

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
May 5, 2016

MEMBERS PRESENT: Erik Braun, John Brewer, Galen Hoogestraat, Linda Marchand, Steve Rolinger, Kimberly Schmidt, Andrew Scull and Jan Swank. Amanda Scott, Council Liaison was also present.

MEMBERS ABSENT: Karen Bulman, Mark Jobman

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Tim Behlings, Ted Johnson, Joel Landeen 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 Rolinger seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 8 in accordance with the staff recommendations. (8 to 0 with Braun, Brewer, Hoogestraat, Marchand, Rolinger, Schmidt, Scull and Swank voting yes and none voting no)

Consent Calendar

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

---CONSENT CALENDAR---

1. Approval of the April 21, 2016 Planning Commission Meeting Minutes.
2. No. 16PL024 - Park Hill Subdivision No. 7
A request by Sperlich Consulting, Inc., for Park Hill Development, Inc. to consider an application for a **Preliminary Subdivision Plan** for proposed Tract 1 and Lots 1 thru 9 of Block 1 and Lots 1 thru 12 of Block 2 of Park Hill Subdivision No. 7, legally described as a portion of the unplatted balance of the N1/2 of the NE1/4 of the SE1/4 and a portion of the unplatted balance of the SE1/4 of the NE1/4 less right-of-way, located in the NE1/4 of the SE1/4 and the SE1/4 of the NE1/4 of Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the intersection of Sydney Drive and Ridge View Drive.

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

1. **Prior to submittal of a Development Engineering Plan application, the construction drawings shall be revised to address redlined comments or an Exception shall be obtained to the Infrastructure Design Criteria**

- Manual or the Standard Specifications for each comment. A copy of the approved Exception shall be submitted with the Development Engineering Plan application. In addition, the redlined comments shall be returned with the Development Engineering Plan application;
2. 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 if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
 3. Prior to submittal of a Development Engineering Plan application, the proposed Master Plan shall be revised to match the proposed plat layout and the construction plan lot layout;
 4. Upon submittal of a Development Engineering Plan application, construction plans for Pendleton Drive shall be submitted for review and approval showing the street located within a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering application;
 5. Upon submittal of a Development Engineering Plan application, construction plans for Wilma Street shall be submitted for review and approval showing the street located within a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained or the street shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering 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 design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development;
 7. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual;

8. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to reduce the number of proposed lots along a dead end street from 22 lots to 20 lots pursuant to Section 2.13.1 of the Infrastructure Design Criteria Manual or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 9. Upon submittal of a Development Engineering Plan application, turning movements within the proposed hammerhead turnaround shall be demonstrated on the plans to ensure that the design supports the largest emergency vehicles;
 10. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements shall be provided as needed;
 11. Upon submittal of the Development Engineering Plan application, the plat document shall be revised to show the existing Major Drainage Easement located in Pendleton Drive being vacated or the easement shall be vacated by miscellaneous document and the recording information shall be included on the Final Plat;
 12. Upon submittal of the Development Engineering Plan application, the plat document shall be revised to show all of Tract 1 as a Major Drainage Easement;
 13. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
 14. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 15. Upon submittal of a Final Plat application, a Covenant Agreement shall be submitted for recording identifying maintenance and ownership of any proposed drainage elements. In addition, the plat document shall be revised to show all drainage improvements located within a Major Drainage Easement;
 16. 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,
 17. 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).
3. No. 16VR001 - Park Hill Subdivision No. 7
A request by Sperlich Consulting, Inc. to consider an application for a **Vacation**

of Right-of-Way for a portion of the Wilma Street right-of-way, lying in the NE1/4 of the SE1/4 and in the SE1/4 of the NE1/4 of Section 7, T1N, R8E and adjoining Lots 1, 2, 3, and 4 of Block 1 in the NE1/4 of Section 7, T1N, R8E and adjoining Lots 1 and 2, and Lot 3B of Lot 3 of Polar Bear Subdivision, all located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at Wilma Street north of Sydney Drive.

