

DRAFT

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
August 22, 2019

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollhofer, Galen Hoogestraat, Curt Huus, Mike Quasney, and Justin Vangraefschepe. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: John Herr, Eric Ottenbacher and Vince Vidal

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, John Green, Kip Harrington, Sarah Hanzel, Tim Behlings, Todd Peckosh, Frooman, Steve Wade Nyberg and Andrea Wolff.

Braun called the meeting to order at 7:05 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 Item 8 be removed from the Consent Agenda for separate consideration.

Motion by Gollhofer seconded by Caesar and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 10 in accordance with the staff recommendations with the exception of Item 8. (7 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Quasney and Vangraefschepe voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the August 8, 2019 Planning Commission Meeting Minutes.

*2. No. 19PD034 - Buffalo Crossing West and Ranch Subdivision
A request by Dream Design International, Inc for Envirocutt, LLC and Delaware Land Holdings LLC to consider an application for a **Revocation of Planned Development** for Tract 1R less Buffalo Crossing West and less Lot H1 and Lot A of Ranch Subdivision, all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 6565 and 6303 Mt. Rushmore Road.

Planning Commission approved the request to revoke the Planned Development Designation on the property.

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.

*3. No. 19PD035 - Robbinsdale Addition No. 10

A request by Renner Associates LLC for Presbyterian Retirement Village of Rapid City, Inc. to consider an application for a **Final Planned Development Overlay to allow a duplex development** for Lots 1, 2, 3, 7 and 8 of Block 1 of Robbinsdale No. 10, located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of the intersection of 5th Street and Nebraska Street.

Planning Commission approved the Final Planned Development Overlay with the following stipulations:

1. Upon submittal of a Building Permit, the site plan shall be revised to remove or relocate the proposed property line fence;
2. Upon submittal of a Building Permit, the plans shall be revised to address redlined comments and the redlined plans shall be returned to Community Development;
3. Upon submittal of a Building Permit, the site plan shall be revised to show one ADA van accessible parking space and a 26-foot wide parking aisle provided for the guest parking;
4. Prior to issuance of a Building Permit, the sanitary sewer main shall be re-routed and a Public Utility Easement shall be dedicated. A copy of the recorded Public Utility Easement shall be submitted with the Building Permit application;
5. Prior to issuance of a Building Permit, the lots shall be consolidated or a Developmental Lot Agreement shall be recorded;
6. Prior to issuance of a Building Permit, a Floodplain Development Permit shall be obtained;
7. The signage shall meet the requirements of the Rapid City Sign Code. No Light Emitting Diode (LED) message centers are being approved as a part of this request. A sign permit shall be obtained for any signage; and,
8. The Final Planned Development Overlay shall allow for a duplex development with six-units. Any change in use that is a permitted use in the Medium Density Residential District in compliance with the Parking Ordinance shall require the review and approval of a Building Permit. Any change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Planned Development Overlay.

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.

4. No. 19RZ027 - Orchard Meadows Subdivision

A request by Dream Design International, Inc for Yasmeen Dream, LLC to consider an application for a **Rezoning Request from General Commercial District to Office Commercial District** for a portion of the N1/2 of the SW1/4 of the NE1/4, and Lot 1 of Wally Byam Addition Less Tract AR and Tract BR, Tract H of Orchard Meadows and a portion of S1/2 of the SW1/4 of the NE1/4 Less Lot 1 of Wally Byam Addition, Less RR row, Less Orchard Meadows, Less Lot H1 and H2, Less row; S1/2 of the SE1/4 of the NW1/4 Less Orchard Meadows, Less Lot H1, Less

