, with a radius of 326.00 feet, with a chord bearing of N07°12'01"W, with a chord length of 84.39 feet; Thence ninth course: N75°51'47"E, a distance of 9.00 feet; to the point of beginning, more generally described as being located east of Provider Boulevard.

**Planning Commission approved the Major Amendment to the Planned Development Overlay to expand the boundaries of the Planned Development Overlay and to allow a public park in conjunction with the associated Rezoning request (File# 19RZ004) with the following stipulations:**

- 1. Prior to issuance of a Building Permit, the applicant shall coordinate with the Rapid City Parks and Recreation Department to secure**

- ownership and maintenance of the public park;
2. Prior to issuance of a Building Permit for the proposed group home, a Major Amendment to the Planned Development Overlay to allow a group home in the Medium Density Residential District shall be reviewed and approved;
  3. All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Major Amendment to the Planned Development Overlay. Changes to the proposed sign package, which the Department of Community Development Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Development Overlay. All signage not in conformance with the Sign Code shall require a Major Amendment to the Final Planned Development. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Final Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A Sign Permit shall be obtained for each individual sign; and,
  4. The Major Amendment to the Planned Development Overlay shall allow a public park in the Medium Density Residential District. All requirements of the Medium Density Residential District shall be maintained unless specifically authorized as a stipulation of this Major Amendment to the Planned Development Overlay or a subsequent Major Amendment to the Planned Development. All uses permitted in the Medium Density Residential District which do not increase parking requirements shall be permitted contingent upon an approved Building Permit. All conditional uses in the Medium Density Residential District or uses which increase the required amount of parking on the site shall require 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.*

11. No. 19RZ004 - Johnson Ranch Subdivision

A request by KTM Design Solutions, Inc for Yasmeeen Dream, LLC to consider an application for a **Rezoning from General Commercial District to Medium Density Residential District** for Lot F of Johnson Ranch Subdivision, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Northwest Corner of Tract B, common to Lot F, of Johnson Ranch Subdivision, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning; Thence first course: S81°47'53"E, a distance of 391.73 feet, Thence second course: S51°16'05"E, a distance of 125.03 feet; Thence third course: N74°33'02"W, a distance of 503.45 feet; to the point of beginning and Tract B of Johnson Ranch

Subdivision, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Northwest Corner of Tract B, common to Lot F, of Johnson Ranch Subdivision, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning; Thence first course: S74°33'02"E, a distance of 503.45 feet; Thence second course: S07°28'21"W, a distance of 30.29 feet; Thence third course: N74°33'02"W, a distance of 142.98 feet; Thence fourth course: N89°47'52"W, a distance of 96.80 feet; Thence fifth course: N89°53'57"W, a distance of 136.91 feet; Thence sixth course: N00°05'03"E, a distance of 52.00 feet; Thence seventh course: N89°53'57"W, a distance of 108.20 feet; Thence eighth course: on a curve turning to the left with an arc length of 71.91 feet, with a radius of 326.00 feet, with a chord bearing of N08°19'03"W, with a chord length of 71.77 feet; Thence ninth course: N75°21'47"E, a distance of 9.00 feet; to the point of beginning, more generally described as being located east of Provider Boulevard.

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

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

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

12. No. 19RZ001 - Sandstone Subdivision  
A request by ARC International, Inc for Yeshua, LLC to consider an application for a **Rezoning from Medium Density Residential District to Office Commercial District** for Lot 5 Revised of Sandstone Ridge Subdivision, located in Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 3808 Sheridan Lake Road.

Lacock presented the application and reviewed the associated slides. Lacock addressed that the Rezoning request changes the required setbacks and parking, both of which are met by the existing structure, but noted the screening fence between Office Commercial District and Residential Districts would be required unless the existing landscaping is found to be efficient screening. Lacock presented staff's recommendation to approve with stipulations.

