

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
June 25, 2020

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Eirik Heikes, John Herr, Galen Hoogestraat, Eric Ottenbacher, Mike Quasney, and Vince Vidal.

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

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

Braun called the meeting to order at 7:00 a.m.

**Braun reviewed the Consent Agenda and asked if any member of the Planning Commission, staff or audience would like any item removed from the Consent Agenda for individual consideration.**

**Ottenbacher requested Items 2, 3 and 4, Bulman requested Item 9 and Caesar requested Item 11 be removed from the Consent Agenda for separate consideration.**

**Motion by Bulman seconded by Caesar and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 11 in accordance with the staff recommendations with the exception of Items 2, 3, 4, 9 and 11. (9 to 0 with Braun, Bulman, Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, Quasney and Vidal voting yes and none voting no)**

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

1. Approval of the June 4, 2020 Planning Commission Meeting Minutes.

\*5. No. 20PD021 - Big Sky Business Park

A request by KTM Design Solutions, Inc for Dakota Heartland, Inc. to consider an application for a **Revocation of Planned Development Designation** for Lots 3B, 3C, 5 and 6 of Block 1 of Big Sky Business Park, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of the intersection of Timmons boulevard and Berniece Street.

**Planning Commission approved the Planned Development Designation Revocation.**

***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.***

\*6. No. 20PD022 - Big Sky Business Park

A request by KTM Design Solutions, Inc for Dakota Heartland, Inc. to consider an

application for a **Revocation of Planned Development Designation** for Lot 1B of Block 4 of Big Sky Business Park, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of the intersection of Timmons boulevard and Berniece Street.

**Planning Commission approved the Planned Development Designation Revocation.**

***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. 20PL040 - Cabot Subdivision

A request by Ferber Engineering Co., Inc for Wayne Hellman to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 1 and 2 of Cabot Subdivision, legally described as the NE1/4 of the SE1/4 of the SW1/4, less Tracts A and C and the SW1/4 of the SE1/4, less Tract A, less Lot H1 and less portion south of County Road, all located in Section 23, T2N, R7E, BHM, Pennington County, South Dakota, more generally described as being located north of the Cabot Hill Road terminus.

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

1. **Upon submittal of a Development Engineering Plan application, construction plans for Cabot Hill Road shall be submitted for review and approval. In particular, the construction plans shall show a turnaround at the end of Cabot Hill Road (County Section). In addition, that portion of Cabot Hill Road located on the subject property (private section) shall be widened and turnarounds provided every 600 feet pursuant to the Infrastructure Design Criteria Manual or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;**
2. **Upon submittal of a Development Engineering Plan application, construction plans shall be submitted showing the construction of a sidewalk along Cabot Hill Road, both County and private sections, or a Variance from the City Council shall be obtained to waive the requirement;**
3. **Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for all infrastructure elements per Section 1.15 of the Infrastructure Design Criteria Manual. In particular, the drainage report shall address ditch/culvert sizing of the private road widening and detention requirements. In addition, easements shall be provided as needed;**
4. **Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted**

- for review and approval;
  5. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all required improvements;
  6. Prior to submittal of a Final Plat application, the property shall be annexed into the City limits of Rapid City or an Exception shall be obtained to waive the requirement. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application. If the property is annexed into the City, all roadway and utility improvements shall be required per the Infrastructure Design Criteria Manual;
  7. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property;
  8. Prior to submittal of a Final Plat application, the property shall be rezoned with Pennington County to support the proposed lot size(s) or a Variance shall be obtained from Pennington County to reduce the required lot size requirement in the General Agriculture District;
  9. Prior to submittal of a Final Plat application, the plat document shall be revised to show the existing overhead electric line within a utility easement as required by Black Hills Energy;
  10. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, easements shall be dedicated as needed;
  11. Upon submittal of a Final Plat application, a road maintenance agreement shall be submitted for recording;
  12. Upon submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable;
  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.
8. No. 20OA003 - Ordinance Amendment to Recodify Establishment and Organization of the Historic Preservation Commission by Removing Section 17.54.010E and Adding Chapter 2.62 t o the Rapid City Municipal Code  
A request by City of Rapid City to consider an application for an **Ordinance Amendment to Recodify Establishment and Organization of the Historic Preservation Commission by Removing Section 17.54.010E and Adding Chapter 2.62 t o the Rapid City Municipal Code.**

**Planning Commission recommended approval of the Ordinance Amendment to Recodify Establishment and Organization of the Historic Preservation Commission by Removing Section 17.54.010E and Adding Chapter 2.62 t o the Rapid City Municipal Code.**

10. No. 20TP022 - Acknowledge the Sixth and Omaha Crossing Feasibility Study -

Draft Report.