row; Unplatted balance of NE1/4 of the SW1/4 Less Lot H1, Less row; Unplatted balance of W1/2 of the SE1/4 Less Lot H1, Less row, located in Section 9, T.1N., R.8E., B.H.M., City Of Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Southwest corner of the termination of the Jaffa Garden Way Right of Way at Tract A, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning; Thence (1) South 89°57'49" West, 420.59 feet to the beginning of a non-tangent curve concave easterly, Thence (2) curving to the right with an arc length of 24.55', with a radius of 2,263.05', with a chord bearing of N 02°21'29" E, with a chord length of 24.55'; Thence (3) curving to the right with an arc length of 138.53', with a radius of 767.80', with a chord bearing of N 18°07'53" E, with a chord length of 138.34'; Thence (4) North 90°00'00" East, 376.35 feet to a point of non-tangency; Thence (5) South 43°12'24" East, 103.99 feet to the beginning of a non-tangent curve concave southeasterly; Thence (6) curving to the left with an arc length of 84.22', with a radius of 595.00', with a chord bearing of S 42°44'09" W, with a chord length of 84.15'; Thence (7) North 51°32'43" West, 8.00 feet to a point of non-tangency; Thence (8) South 37°53'53" West, 16.69 feet to a point of non-tangency; Thence (9) South 52°52'52" East, 8.00 feet to the beginning of a non-tangent curve concave southeasterly, Thence (10) curving to the left with an arc length of 6.35', with a radius of 367.71', with a chord bearing of S 36°53'12" W, with a chord length of 6.35'; Thence (11) South 15°42'49" West, 0.00 feet; to the point of beginning, more generally described as being located northwest of Jaffa Garden Way.

Planning Commission recommended approval of the Rezoning request from General Commercial District to Office Commercial District.

5. No. 19RZ028 - Orchard Meadows Subdivision

A request by Dream Design International, Inc for Community Enhancement LLC II to consider an application for a **Rezoning Request from General Commercial District to Office Commercial District** for a portion Tract H of Orchard Meadows, located in Section 9, T.1N., R.8E., B.H.M., City Of Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Northwest corner of Tract H of Orchard Meadows Subdivision, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning; Thence (1) South 89°58'01" West, 131.40 feet to the beginning of a curve concave southerly; Thence (2) curving to the left with an arc length of 111.81', with a radius of 524.77', with a chord bearing of S 83°51'48" W, with a chord length of 111.60'; Thence (3) South 41°19'54" East, 55.97 feet to a point of non-tangency; Thence (4) South 26°07'06" East, 372.92 feet to a point of non-tangency; Thence (5) South 21°13'42" East, 50.47 feet to a point of non-tangency; Thence (6) North 83°21'03" East, 267.72 feet to a point of non-tangency; Thence (7) North 0°10'56" East, 405.06 feet to a point of non-tangency; Thence (8) South 89°58'01" West, 244.25 feet to a point of non-tangency; Thence (9) North 65°33'22" West, 0.00 feet, more generally described as being located south of Jaffa Garden Way.

Planning Commission recommended approval of the Rezoning request from General Commercial District to Office Commercial District.

*6. No. 19UR017 - Section 12, T1N, R7E

A request by Upper Deck Architecture, Inc for Father Brian Christensen to consider an application for a **Major Amendment to a Conditional Use Permit to expand a**

church for the balance of Lot 2 of the NW1/4 of the SW1/4 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 520 Cathedral Drive.

Planning Commission approved the Major Amendment to a Conditional Use Permit to expand a church with the following stipulation(s):

1. **Prior to issuance of a Building Permit, the site plan shall be revised to show the abandonment of water and sewer services no longer need for the development;**
2. **All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign; All signs, including banners or grand opening or special event advertisements are subject to historic review; The inclusion or addition of any LED message centers shall require a Major Amendment to the Conditional Use Permit;**
- 3.. **The Major Amendment to a Conditional Use Permit shall allow an expansion of the existing church. Any change in use that is a permitted use in the Low Density Residential District shall require the review and approval of a Building Permit. Any change in use or expansion of use that is a Conditional Use in the Low Density Residential District shall require the review and approval of a Major Amendment to the Conditional Use Permit.**

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. 19UR018 - Lombardy Industrial Park Subdivision

A request by Kennedy Design Group, Inc for Melissa Foxworth of Safe Haven Pet Resort to consider an application for a **Conditional Use Permit to allow a pet kennel** for Lot 1R of Block 2 of Lombardy Industrial Park Subdivision, located in Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2004 Creek Drive.

