

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
April 9, 2020

MEMBERS PRESENT (via video conference): Kelly Arguello, Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollhofer, Eirik Heikes, Galen Hoogestraat, Eric Ottenbacher, Mike Quasney, and Vince Vidal.

MEMBERS ABSENT: John Herr. John Roberts, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, John Green, Kip Harrington, Patsy Horton, Sarah Hanzel (via video conference), Tim Behlings, (via video conference) Todd Peckosh, Wade Nyberg (via video conference) and Andrea Wolff.

Braun called the meeting to order at 7:01 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 2 be removed from the Consent Agenda for separate consideration.

Motion by Quasney seconded by Caesar and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 8 in accordance with the staff recommendations with the exception of Item 2. Roll Call Vote was called (8 to 0 with Braun, Bulman, Caesar, Gollhofer, Hoogestraat, Quasney and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the March 26, 2020 Planning Commission Meeting Minutes.

*3. No. 20PD014 - Shepherd Hills Subdivision

A request by KTM Design Solutions, Inc for Samuelson Development LLC to consider an application for a **Final Planned Development Overlay to allow an apartment development** for Lots 1, 2, and 3 of Block 2 of Shepherd Hills Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of E. Anamosa Street and north of E. Philadelphia Street.

Planning Commission recommended approval of the Final Planned Development Overlay with the following stipulations:

- 1. Acknowledge the previously granted Exception to allow a 4-story, 56-foot high apartment development in lieu of a maximum 3-story, 35-foot high structure with the stipulation that the final design of the apartment structures include elements keeping in character with the Black Hills, such as earth tone colors, wood and stone accents and a peaked shingled roof;**
- 2. Prior to issuance of a Building Permit, a shared parking and access**

- agreement shall be entered into and recorded to allow the drive aisles along property lines to be shared;
3. Prior to issuance of a Building Permit, all necessary sewer mains and water mains currently under construction to serve the property shall be accepted by the City;
 4. Prior to issuance of a Building Permit, the required conversion from low level to high level of the existing 12-inch water main in E. Anamosa Street from E. North Street, past Menards shall be completed;
 5. Prior to issuance of a Building Permit, all plans for water, sewer, storm sewer shall be signed and sealed by a Professional Engineer;
 6. Prior to issuance of a Building Permit, the construction plans shall be revised to show a sidewalk along the entire frontage of Lot 3;
 7. Prior to issuance of a Building Permit, an Erosion and Sediment Control Plan specifically for this project (not for the grading permit as work limits and time frames are different) shall be submitted for review and approval;
 8. Prior to issuance of a Building Permit, all redline comments shall be addressed;
 9. Landscaping, parking and open space shall be provided pursuant to the plans approved as a part of this Final Planned Development Overlay application;
 10. All provisions of the Medium Density Residential District shall be met unless otherwise specifically authorized as a stipulation of the Final 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. 20RZ018 - Section 20, T1N, R8E
A request by City of Rapid City to consider an application for a **Rezoning request from No Use District to Heavy Industrial District** for Durawood Tract, Section 20, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at 5400 Old Folsom Road.

Planning Commission recommended approval of the Rezoning request from No Use District to Heavy Industrial District.

5. No. 20RZ019 - Section 22, T2N, R7E
A request by Feber Engineering Co, Inc for Black Hills Corporation to consider an application for a **Rezoning request from General Agricultural District to Light Industrial District** for the W1/2 of the W1/2 of the NE1/4 of Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2550 Tatanka Road.

Planning Commission recommended approval of the Rezoning request from General Agricultural District to Light Industrial District.

6. No. 20RZ020 - Section 4, T1N, R8E

A request by Dream Design International, Inc. to consider an application for a **Rezoning request from General Agricultural District to Low Density Residential District II** for the east 910 feet of Government Lot 4; the east 312 feet of SW1/4NW1/4 less Diamond Ridge Subdivision and less right-of-way; the east 312 feet of the north 536 feet of NW1/4SW1/4 less Diamond Ridge Subdivision and less right-of-way, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Northwest corner of Lot RVSD of Copperfield Vistas Subdivision, located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning; Thence (1) North 2°08'37" East, 214.07 feet to a point of non-tangency; Thence (2) North 88°00'38" West, 311.91 feet to a point of non-tangency; Thence (3) South 2°09'38" West, 220.66 feet to a point of non-tangency; Thence (4) South 87°51'49" East, 311.96 feet to a point of non-tangency; Thence (5) North 02°14'58" East, 7.39 feet to a point of beginning, more generally described as being located north of the current terminus Diamond Ridge Boulevard.