**Planning Commission recommended acknowledging the Sixth and Omaha Crossing Feasibility Study - Draft Report.**

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

2. No. 20PL017 - Shepherd Hills Subdivision

A request by Dream Design International, Inc for Yasmeen Dream 111, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 24 thru 62 of Block 2, Lots 3 thru 7 of Block 5 and Lot 1 of Block 6 of Shepherd Hills Subdivision, legally described as a portion of the S1/2 of the NE1/4 less Menard Subdivision less North Valley Park Subdivision, a portion of the NW1/4 of the SE1/4 less Menard Subdivision, less Shepherd Hills Subdivision, and less right-of-way and a portion of the NE1/4 of the SE1/4 less Shepherd Hills Subdivision and less right-of-way, all located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the current terminus of Philadelphia Street.

Ottenbacher stated that he had numerous questions on the exceptions being requested, first regarding the proposed looping and tapping into the North Rapid pressure zone asking whether there was enough pressure for the entire area and if the method of looping was an approved method. Fisher clarified that there are no exceptions that have been requested, the items are currently stipulations of approval. Fisher deferred the technical questions to Todd Peckosh from Engineering Services.

Peckosh stated that the southeast portion of the project is served by the North Rapid Zone with the rest being served by the 12-inch low level water main with a zone separation valve will be placed to separate the two system, which is standard practice. Peckosh noted that the next step, the Engineering Development Plan application will demonstrate if there is enough pressure. In response to Ottenbacher's question whether the proposed looping method is an approved method, Peckosh stated that the method is just different type of looping. Peckosh stated that the Engineering Department will review based on their information and approve or deny the request it is not an automatic approval.

In response to Ottenbacher's statement that it appears the developer was requesting Exceptions to the 40 residential unit rule, Fisher stated that no Exceptions have been requested and further clarified that only City Council can grant Exceptions to the 40 unit rule. Fisher also stated that if an Exception was granted it would only be temporary since the Master Plan shows the second street connection in the future.

**Vidal moved, Heikes seconded and the Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations:**

1. **Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow 89 dwelling units with one point of access or the plat document shall be revised to provide a second street connection;**

- 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 pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. 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. Upon submittal of a Development Engineering Plan application, construction plans for Solomon Court and Aaron Court, local streets, shall be submitted for review and approval showing the streets located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb at the northern terminus of each street located in a minimum 118-foot diameter right-of-way and constructed with a minimum 96-foot diameter pavement or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;**
- 4. Upon submittal of a Development Engineering Plan application, construction plans for E. Philadelphia Street, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way with a minimum 34-foot wide paved surface and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;**
- 5. Upon submittal of a Development Engineering Plan application, 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. In addition, prior to approval of a Development Engineering Plan application, the conversion of the existing low level 12-inch water main to the North Rapid Pressure Zone shall be completed. An Exception shall also be obtained to allow a dead-end water main or the plans shall be revised to provide looping of the North Rapid system in compliance with the Infrastructure Design Criteria Manual. Easements shall also be provided as needed;**
- 6. 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. In addition, easements shall be provided as**

- needed;
7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, easements and conveyances shall be secured from this area to the proposed pond shown from Phase 1B or any other proposed off-site drainage system(s);
  8. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval for the required subdivision improvements;
  9. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
  10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  11. Prior to submittal of a Final Plat application, a Final Plat for the adjacent phase (Phase 1A) of the development shall be recorded securing access to the subject property or this portion of the E. Philadelphia Street right-of-way shall be included in the Final Plat application for the subject property;  
Prior to submittal of a Final Plat application, Rezone 20RZ023 to change the zoning designation on a portion of the property from General Agriculture District to Low Density Residential District II shall be approved by City Council;
  12. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;
  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. (9 to 0 with Braun, Bulman, Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, Quasney and Vidal voting yes and none voting no)

Braun stated that action on Items # 3 and # 4 would be taken together.

3. No. 20RZ031 - North Valley Park Subdivision  
A request by KTM Design Solutions, Inc for BH Capital 4, LLC to consider an application for a **Rezoning request from General Agricultural District to Light Industrial District** for a portion of the S1/2NE1/4 less Menard Subdivision less North Valley Park Subdivision, located in Section 32, Township 2 North, Range 8 East, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Northeast corner of the S1/2NE1/4 Less Menard

Subdivision Less North Valley Park Subdivision, in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; the point of beginning: Thence (1) North 88°02'12" West, 910.77 feet to a point of non-tangency; Thence (2) South 56°07'17" East, 428.39 feet to a point of non-tangency; Thence (3) South 88°02'48" East, 546.84 feet to a point of non-tangency; Thence (4) North 2°03'05" East, 66.45 feet to a point; Thence (5) North 2°02'07" East, 159.93 feet to the point of beginning, more generally described as being located southeast of the intersection of N. Creek Drive and Eglin Street.