Planning Commission approved the Conditional Use Permit to allow a pet kennel with the following stipulation(s):

1. **Upon submittal of a Building Permit, the site plan shall be revised showing all proposed landscaping located outside of the 10 foot wide utility easement on the eastern property line;**
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 Conditional Use Permit. The addition of electronic or LED signage shall require a Major Amendment to the Conditional Use Permit. A sign permit is required for any new signs;**
3. **The Conditional Use Permit shall allow for a kennel and caretakers residence. The proposed kennel shall operate in compliance with the submitted operations plan. Any expansion of the kennel shall require a Major Amendment to the Conditional Use Permit. All permitted uses in the Light Industrial District shall require review and approval of a Building Permit. Any change in use that is a Conditional Use in the Light**

Industrial District shall require the review and approval of a Major Amendment to the Conditional Use Permit.

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9. 19TP018 - 2020-2023 Rapid City Area Transportation Improvement Program – Final Report

Planning Commission recommended approval of the 2020-2023 Rapid City Area Transportation Improvement Program – Final Report.

10. 19TP020 - 2020 Unified Planning Work Program – Draft Report

Planning Commission recommended approval of the 2020 Unified Planning Work Program – Draft Report.

---END OF CONSENT CALENDAR---

8. No. 19VR004 - Murphy Ranch Estates and Murphy's Subdivision

A request by Davis Engineering, Inc for Murphy Brothers Partnership, LLC to consider an application for a **Vacation of Right-of-Way** for right-of-way adjacent to Tract F of NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located south of the current terminus of Knuckleduster Road.

Fisher gave a brief history explaining that the property in question is actually located in the County and that the City is not the highway authority. Fisher further explained that the applicant needs to file the Vacation of Right-of-Way with the County. As such, staff is recommending that the Vacation of Right-of-Way be Tabled without action.

Bulman moved, Quasney seconded and the Planning Commission Tabled the Vacation of Right-of-Way. (8 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)

---BEGINNING OF REGULAR AGENDA ITEMS---

Braun noted that the applicant has requested that Item #11 the Vacation of Right-of-Way for Airport Addition be moved to the end of the non-consent agenda.

Bulman moved, Quasney seconded and the Planning Commission approved to move Vacation of Right-of-Way to the end of Non-Consent Agenda. (8 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)

*12. No. 19PD032 - Skyview South Subdivision

A request by Alan Haberling to consider an application for a **Major Amendment to a Planned Development Overlay to allow an over-sized garage** for Lot 6 of Block 1 of Skyview South Subdivision, located in Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2101 Huntington Place.

Green presented the application and reviewed the associated slides. Green noted that the applicant is requesting an Exception to allow an accessory structure with a height of 29 feet in lieu of the maximum allowed height of 15 feet. Green noted that staff supports the Exception request contingent upon the applicant coordinating with the Rapid City Fire Department to provide adequate fire protection for the two-story structure. Green noted that the applicant is also requesting an Exception to allow an over-sized garage measuring 2,168 square feet with a cumulative accessory structure square footage of 3,168 square feet in lieu of the maximum allowed 1,500 square feet. Green presented staff's recommendation that the Exceptions be granted and to approve the Major Amendment to a Planned Development Overlay to allow an over-sized garage with stipulations outlined in the Project Report.