Planning Commission recommended approval of the Rezoning request from General Agricultural District to Low Density Residential District II.

7. No. 20RZ021 - Section 9, T1N, R8E

A request by Dream Design International, Inc. to consider an application for a **Rezoning request from General Agricultural District to Medium Density Residential District** for that portion of the S1/2 of the SW1/4 of the NE1/4 less Orchard Meadows, less the railroad right-of-way, less Lot H1 and H2 (dedicated public greenway) less that portion of Lot H3 of the SE1/4 of the NW1/4, the SW1/4 of the NE1/4 and the NE1/4 of the SW1/4 located in the S1/2 of the SW1/4 of the NE1/4 (dedicated public greenway) and less right-of way; the S1/2 of the SE1/4 of the NW1/4 less Orchard Meadows Subdivision located west of Elk Vale Road right of way, all located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the eastern terminus of Garden Lane.

Planning Commission recommended approval of the Rezoning request from General Agricultural District to Medium Density Residential District.

8. No. 20TI003 - Highway 16 Sewer

A request by John Gomez for Alta Terra Development to consider an application for a **Resolution to approve TID No. 70 Project Plan Amendment #2 to reallocate project plan costs** for Utility Lot 1 Par Subdivision; Tract 2 and Tract 3 of Par Subdivision; all located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Unplatted Portion of NE1/4 SW1/4 Lying N of Hwy Right-of-Way; Unplatted Portion of NW1/4 SW1/4 Lying N of Hwy Less Lot H1; Unplatted Portion of NW1/4 SW1/4 Lying South of Hwy, Right-of-Way Less Lot H1; Unplatted SW1/4 SW1/4, Less Lot H2 & Less Right-of-Way; all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Tract A of Meadow View Subdivision; Lot A Tucker Subdivision; Lot 1 Shipman Heights Subdivision; Unplatted Portion of SE1/4 NW1/4 NW1/4 Lying East of Hwy 16 Less Right-of-Way; Lot A Ranch Subdivision; Tract 1 of W1/2 NW1/4 Less Lot A of Ranch Subdivision, Less Connector Subdivision, Less Lots H1, H2, H3 & Right-of-Way; Tract AR2 Needles Subdivision; Tract B Needles Subdivision; Tract 1 Waterslide Addition; Unplatted Balance of S1/2 SE1/4 NW1/4; Unplatted Balance

of NE1/4 SW1/4; Lot 4R and Lot 5 of Old Rodeo Subdivision; Lot 2 and Vacated Physician Drive Adjacent of Said Lot 2 Old Rodeo Subdivision; Lot 3 and Vacated Physician Drive Adjacent to Said Lot 3 Old Rodeo Subdivision; Lot 1 Less Lots 2, 3, 4R, 5 and ROW Old Rodeo Subdivision; Unplatted Lot B of SW1/4 SW1/4 Less RTY; Lot 9R, South Hill Subdivision; Right-of-Way of Tucker Street; Right-of-Way of Promise Road; Right-of-Way of Jordan Drive; Right-of-Way of Addison Avenue; all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 and Lot 2 of Connector Subdivision, all located in Sections 26 and 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Platted Tract 1 of SE1/4 NE1/4 Less Connector Sub & Less Lot H1 & Less TLC Subdivision; Lot 1 and Lot 2 of TLC Subdivision; all located in Section 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Unplatted NW1/4NW1/4 less Lot H1 and less right-of-way; Unplatted SE1/4NW1/4; Unplatted W1/2SE1/4 and SE1/4SE1/4; Unplatted NE1/4SW1/4; Unplatted SW1/4NW1/4 less Lot H1 and less right-of-way; all located in Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; Right-of-Way of Catron Boulevard located in Sections 23, 24, 26, and the SE1/4 NE1/4 of Section 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; and, Right-of-Way of U.S. Highway 16 located in Section 26, 27, NE1/4 of Section 34, and NW1/4 of Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located Catron Boulevard from 5th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Sammis Trail and east to the proposed Hyland Crossing Subdivision.

The Planning Commission recommended approval of the reallocation amendment, including \$6,147.36 for professional fees incurred beyond the five year timeline specified in SDCL 11-6-13, bringing the total certified expenditures for TID 70 to \$5,901,729.27.