4. No. 20PL033 - North Valley Park Subdivision

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for a **Preliminary Subdivision Plan** for Lot K and Lot A1 of North Valley Park Subdivision, legally described as a portion of Lot A of North Valley Park Subdivision, located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of N. Creek Drive and Eglin Street.

Ottenbacher asked about the rezoning of this property to Light Industrial District as that specific zoning district does not allow residential. Fisher explained that between the initial planning stage when zoning is projected for development and the final layout of the lots there are times when the exact lot lines and zoning areas do not match up and this is a correction of those areas. In response to a question from Ottenbacher regarding the potential change of the Light Industrial definition. Fisher clarified that there is no current intent to change the Light Industrial District to allow residential development. However, Fisher explained the associated Preliminary Subdivision Plan does call out the mixed uses of the property which include General Commercial lots, Light Industrial lots and a Residential lot.

**Vidal moved, Caesar seconded and the Planning Commission recommended approval of the Rezoning request from General Agricultural District to Light Industrial District, and;**

**The Planning Commission recommended approval of the Preliminary Subdivision Plan with the following stipulations:**

1. **Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual;**
2. **Upon submittal of a Development Engineering Plan application, construction plans for North Valley Drive, a collector street, shall be submitted for review and approval showing the street located in a minimum 68-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). A minimum 32-foot pavement width is required adjacent to commercial and/or industrial**

- properties. The pavement width shall widen to 34 feet at the southern limits of the project adjacent to residential uses to allow on-street parking. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
3. Upon submittal of a Development Engineering Plan application, the Traffic Impact Study shall be updated to address the proposed changes in land use;
  4. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, an Exception shall be obtained to allow a dead-end main or the plans shall be revised to provide looping of the North Rapid system in compliance with the Infrastructure Design Criteria Manual. Easements shall also be provided as needed;
  5. 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. In addition, easements shall be provided as needed;
  6. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. Major drainage easements and conveyances shall also be required to allow upstream future lots northeast of N. Valley Drive to drain to Pond S819;
  7. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval for the required subdivision improvements;
  8. Upon submittal of a Development Engineering Plan application, a geotechnical report shall be submitted for review and approval. The report shall specifically address the roadway embankment requirements with the significant fill associated with the roadway profile;
  9. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
  10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  11. Prior to submittal of a Final Plat application, requests for oversize costs shall be approved by the City Council;
  12. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any



**proposed drainage elements. In addition, Major Drainage Easements shall be dedicated for the proposed drainage improvements;**

- 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. (9 to 0 with Braun, Bulman, Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, Quasney and Vidal voting yes and none voting no)**

9. No. 20TP021 - Acknowledge the 2021-2024 Transportation Improvement Program - Draft Report.

Bulman asked about the anticipated timeline and final design for the Highway 16 and Catron Boulevard intersection. Harrington stated that the options are still being reviewed and he expects they will be presented most likely by virtual meeting by the State Department of Transportation sometime in July. Harrington stated that is anticipated for 2026 construction.

In response to Bulman's question on the reconstruction the intersection of 12<sup>th</sup> Street and South Street, Harrington said that the reconstruction of 12<sup>th</sup> Street from Fulton to St. Joseph Street is scheduled for 2020.

**Bulman moved, Vidal seconded and the Planning Commission recommended acknowledging the 2021-2024 Transportation Improvement Program - Draft Report. (9 to 0 with Braun, Bulman, Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, Quasney and Vidal voting yes and none voting no)**

11. No. 20TP023 - Acknowledge the Metropolitan Transportation Plan and Bicycle and Pedestrian Master Plan Update - Draft Report

Caesar stated that she would be recusing herself from the item due to a conflict of interest.

**Bulman moved, Vidal seconded and the Planning Commission recommended acknowledging the Metropolitan Transportation Plan and Bicycle and Pedestrian Master Plan Update - Draft Report. (9 to 0 with Braun, Bulman, Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, Quasney and Vidal voting yes and none voting no)**

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

- \*12. No. 20PD020 - Scotts Addition

A request by KTM Design Solutions, Inc and Discovery Village Apartments, LLLP to consider an application for an **Initial and Final Planned Development Overlay to allow an apartment building** for Lots 1 thru 7; the N1/2 vacated Nowlin Street adjacent to said Lot 7; the W1/2 vacated Gold Street adjacent to said Lots 1 thru 7; and Lot 15 of Block 14; Lot 1 thru 4; the S1/2 vacated Nowlin Street adjacent to said Lot 1; and the W1/2 vacated Gold Street adjacent to said Lot 1 thru 4 of Block 17, all located in Scotts Addition, Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east

of the intersection of Silver Street and Nowlin Street.