**Caesar moved, Quasney seconded and the Planning Commission recommended that the Rezoning request from Medium Density Residential District to Office Commercial District be approved. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Huus, Quasney and Vangraefscheppe voting yes and none voting no)**

- \*13. No. 19PD003 - Feigels Addition  
A request by Fisk Land Surveying and Consulting Engineers, Inc for JB Holdings LLC to consider an application for a **Final Planned Development Overlay to reconstruct an existing mobile home park and multi-family residence** for Lot 1 thru 8 and 19 thru 28 of Block 3 of Feigels Addition, located in Section 31,

T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 614 E. Watertown Street.

Lacock presented the application and reviewed the associated slides. Lacock noted that the existing mobile home park is legal-non-conforming and the applicant is working to bring it closer into compliance. Lacock stated that there is one Exception request to allow parking to back into the public right-of-way. Lacock indicated that staff feels this is a positive project that should help to revitalize the property. He noted numerous issues with the existing park including units encroaching into the right-of-way along East Watertown, no off-street parking, no sidewalks and setbacks not being met. Lacock reviewed the phases in which the project is proposed to be completed including the renovation of the triplex on the property, removal of the existing mobile homes and replacing them on the south side, refinishing the alley and finishing the northern section. Lacock briefly reviewed the requested Exceptions to the Infrastructure Design Criteria Manual that the applicant is working with Public Works to obtain. Lacock stated that staff recommends that the Final Planned Development Overlay to reconstruct an existing mobile home park and multi-family residence application be approved with stipulations.

Fisher stated that staff has worked closely with the applicant and that the proposed modular structures will meet all Rapid City Building Codes.

**Bulman moved, Golliher seconded and the Planning Commission recommended that the Final Planned Development Overlay be approved with the following stipulations:**

- 1. An Exception is hereby granted to allow parking to back into the public right-of-way;**
- 2. Upon submittal of a Building Permit for Phase I of the redevelopment, the applicant shall coordinate with the Rapid City Fire Department to fire sprinkler protect the existing tri-plex;**
- 3. All signage shall meet the requirements of the Rapid City Sign Code. Any expansion to the proposed electronic reader board sign or new electronic or Light Emitting Diode (LED) signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,**
- 4. The Final Planned Development Overlay shall allow a mobile home park and a legal non-conforming three-unit residence to be redeveloped in compliance with the submitted operations and phasing plan. Permitted uses within the Medium Density Residential District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any expansion of the mobile home park or 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, Hoogestraat, Huus, 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.***

\*14. No. 19PD004 - Big Sky Business Park

A request by KTM Design Solutions, Inc for Whispering Rock II Limited Partnership to consider an application for a **Final Planned Development Overlay to allow an apartment building** for Lot 2 of Block 5 of Big Sky Business Park, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located approximately 300 feet north of the intersection of Bernice Street and Neel Street.

Lacock presented the application and reviewed the associated slides noting that the Initial Planned Development Overlay (File # 18PD020) was approved June 21, 2018 and this is the Final Planned Development Overlay. Lacock noted that the applicant is requesting an Exception to allow a three story structure with a height of 42 feet in lieu of the maximum allowed height of three stories and 35 feet. Lacock noted that this height is in line with other building heights in the area. Lacock said that staff recommends that the Final Planned Development Overlay to allow an apartment building be approved with stipulations.

Bulman commented that she has concerns with the numerous height exceptions and believes that either the height limits need to be changed or the requests denied.

**Golliher moved, Caesar seconded and the Planning Commission recommended that the Final Planned Development Overlay to allow an apartment building be approved with the following stipulations:**

- 1. An Exception is hereby granted to allow a three story structure with a height of 42 feet in lieu of the maximum allowed height of three stories and 35 feet;**
- 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. This Final Planned Development Overlay shall allow a 40-unit apartment building. Permitted uses within the Office 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. (9 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Hoogestraat, Huus, 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.***

15. Discussion Items  
None

16. Staff Items  
Young reminded the Planning Commission of the Joint Work Session scheduled for this evening, February 21, 2019 at 6:30 in the East Conference room of the City School Administration Building to address ADUs and short term rentals.

17. Planning Commission Items  
None

**There being no further business, Caesar moved, Huus seconded and unanimously carried to adjourn the meeting at 7:19 a.m. (9 to 0 with Braun, Bulman, Caesar, Gollhofer, Herr, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)**