---END OF CONSENT CALENDAR---

Braun stated that he would need to abstain from this item due to a conflict of interest and confirmed that Quasney would also be abstaining due to a conflict of interest. Braun handed the gavel to Caesar. Caesar asked for comments on the item.

*2. No. 20PD010 - Meadow View Subdivision

A request by FMG Engineering for Lloyd Companies to consider an application for a **Final Planned Development Overlay to allow a Multi-Family Development** for Tract A and Tract B of Meadow View Subdivision, less Lots H1 and H2, all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1330 Catron Boulevard.

Lacock said that the staff has changed its recommendation from continuing the Final Planned Development Overlay to allow a Multi-Family Development to the April 23, 2020 Planning Commission meeting to continuing the Final Planned Development Overlay to allow a Multi-Family Development to the May 7, 2020 Planning Commission meeting to allow staff to review resubmitted items for this application.

Hoogestraat moved, Gollither seconded and the Planning Commission

recommended continuing the Final Planned Development Overlay to allow a Multi-Family Development to the May 7, 2020 Planning Commission Meeting. A Roll Call Vote was called (6 to 0 to 2 with Arguello, Bulman, Caesar, Golliher, Hoogestraat, and Vidal voting yes and none voting no and Braun and Quasney 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.

---BEGINNING OF REGULAR AGENDA ITEMS---

*9. No. 20PD011 - Original Town of Rapid City

A request by Legacy Development and Consulting Company, LLC for 100 Saint Joseph Street LLC to consider an application for an **Initial Planned Development Overlay to allow a mixed use structure in the Urban Commercial District** for Lots 17 thru 32 and the S1/2 of vacated alley adjacent to said lots of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of St. Joseph Street and 1st Street.

Lacock presented the application and reviewed the associated slides noting it is a redevelopment project adjacent to the downtown core on the previous location of the Imperial Inn. Lacock noted that this project is located in the Urban Commercial District and is an infill development. The proposed development is a 4- story building offering mixed uses including 99 apartment units, 28,953 square feet of commercial space on the 1st floor, and underground parking. Lacock stated that the applicant is asking for three Exceptions. The first Exception request is to waive the requirement to provide a graduated setback for the fourth story of the proposed structure on 2nd Street. Lacock noted that as the majority of the building abuts Saint Joseph Street, which does not require a graduated setback until after the 4th floor, staff supports this request. The second Exception request is to allow a setback of 23.3 feet from 1st Street in lieu of the maximum allowed 10 feet contingent upon a site plan being submitted identifying how the 23.3 feet will be utilized to promote pedestrian orientation and activities in compliance with Chapter 17.66 of the Rapid City Municipal Code Lacock stated that part of the goal of the Urban Commercial is to pull buildings towards the street and that this is pushing it back so staff has identified that as part of the Final Planned Development Overlay application, they will need to show pedestrian design and activities in this area. The third Exception request is to allow 55% of the 2nd Street frontage to consist of a parking lot in lieu of the maximum allowed 25% contingent upon a landscape plan being submitted showing a buffer in compliance with Chapter 17.66.060 of the Rapid City Municipal Code. Lacock stated that staff has indicated in the stipulations of approval that upon the submittal of the Final Planned Development a landscape plan will need to show acceptable buffering between the parking and the sidewalk and with these requirements staff supports the Exception requests. Lacock stated that this is the second large project in the new Urban Commercial District providing the mixed uses of pedestrian oriented design that supports the Comprehensive Plan goal of

revitalization and compatible infill redevelopment in the area, and as such, staff recommends approval of the Initial Planned Development Overlay to allow a mixed use structure in the Urban Commercial District with stipulations.

In response to a question from Arquello regarding the pavement and the area to the east, Lacock stated that this is intended to be designed for pedestrian and other uses and that this area will be defined with the Final Planned Development Overlay application.

In response to Arguello's question on the elevations for the other sides of the building, Lacock stated that the elevations must be submitted with the Final Planned Development Overlay application.

In response to questions from Vidal regarding issues with the length allotted for the parking spaces along the street, Fisher noted that the parking will be fully reviewed with the Final Planned Development. Vidal further stated that his concerns regarding the parking are due to the occurrences of vehicles that protrude into the driving lanes in the downtown area and wonders if this would be addressed. Fisher stated that all downtown parking is designed per the Infrastructure Design Criteria Manual and further stated that there is a provision of the Rapid City Municipal Code that allows longer vehicles to place their front right tires on the curb to avoid extending into traffic.