Hoogestraat moved, Bulman seconded and the PC approval of the Major Amendment to the Planned Development Overlay to allow an over-sized garage with the following stipulations:

- 1. An Exception is hereby granted to allow an accessory structure with a height of 29 feet in lieu of the maximum allowed height of 15 feet contingent upon the applicant coordinating with the Rapid City Fire Department to provide adequate fire protection for the two-story structure;**
- 2. An Exception is hereby granted to allow an over-sized garage measuring 2,168 square feet and a cumulative accessory structure square footage of 3,168 square feet in lieu of the maximum allowed 1,500 square feet;**
- 3. All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;**
- 4. Prior to issuance of a Building Permit, the applicant shall coordinate with the Rapid City Fire Department to implement a Wildland Fire Mitigation Plan and to provide an adequate fire protection plan for the proposed structure;**
- 5. The Major Amendment to a Planned Development Overlay shall allow for an over-sized garage for the property. The garage shall not be used for commercial purposes or as a second residence. In addition, the structure shall not be used as a rental unit. Any change in use that is a permitted use in the Low Density Residential District shall require a Building Permit. Any change in use that is a Conditional Use in the Low Density Residential District shall require the review and approval of a Major Amendment to the Final Planned Development Overlay. (8 to 0 with Braun, Bulman, Caesar, Golliher, 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.

*13. No. 19PD036 - CD Rounds Subdivision

A request by Scull Construction for Pink Cabin LLC to consider an application for a **Major Amendment to a Planned Development Overlay to allow a retail development** for Lot 9 thru 24 of Block 11 of CD Rounds Subdivision, located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3645 Sturgis Road.

Green presented the application noting that this property has been before the Planning Commission for review for various phases of its development. Green indicated that this request is to reduce parking requirements due to a change of use for a portion of the property from childcare to retail thus changing the parking requirements. Green stated that based on the varied hours of operation and the limited number of employees, staff recommends that the Exception be granted and approval of the Major Amendment to a Planned Development Overlay to allow a retail development with stipulations as noted in the Project Plan.

Vangraefschepe noted that the he would be abstaining from this item due to a conflict of interest.

Caesar moved, Huus seconded and the Planning Commission approved approval of the Major Amendment to a Planned Development Overlay to allow a retail development with the following stipulations:

- 1. An Exception is hereby granted to reduce the parking requirement from 119 parking spaces to 71 parking spaces based on the applicant's operational plan;**
- 2. The previously granted exception is hereby acknowledged to reduce the required landscape points from 36,000 to 13,500;**
- 3. The previously granted exception is hereby acknowledged to allow 32 parking stalls to back into the Sturgis Road right-of-way;**
- 4. The previously granted exception is hereby acknowledged to waive the screening fence requirement contingent upon a landscape screen consisting of evergreen shrubs and trees being provided along the west lot line;**
- 5. All landscaping along the adjacent street right(s)-of-way shall be maintained so that sight triangles are not obstructed;**
- 6. 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,
7. **The Major Amendment to a Planned Development Overlay shall allow for an archery range, church, and retail development. Any change in use that is a permitted use in the General Commercial District that does not increase the parking requirement shall require the review and approval of a Building Permit. Any change in use or expansion of use that is a Conditional Use in the General Commercial District or that increases the parking requirement shall require review and approval of a Major Amendment to the Planned Development Overlay. (7 to 0 to 1 with Braun, Bulman, Caesar, Golliher, Hoogestraat, Huus and Quasney voting yes and none voting no and Vangraefschepe abstaining.)**

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. 19PD037 - Bradsky Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc for DJS Holdings, LLC to consider an application for a **Major Amendment to a Planned Development Overlay to expand an existing carwash** for Lot 2B of Lot B of Block 15 of Bradsky Subdivision, located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1501 Cambell Street.

Fisher presented the application and reviewed the associated slides. Fisher stated that the carwash was originally approved 1995 and is now looking to expand. Fisher said that the applicant desires to build an addition on to the west end of the existing car wash. Fisher noted that in surveying the property it was identified that the vacuum stations on the north end of the property are located on city property and that a water line and a fire hydrant is located on the car wash property. As a part of this expansion, these two issues will be corrected with the main and hydrant being moved to City property and the vacuum stations being moved on to the subject property. Fisher noted that with this expansion there will be landscaping added along Cambell Street and along the south lot line where currently there is none. Fisher note that the applicant is requesting an Exception to reduce the stacking spaces for the existing self-service wash bays from 3 spaces to 2 spaces. Fisher noted that a minimum of 3 stacking spaces will be provided for the tunnel carwash. Historic operation shows that the reduced stacking spaces do not create an issue and as such Fisher stated that staff recommends granting the Exception and to approve the Major Amendment to a Planned Development Overlay to expand an existing carwash with the stipulations outlined in the Project Report.