Planning Commission recommended that the Vacation of Right-of-Way be approved with the following stipulations:

1. **Prior to City Council approval, the proposed H Lot to be known as Pendleton Drive shall be recorded at the Register of Deeds and a copy of the recorded H Lot shall be submitted to Community Planning and Development Services, and;**
2. **Prior to City Council approval, the exhibit for the proposed private utility easement shall be revised to show the correct area of the proposed easement. An original Exhibit and three copies shall be submitted to Community Planning and Development Services for recording.**

*4. No. 16PD021 - Copper Ridge Subdivision

A request by Bob Brandt to consider an application for a **Major Amendment to a Planned Development to allow the 2nd phase of multifamily housing** for Lot 2 of Copper Ridge Subdivision, located in Section 22, T1N, R7E BHM, Pennington County, South Dakota, more generally described as being located at 2000 Promise Road.

Planning Commission approved the requested Major Amendment to the Planned Development in conjunction with the associated rezone and with the following stipulations:

1. **The previously approved Exception to increase the maximum height of the building from 35 feet to 56 feet is hereby acknowledged;**
2. **Prior to issuance of a building permit, all redline comments shall be addressed and all plans returned to Community Planning and Development Services;**
3. **Prior to issuance of a building permit, the applicant shall confirm with Rapid City Fire Department that adequate fire flows are available for the proposed development;**
4. **Prior to issuance of a building permit for and structural development within areas of the property currently zoned General Agriculture District, this area must be rezoned to Office Commercial District;**
5. **All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) message centers are being approved as a part of this Final Planned Development. The inclusion or addition of any LED message centers shall require a Major Amendment to the Planned Development. A sign permit shall be obtained or each sign, and;**
6. **This Major Amendment to the Planned Development shall allow for**

development of the second phase of the Copper Ridge Apartments. All requirements of the Office Commercial District shall be continually maintained unless specifically stipulated as a part of this Major Amendment or a subsequent Major Amendment to the Planned Development. All uses permitted in the Office Commercial District shall be permitted contingent upon provision of sufficient parking and an approved building permit. All conditional uses in the Office Commercial District 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 Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

5 No. 16PL033 - HMC Subdivision

A request by FMG Engineering to consider an application for a **Preliminary Subdivision Plan** for Lot 1A and Lot 1B of HMC Subdivision, legally described as Lot 1 of HMC Subdivision, located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Sturgis Road north of West Chicago Street.

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

1. **Upon submittal of a Development Engineering Plan application, construction plans shall be submitted showing a dual water main along Sturgis Road or an Exception shall be obtained. If an Exception is obtained, then the applicant can proceed directly to the submittal of a Final Plat application;**
2. **Prior to submittal of a Final Plat application, an additional 10,874 landscape points shall be planted on proposed Lot 1B as proposed or surety shall be posted for the improvement with the Final Plat application;**
3. **Prior to submittal of a Final Plat application, stop blocks shall be placed along the ten parking spaces located along the west lot line of proposed Lot 1B to prevent vehicles from overhanging across the property line into Lot 1A or surety shall be posted for the improvement;**
4. **Prior to submittal of a Final Plat application, the plat document shall be revised to show a shared approach and/or driveway easement between Lot 1A and 1B or a shared approach with Lot 2 located directly north of proposed Lot 1A as required by the South Dakota Department of Transportation;**
5. **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,**

6. **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).**

6. No. 16PL034 - Rahn Subdivision

A request by Steve Thingelstad, Britton Engineering Inc for Glynda Rahn to consider an application for a **Preliminary Subdivision Plan** for Lots 1 thru 4 of Rahn Subdivision, legally described as the the unplatted portion of the E1/2 of the NW1/4 of the SW1/4 Less Country Road C-2337 right-of-way located in Section 15, T1S, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 13924 Neck Yoke Road.