Green presented the application and reviewed the associated slides. Green noted that the project consist of 36 apartments within a single, three-story structure which will include affordable housing units. Green stated that the applicant is requesting an Exception to reduce the required off-street parking requirement from 81 spaces to 73 spaces noting that the proposed parking plan meets the SDHA parking standards for an affordable housing project and it is expected that the affordable housing aspect of the project will create a number of single-car families and as such staff supports the Exception request. Green stated that staff recommends approval of the Initial and Final Planned Development Overlay to allow an apartment building with stipulations.

In response to a question from Heikes on parking ratios used to calculate parking for this project, Green reviewed the parking requirement ratios, noting that within the M Hill Overlay District the parking requirement is higher than usual.

In response from a question from Bulman on neighborhood comments or opposition, Green said that staff had not received any. Bulman commented that in the past this neighborhood had been strongly opposed to additional apartments. Fisher confirmed Bulman's comment on previous neighborhood concerns, but noting that had been for development further south.

Quasney asked about increased traffic and potential signaling of the intersection. Fisher stated this project does not trigger a Traffic Impact Study. Harrington further explained that Anamosa is a minor arterial and anticipates high traffic and that the volume is being watched for future needs. Quasney stated he has a personal interest in the area and noted that with the recent redesign of the roads in this area traffic patterns and have changed and the possibly increased and believes more in-depth look at the traffic. Harrington stated that he would pass the request on to the Traffic Engineer.

**Heikes moved, Bulman seconded and the Planning Commission recommended approval of the Initial and Final Planned Development Overlay to allow an apartment complex with the following stipulations:**

- 1. An Exception is hereby granted to reduce the required off-street parking requirement from 81 spaces to 73 spaces;**
- 2. Prior to submittal of a Building Permit, the site plan shall be revised to address all redlined comments;**
- 3. Prior to submittal of a Building Permit, the site plan shall be revised to show a sidewalk constructed along the frontage of Lot 15, located across the alley adjacent to the development;**
- 4. Prior to submittal of a Building Permit, the site plan shall be revised to relocate the portion of the structure encroaching into the Major Drainage Easement or the easement shall be vacated;**
- 5. Prior to submittal of a Building Permit, the subject property shall be replatted into a single lot or a Developmental Lot Agreement shall be entered into and recorded;**
- 6. The Final Planned Development Overlay shall allow for a 36-unit apartment complex. Any change in use or expansion of use that is permitted in the Medium Density Residential District shall require a**

**Minimal Amendment to the Final Planned Development. Any change in use or expansion of use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Final Planned Development Overlay. . (9 to 0 with Braun, Bulman, Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, 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.***

13. No. 200A004 - Ordinance Amendment to revise the requirements for a Planned Development Overlay by Amending Section 17.50.050 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for an **Ordinance Amendment to revise the requirements for a Planned Development Overlay by Amending Section 17.50.050 of the Rapid City Municipal Code.**

Lacock reviewed the ordinance amendment noting that it is generally a cleanup of language with the specific change to clarify that a building permit can be issued for a single family dwelling on a single property, but multi-family, commercial and other development would still require the Final Planned Development to be approved.

Braun asked if there were examples where this had been an issue and Lacock reviewed instances where this had happened.

**Caesar moved, Vidal seconded and the Planning Commission recommended approval of the Ordinance Amendment to amend subsection 17.50.050 of the Rapid City Municipal Code to revise the requirements for a Planned Development Overlay. . (9 to 0 with Braun, Bulman, Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, Quasney and Vidal voting yes and none voting no)**

14. Discussion Items

15. Staff Items

Fisher stated that this is Hoogestraat's last meeting as he is stepping down from the Planning Commission. Fisher thanked Hoogestraat for his dedication and commitment saying that although their views did not always agree he was not afraid to challenge staff, but in a honest, respectful manner and she wished him well with his future plans.

Hoogestraat thanked staff for all the work they put into their reviews to make the items easy to understand and review and that he enjoyed his time on the Planning Commission.

16. Planning Commission Items

**There being no further business, Bulman moved, Caesar seconded and unanimously carried to adjourn the meeting at 7:32 a.m. (9 to 0 with Braun, Bulman,**

Planning Commission Minutes  
June 25, 2020

**Caesar, Heikes, Herr, Hoogestraat, Ottenbacher, Quasney and Vidal voting yes and none voting no)**