In response to a question from Bulman, Fisher clarified that the applicant will be responsible for the relocation of the water line in coordination with the City.

Huus moved, Bulman seconded and the Planning Commission approved the Major Amendment to the Planned Development Overlay to expand an existing carwash with the following stipulations:

1. **An Exception is hereby granted to reduce the stacking spaces for the**

- existing self-service wash bays from 3 spaces to 2 spaces. A minimum of 3 stacking spaces shall be provided for the tunnel carwash;
2. Prior to issuance of a building permit, a Floodplain Development Permit shall be obtained;
 3. Prior to issuance of a building permit, portions of the minor drainage and utility easement located along the north lot line and the south lot line shall be vacated to allow the structural development;
 4. Prior to issuance of a Certificate of Completion, the vacuum stations shall be relocated to the applicant's property and the water main and fire hydrant shall be relocated to the adjacent City owned property;
 5. Landscaping shall be provided along Cambell Street and the south lot line as per the applicant's Landscape Plan;
 6. The Major Amendment to the Planned Development Overlay shall allow for the expansion of the carwash as per the applicant's site plan and operational plan. Future changes to the carwash shall be allowed with an approved building permit contingent upon meeting all land area regulations and that sufficient parking is being provided. All uses permitted in the General Commercial District shall be permitted, contingent upon sufficient parking being provided and securing an approved Building Permit. Any change in use that is a Conditional Use in the General Commercial District shall require the review and approval of a Major Amendment to the Planned Development Overlay. (8 to 0 with Braun, Bulman, Caesar, Golliher, Hoogestraat, Huus, Quasney and Vangraefschep 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. No. 19UR016 - Deadwood Avenue Business Park

A request by Brenda Howard to consider an application for a **Conditional Use Permit to allow on-sale liquor use in conjunction with a furniture and décor store** for Lot 3 of Deadwood Avenue Business Park, located in Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1141 Deadwood Avenue, Suite 3.

Green presented the application and reviewed the associated slides. Green clarified that there will be no new construction on the site, and that the request is in association with special events, classes, and such. Green stated that the applicant is requesting to be able to provide wine and beer to customers attending these events. Green presented staff's recommendation to approve the Conditional Use Permit to allow on-sale liquor use in conjunction with a furniture and décor store with stipulations.

Golliher moved, Caesar seconded and the Planning Commission approved the Conditional Use Permit to allow on-sale liquor use in conjunction with an existing furniture store with the following stipulation(s):

1. Prior to issuance of a Building Permit, the site plan shall be revised to show a minimum of 5 ADA parking spaces, with a minimum of one ADA

- space designed as “Van Accessible”;
2. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign; All signs, including banners or grand opening or special event advertisements are subject to historic review; The inclusion or addition of any LED message centers shall require a Major Amendment to the Conditional Use Permit;
 - 3.. The Conditional Use Permit shall allow on-sale liquor limited to occur in conjunction only with special events for the furniture store. Any expansion or change in the proposed on-sale liquor use shall require a Major Amendment to the Conditional Use Permit. Any change in use that is a permitted use in the General Commercial District shall require the review and approval of a Building Permit. Any change in use or expansion of use that is a Conditional Use in the General Commercial District shall require the review and approval of a Major Amendment to the Conditional Use Permit. (8 to 0 with Braun, Bulman, Caesar, Gollhofer, 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.

16. **Resolution 2019-070 – A resolution to adopt Rapid City Affordable Housing Policy**

Young briefly explained to the Planning Commission the need for affordable housing, noting that this policy is intended as a tool to enable the City to begin addressing those needs.