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

1. **Upon submittal of a Development Engineering Plan application, water plans prepared by a Registered Professional Engineer showing the extension of mains and service lines shall be submitted for review and approval as per the Infrastructure Design Criteria Manual or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. If water is being provided from the Pine Grove Water District, then written documentation shall be submitted identifying that they will serve the proposed lots. In addition, water data must be submitted identifying that sufficient fire flows are being provided to serve the development. As an alternative to providing fire flows, a Covenant Agreement shall be submitted for recording at the Register of Deed's Office to ensure that residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures upon submittal of a Final Plat application;**
2. **Upon submittal of a Development Engineering Plan application, documentation shall be provided demonstrating that proposed Lot 3 has a compliant on-site wastewater treatment system. In addition, soils data shall be provided for proposed Lots 1, 2 and 4 demonstrating that the soils are suitable to support an on-site wastewater system;**
3. **Upon submittal of a Development Engineering Plan application, construction plans for Neck Yoke Road shall be for review and approval showing the street located in a minimum 100 foot wide right-of-way and constructed with a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and dual water mains or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;**
4. **Upon submittal of a Development Engineering Plan application, construction plans for Limestone Lane shall be submitted for review**

and approval showing the street located in a minimum 50 foot wide right-of-way with 10 additional feet of right-of-way the first 200 feet as it extends north from Neck Yoke Road 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 Exception shall be submitted with the Development Engineering Plan application. If the street is to be located within an easement, then an Exception shall be obtained to allow an easement to serve 7 lots in lieu of a maximum of 4 lots. In addition, prior to submittal of a Final Plat application, the plat document shall be revised to show the recording information for the 20 foot wide easement being secured on the adjacent property to increase the existing 30 foot wide easement for Limestone Lane to a width of 50 feet;

5. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show the proposed shared driveway for Lots 1 and 2. In addition, construction plans shall be submitted showing the shared driveway located in 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 Exception shall be submitted with the Development Engineering Plan application;
6. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted showing the shared driveway approach to Lots 1 and 2 along Limestone Lane designed to provide a fire apparatus turnaround;
7. Upon submittal of a Development Engineering Plan application, a drainage plan shall be submitted for review and approval if subdivision improvements are required. The drainage plan shall address storm water quantity control and storm water quality treatment, in conformance with the Infrastructure Design Criteria Manual and Rapid City Municipal Code. In addition, the plat document shall be revised to provide drainage easements as necessary;
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 and a grading plan shall be submitted for review and approval if subdivision improvements are required;
9. 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 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;

10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
11. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
12. Prior to submittal of a Final Plat application, the following note shall be placed on the plat: “Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations”;
13. Upon submittal of a Final Plat application, a Road Maintenance Agreement shall be submitted for recording for Limestone Lane;
14. Upon submittal of a Final Plat application, an approved Wild Fire Mitigation Plan shall be submitted;
15. Upon submittal of a Final Plat application, the plat document shall be revised to show the Pine Grove Water District water lines and the overhead electric lines currently located on the property located within utility easement(s);
16. 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,
17. 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).

7. No. 16PL035 - Elks Country Estates

A request by KTM Design Solutions, Inc. to consider an application for a **Preliminary Subdivision Plan** for Lot 2A, Lot 2B, Lot 2C and Lot 2D of Block 5, legally described as Lot 2R of Block 5 of Elks Country Estates, located in Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3621 Willowbend Road.

Planning Commission recommended that the Preliminary Subdivision Plan

be approved with the following stipulations:

1. Upon submittal of a Development Engineering Plan application, construction plans showing Jolly Lane with a minimum pavement width of 34 feet shall be submitted for review and approval or the construction plans shall show “no parking” signs along one side of the street or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
2. Upon submittal of a Development Engineering Plan application, a conforming sewer service to proposed Lot 2D shall be provided or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, that portion of the driveway located on Lot 5R, Elks Country Estates serving as access to proposed Lot 2D shall be shown within an existing and/or proposed access easement. In addition, construction plans shall be submitted for review and approval showing the access easement with a minimum width of 50 feet 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 Exception shall be submitted with the Development Engineering Plan application;
4. Upon submittal of a Development Engineering Plan application, that portion of the driveway located on proposed Lot 2C serving as access to Lot 1, Block 5, Elks Country Estates shall be secured within an access easement. In addition, construction plans shall be submitted for review and approval showing the access easement with a minimum width of 50 feet 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 Exception shall be submitted with the Development Engineering Plan application;
5. Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show a building envelope on proposed Lot 2C and with a minimum lot size of 6,500 square feet or Lot 2C shall be incorporated into one of the adjacent lots;
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 and a grading plan shall be submitted for review and approval if subdivision improvements are required;
7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval in conformance with the Infrastructure Design Criteria Manual and the Rapid City