In response to a question from Bulman regarding graduated setbacks, Lacock clarified that the Urban Commercial District setback requirements are based on the street type and the height of the building. Lacock explained that due to the street classifications and the location of this structure, only the west side abutting 2nd Street requires an Exception to the graduated setback.

In response to a question from Ottenbacher regarding the number of handicap parking spaces that will be provided and if there will be any in the underground parking, Lacock stated that based on the number of required parking spaces that 7 handicap spaces will be required and the plans identify them on the surface lot on the north side of the property.

In response to a question from Quasney on the east side setback, Lacock clarified that elevations and plans showing design and layout of the east side of the proposed building will be provided with the Final Planned Development Overlay application.

In response to Arguello's question about where access to the underground parking was located, Lacock identified that access would be located in the northeast corner off of 1st Street.

In response to a question from Heikes regarding the pedestrian enhancements along St. Joseph Street, Lacock stated that those specifics will be addressed in the Final Planned Development Overlay Application.

Quasney moved, Heikes seconded and the Planning Commission recommended that the Initial Planned Development Overlay to allow a mixed-

use structure in the Urban Commercial District be approved with the following stipulations:

1. An Exception is hereby granted to waive the requirement to provide a graduated setback for the fourth story of the proposed structure on 2nd Street;
2. An Exception is hereby granted to allow 55% of the 2nd Street frontage to consist of a parking lot in lieu of the maximum allowed 25% contingent upon a landscape plan being submitted showing a buffer in compliance with Chapter 17.66.060 of the Rapid City Municipal Code, upon submittal of a Final Planned Development Overlay application;
3. An Exception is hereby granted to allow a setback of 23.3 feet from 1st Street in lieu of the maximum allowed 10 feet contingent upon a site plan being submitted identifying how the 23.3 feet will be utilized to promote pedestrian orientation and activities in compliance with Chapter 17.66 of the Rapid City Municipal Code, upon submittal of a Final Planned Development Overlay application;
4. Upon submittal of a Final Planned Development Overlay application, elevations of the proposed structure shall be submitted for all three street frontages in compliance with Chapter 17.66 of the Rapid City Municipal Code;
5. Upon submittal of a Final Planned Development Overlay application, a landscape plan shall be submitted in compliance with Chapter 17.66 of the Rapid City Municipal Code;
6. Upon submittal of a Final Planned Development Overlay application, the site plan shall be revised to show the location, access to, and screening of the dumpster in compliance with Chapter 17.66 of the Rapid City Municipal Code;
7. Upon submittal of a Final Planned Development Overlay application, a site plan with a written description shall be submitted identifying the pedestrian elements in compliance with Chapter 17.66 of the Rapid City Municipal Code;
8. Upon submittal of a Final Planned Development Overlay application, the site plan shall be revised to provide a minimum separation of 10 feet between the proposed structure and any underground or overhead utilities;
9. Upon submittal of a Final Planned Development Overlay application, a geotechnical investigation report shall be submitted for review and approval;
10. Upon submittal of a Final Planned Development Overlay application, a Traffic Impact Study shall be submitted for review and approval or an Exception shall be obtained to waive the requirement;
11. Upon submittal of a Final Planned Development Overlay application, a sign package shall be submitted for review and approval;
12. Prior to issuance of a Building Permit, a Final Planned Development Overlay application shall be submitted for review and approval; and,
13. This Initial Planned Development Overlay shall allow a mixed-use building with underground parking. Prior to issuance of a Building Permit, a Final Planned Development Overlay shall be submitted for review and approval. Any conditional use shall require the review and approval of a Final Planned Development Overlay. Roll Call Vote was called (8 to 0 with Arguello, Braun, Bulman, Caesar, Golliher,

Hoogestraat, , Quasney 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.

10. Discussion Items
None

11. Staff Items
Fisher thanked everyone for participating and working with staff on the unique challenges with deducting a Planning Commission Meeting via WebEx.

12. Planning Commission Items
None

There being no further business, Bulman moved, Caesar seconded and unanimously carried to adjourn the meeting at 7:29 a.m. Roll Call Vote was called (8 to 0 with Arguello, Braun, Bulman, Caesar, Gollither, Hoogestraat, Quasney and Vidal voting yes and none voting no)