Hanzel explained the Affordable Housing Policy stating that one of its functions is to acknowledge Rapid City’s affordable housing issues and to provide guidelines to address those issues comprehensively. Hanzel briefly explained how the Policy will be utilized noting that it will provide a standard to define and address what constitutes affordable housing, address the different types of housing that are needed to better provide more affordable housing, and how the current Rapid City Municipal Code can be amended to encourage the development of more affordable housing. Hanzel addressed the Rapid City Housing Affordability Study that was completed in 2018 which staff has used and will continue to use as a source of information for what is needed for housing in the area. Hanzel briefly reviewed the public opinion Survey for Affordable Housing noting that the response to this survey was strong and that the overall consensus is that there is a strong need for affordable housing, including Accessory Dwelling Units, single family houses in the \$50,000 to \$100,000 range, apartments in the \$300 to \$500 and \$500 to \$750 range, reduction to lot sized, reduced permit cost and new zoning districts that would allow affordable housing. Hanzel stated that staff hopes the Planning Commission will support the Resolution to adopt the Rapid City Affordable Housing Policy.

Braun stated that he believes that a policy for Affordable Housing is needed and he

supports it. He further noted that he believes that this issue cannot be corrected with a single change and that the changes need to be supported by builders and developers in the city. Braun discussed the difficulties that the price ranges indicated in the survey create and that he feels to enable those ranges of housing will require some form of subsidizing and that is an avenue that might need to be explored. Braun noted that the idea is good in theory with higher density and smaller lots being proposed to promote affordable growth, but when it happens in your neighborhood the perception changes.

Caesar noted some of the concerns of creating slums and ghettos, stating that she believes to avoid this type of issue these uses need to be dispersed throughout the city. She also stated that she supports the Policy.

Bulman stated that she also supports the policy, but noted that it will be a difficult task. Bulman further stated that in order to make it work it will have to be monitored and updated to keep it pertinent.

In response to a question from Bulman how other cities are handling this issues, Young stated that they have found that some cities, generally larger cities such as Omaha and Denver have policies and others working on them as we are. He did not know of any policy that Sioux Falls has. Hanzel noted that Sioux Falls does have an Ordinance for Accessory Dwelling Units.

Vangraefschepe agreed that this is a much needed action, but he wonders what the plan is to avoid investors taking the affordable housing and turning it for profit properties. Young stated that he understands the issue and acknowledges that they cannot regulate all aspects.

Roberts spoke to this issue as a realtor noting many of the reasons it is difficult for realtors and developers to make a profit on low priced houses and rentals.

Braun noted that this should be updated on a scheduled basis to keep it viable.

Caesar moved, Huus seconded and the Planning Commission recommended approval of the Resolution 2019-070 - Resolution Adopting the Rapid City Affordable Housing Policy. (8 to 0 with Braun, Bulman, Caesar, Gollither, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)

11. No. 19VR003 - Airport Addition

A request by Fisk Land Surveying and Consulting Engineers, Inc for David Ritter to consider an application for a **Vacation of Right-of-Way** for that portion of Wood Avenue right-of-way adjoining Blocks 11 and 12 of Airport Addition, located in the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located within Wood Avenue lying south of Knollwood Drive.

Lacock noted that this application has been previously continued at the applicants request from the July 25, 2019 and the August 8, 2019 Planning Commission Meetings to allow meetings with staff. Lacock presented the application and reviewed the associated slides drawing attention to the fact that this is the only

north-south connector street between North Maple and Haines Avenue. Lacock noted that the 2012 Rapid City Arterial Street Safety Study, identified secondary street network off of Haines Avenue needs to be improved, including the construction of this section of Wood Avenue as development demands. Lacock acknowledged that the topography of the area creates construction challenges, but does not make it impossible. Lacock referenced that the 2012 Rapid City Arterial Streets Safety Study states that the development along Haines and the surrounding area will determine the completion of Wood Avenue and the potential need for signalization of the Wright Street and Haines Avenue intersection. Lacock stated that Kip Harrington, Transportation Planning, Todd Peckosh with the Public Works Department and Steve Frooman, Rapid City Traffic Engineer were available for questions. Lacock stated that based on the study's identification that the completion of this portion of Wood Avenue is needed to provide a better secondary street network adjacent to Haines Avenue, staff recommends to deny the Vacation of Right-of-Way.