Municipal Code. The drainage plan and report shall confirm proposed storm sewer sizing and address storm water quality treatment for the proposed development. In addition, easements shall be provided 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 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;**
- 9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;**
- 10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;**
- 11. Upon submittal of a Final Plat application, written concurrence from all of the affected utility companies shall be submitted for the proposed vacation of an existing utility and minor drainage easement extending through the property or the plat document shall be revised to retain the easement;**
- 12. Upon submittal of a Final Plat application, the plat document shall be revised to vacate portions of the non-access easement existing along Jolly Lane in order to provide an approach location to the proposed abutting lot(s). The approach location(s) shall be in conformance with the Infrastructure Design Criteria Manual;**
- 13. 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,**
- 14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).**

***8. No. 16UR009 - Enchanted Hills Subdivision**

A request by David Rath for Ray and Amy Thompson to consider an application for a **Conditional Use Permit to allow an oversized garage** for Lot 26 of Enchanted Hills Subdivision, located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5217 Ridgeview Road.

Planning Commission approved the Conditional Use Permit to allow an over-sized garage with the following stipulation:

1. An Exception is hereby granted to allow an over-sized garage 1,274 square feet in size to exceed the footprint of the dwelling which is 1,068 square feet;
2. Construction plans signed and stamped by a registered Professional Engineer shall be submitted for any retaining walls that exceed four feet in height;
3. The proposed over-sized attached garage shall be constructed to match the design and colors of the existing dwelling; and,
4. The Conditional Use Permit 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 garage 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 Conditional Use Permit.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

- *9. No. 16PD019 - Rushmore Crossing
A request by Scull Construction for Granite Mountain Restaurants to consider an application for a **Final Planned Development Overlay to allow an on-sale liquor establishment in conjunction with a restaurant** for Lot 5A2 (also in Section 30) of Block 2 of Rushmore Crossing, located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at Lot 5A2 Rushmore Crossing.

Scull stated that he would be abstaining from this item due to a conflict of interest and left the dais at this time.

Laroco presented the application and reviewed the associated slides. Laroco stated that staff recommends that the application for a **Final Planned Development Overlay to allow an on-sale liquor establishment in conjunction with a restaurant** be approved with stipulations.

Rolinger moved, Swank seconded and unanimously carried to approve the requested Final Planned Development with the following stipulations:

1. Prior to issuance of a building permit, all redline comments shall be addressed and all plans shall be returned to Community Planning and Development Services;
2. Prior to issuance of a building permit, revised plans shall be submitted providing all necessary storm water runoff and Stormceptor sizing calculations. In addition, plans shall be revised to show the water service layout complies with the requirements of the Infrastructure Design Criteria Manual and a Shut Off Valve Access

- Agreement shall be executed;
3. **All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) message centers are being approved as a part of this Final Planned Development. The inclusion or addition of any LED message centers shall require a Major Amendment to the Planned Development. A sign permit shall be obtained on each sign, and;**
 4. **This Final Planned Development shall allow for development of an on-sale liquor establishment in conjunction with a restaurant. All requirements of the General Commercial District shall be continually maintained unless specifically stipulated as a subsequent Major Amendment to the Planned Development. All uses permitted in the General Commercial District shall be permitted contingent upon provision of sufficient parking and an approved building permit. All conditional uses in the General Commercial District shall require a Major Amendment to the Planned Development. (7 to 0 to 1 with Braun, Brewer, Hoogestraat, Marchand, Rolinger, Schmidt and Swank voting yes and none voting no and Scull 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 Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

*10. No. 16PD020 - Buffalo Crossing

A request by KTM Design Solutions, Inc for SK East LLC to consider an application for an **Initial and Final Planned Development to allow townhomes and single family residences** for the unplatted balance of the S1/2 of the SE1/4 of the NW1/4; and the unplatted balance of the NE1/4 of the SW1/4 all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing the, more generally described as being located in the southeast corner of US Highway16 and Catron Boulevard.

Scull returned to the dais at this time.