Janelle Fink, Fisk Land Surveying and Engineering, discussed her reasoning for the Vacation of Right-of-Way noting that it would allow the property owners on either side to use the undeveloped property. Fink thanked the Planning Commission for moving the item to the end of the meeting and staff for working closely with her on this application. Fink stated that of the six criteria listed in the Project Report three were identified as being met with three being identified as having not been met. Those criteria being 1) That the Vacation serves the interest of the City by removing maintenance for liability risks; 2) That the property being vacated is no longer necessary for City operations and 3) That the land to be vacated is no longer necessary for the public use and convenience. Fink noted that the referenced 2012 Rapid City Arterial Street Safety Study is ten years old and data used in its creation is dated. Fink reviewed crash history noted in the study stating that of the improvements suggested in the study only a few have been done. Fink noted that the right-of-way has been undeveloped for over 90 years, that the right-of-way noted in the original plat is only 33 feet which is substandard for today's needs and that the topography of the property would make the construction of this section of Wood Avenue exceedingly expensive. Fink indicated that there are currently no public utilities and that all of the local utility companies consented to the vacation request. Fink stated that the completion of Wood Avenue to current Commercial Street standards would basically render the adjacent properties useless and would push traffic onto the surrounding local streets which are not built to current standards and may possibly create issues. Fink summarized that as the property has not been used in all this time so is therefore not needed for either City operations or convenience and that the cost will make it a non-feasible use of city funds and she hoped that the request will be approved.

Roberts left the meeting at this time.

Caesar stated that she understands the concerns regarding geographic challenges but she believes that this right-of-way needs to be retained as there are no other options available and asked that the Engineering and Public Works staff give their thoughts on these concerns.

Todd Peckosh, Project Coordinator, Public Works, stated that many of the issues addressed such as topography and right-of-way are not as large as indicated and

can and are common. He noted that use of city funds for infrastructure development and maintenance are always considered and that this right-of-way needs to be maintained to help retain options when future infrastructure in the Haines area are done.

In response a question from Hoogestraat on the future development of the property, Fink noted that the owner does not have anything defined. Hoogestraat stated he would be better able to support the vacation if there was a more defined plan for the development of the property, but without that knowledge he believes the right-of-way needs to be retained.

Bulman spoke to her reasons she feels the right-of-way needs to be retained, indicating that an option of a secondary exit from Knollwood Drive is needed. Bulman stated that even with the median at the intersection of Knollwood Drive and Haines Avenue without another option that intersection will continue to be overwhelmed and create the potential for accidents.

Quasney stated that not only does he feel that this right-of-way needs to be retained, he indicated that he would like additional right-of-ways noting that there are neighborhoods in the city that are cut off by lack of through streets. He mentioned the right-of-way by the Mother Butler Center that had been vacated and looking back sees how such actions can create hardships in the future.

Bulman moved, Quasney seconded and the Planning Commission recommended to Deny the Vacation of Right-of-Way. (8 to 0 with Braun, Bulman, Caesar, Gollither, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)

17. Discussion Items
None

18. Staff Items
None

19. Planning Commission Items
Braun noted that it is the final meeting for Justin Vangraefschepe and Curt Huus and he hates to see them go. He thanked them for all of their input and attendance and wished them the best. Fisher also thanked them for their efforts and time commitment they have made over the years and wished them the best in their future endeavors.

Justin thanked the Commission stating that he has enjoyed his time on the Commission noting that the Commission had provided productive dialogue and that he appreciated the experience.

Curt stated that he has enjoyed working with the staff and the professionalism of the Planning Commission was an enjoyable experience. He stated that he is sad to be leaving but is looking forward to his new chapter.

There being no further business, Van moved, Huus seconded and unanimously

carried to adjourn the meeting at 8:33 a.m. (8 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Quasney and Vangraefschepe voting yes and none voting no)