Laroco presented the application and reviewed the associated slides noting that the proposed development is located on a ridge with steep slopes on three sides. Laroco noted that the applicant is requesting an Exception to reduce the minimum lot size for a townhome lot from 8,000 square feet to 7,417 feet and an Exception from 25 feet front yard setback to 18 feet to the garage and 15 feet to the residence. Laroco stated that staff supports approval of the Exceptions, with the exception of the request to reduce the front yard setback to the garage, based on the topographic restrictions and recommends that the **Initial and Final Planned Development to allow townhomes and single family residences** be approved with stipulations.

Fisher clarified that the reduction of setbacks on previous development where 18 feet setback in front of garages resulted in issues with vehicles overhanging the and blocking the sidewalks. She stated that the 15 foot setback in front of the residence does not create a problem; however, such a setback in front of the garage does not allow adequate space for a parking apron.

In response to a question from Brewer, Johnson reviewed the installation of the signal at the intersection of Healing Way and Catron Boulevard stating that that South Dakota Department of Transportation will be the division installing the signals. Johnson said that they have reviewed the traffic and the proposed improvements needed with future growth in the area.

Discussion followed regarding the reduced setbacks in front of garages.

Brewer moved to approve with amended stipulations that the setback to the residences be 15 feet and the setback to the garage be 20 feet, Marchand seconded.

Brewer moved, Marchand seconded and unanimously carried to approve the Final Planned Development should with the following stipulations:

- 1. If the Planning Commission determines that the requested Exception to reduce the required front yard setback on all lots is appropriate, then the Exception to reduce the required front yard setback from 25 feet to 15 feet to the residence and 20 feet to the garage for all townhome lots, and 20 feet to 15 feet to the residence and 18 feet to the garage for all single family residential lots is hereby granted;**
- 2. The Exception to reduce the required minimum lot size on a townhome lot from 8,000 square feet to 7,417 square feet is hereby granted for Lot 7 as shown on submitted plans;**
- 3. Prior to issuance of a building permit, the properties shall be platted to ensure access, fire protection, and utility services are being provided to each property, and;**
- 4. This Final Planned Development shall allow for development of townhomes and single family residences. All requirements of the Low Density Residential II District shall be continually maintained unless specifically stipulated as a part of this Final Planned Development or a subsequent Major Amendment to the Planned Development. All uses permitted in the Low Density Residential II District shall be permitted contingent upon provision of sufficient parking and an approved building permit. All conditional uses in the Low Density Residential II District shall require a Major Amendment to the Planned Development. (8 to 0 with Braun, Brewer, Hoogestraat, Marchand, Rolinger, Schmidt, Scull and Swank 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 Planning &

Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

11. No. 16VR004 - Nicholls Subdivision

A request by Warner Ghere to consider an application for a **Vacation of Right-of-Way** for vacation of a portion of East Meade Street Right-of-Way between an extension of the West line of Lot A of Lot 5 of Nicholls Subdivision and the extension of the East line of Lot A and Lot 4 of Nicholls Subdivision, located in the NE1/4 of the NE1/4 of Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of East St. Joseph and East Meade Street.

Lacock presented the application and reviewed the associated slides. Lacock stated that staff is not able to support this request as it will eliminate a potential access point. In addition, a public water main is located within the existing right-of-way and East Meade Street has been constructed east of this location. Lacock stated that staff recommends that the application be denied.

Rolinger moved, Swank seconded and unanimously carried to recommend that the Vacation of Right-of-Way be denied. (8 to 0 with Braun, Brewer, Hoogestraat, Marchand, Rolinger, Schmidt, Scull and Swank voting yes and none voting no)

12. Discussion Items

Fisher informed the Planning Commission that Kay Rippentrop has announced her resignation to the Planning Commission and thanked her for all her service.

13. Staff Items

14. Planning Commission Items

15. Committee Reports

- A. City Council Report (April 18, 2016)
The City Council concurred with the recommendations of the Planning Commission:
- B. Building Board of Appeals
- C. Capital Improvements Subcommittee
- D. Tax Increment Financing Committee

There being no further business, Scull moved, Marchand seconded and unanimously carried to adjourn the meeting at 7:24 a.m. (8 to 0 with Braun, Brewer, Hoogestraat, Marchand, Rolinger, Schmidt, Scull, and Swank voting yes and none voting no)