MEMBERS PRESENT: Erik Braun, Racheal Caesar, Mike Golliher, John Herr, Haven Stuck, Mike Quasney and Vince Vidal.

MEMBERS ABSENT: Kelly Arguello, Karen Bulman, Eirik Heikes and Eric Ottenbacher. Ron Wiefenbach, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Tanner Halonen, Marlo Kapsa, Kip Harrington, Sarah Hanzel, Chip Premus, John Olson, Todd Peckosh, Kinsley Groote and Andrea Wolff.

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

1. Approval of the March 10, 2022 Zoning Board of Adjustment Minutes

Caesar moved and Vidal seconded and the Zoning Board of Adjustment approved the March 10, 2022 Zoning Board of Adjustment Minutes. (7 to 0 with Braun, Caesar, Golliher, Herr, Quasney, Stuck and Vidal voting yes and none voting no)

2. No. 21VA010 - Deadwood Avenue Tract
A request by Matt Neibauer of Prairie Supply to consider an application for a Variance to reduce the side yard setback from 25 feet to 8 feet for Lot 6 of Tract E of Deadwood Avenue Tract, located in Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2801 Plant Street.

Hanzel explained that the applicant is working on alternative options and has requested that the application be continued to the May 26, 2022 Zoning Board of Adjustment.

Stuck moved and Caesar seconded and the Zoning Board of Adjustment continued the Variance to reduce the side yard setback from 25 feet to 8 feet to the May 26, 2022 Zoning Board of Adjustment Meeting. (7 to 0 with Braun, Caesar, Golliher, Herr, Quasney, Stuck and Vidal voting yes and none voting no)

3. Discussion Items
None

4. Staff Items
None

5. Zoning Board of Adjustment Items
None

There being no further business Caesar moved, Quasney seconded and unanimously carried to adjourn the meeting at 7:02 a.m. (7 to 0 with Braun, Caesar, Golliher, Herr, Quasney, Stuck and Vidal voting yes and none voting no)
MEMBERS PRESENT: Erik Braun, Rachael Caesar, Mike Golliher, John Herr, Mike Quasney, Haven Stuck and Vince Vidal.

MEMBERS ABSENT: Kelly Arguello, Karen Bulman, Eirik Heikes and Eric Ottenbacher. Ron Weifenbach, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Sarah Hanzel, Kip Harrington, Tanner Halonen, Marlo Kapsa, Chip Premus, John Olson, Todd Peckosh, Kinsley Groote and Andrea Wolff.

Braun called the meeting to order at 7:02 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 Golliher seconded by Vidal and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 8 in accordance with the staff recommendations. (7 to 0 with Braun, Caesar, Golliher, Herr, Quasney, Stuck and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the March 10, 2022 Planning Commission Meeting Minutes.

2. No. 22PL014 - Kateland Subdivision
   A request by Renner Associates, LLC for Bill Freytag to consider an application for a Preliminary Subdivision Plan for proposed Lots 6 thru 21 of Block 5, Lots 4 thru 23 of Block 7, Lots 1 thru 12 of Block 8 of Kateland Subdivision, legally described as a portion of the S1/2 of the SW1/4 of the SW1/4 of Section 13, less Kateland Subdivision, less right-of-way, located in Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of the current terminus of Country Road West.

Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations:
   1. Prior to submittal of a Development Engineering Plan application, street names for proposed Street A and Street B shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document and construction plans shall show the approved street names;
   2. Prior to submittal of a Development Engineering Plan application, the applicant shall secure written approval from the adjacent property owner concurring with the realignment of the collector street (Country Road West) as it abuts the property to the west of the subject property or the plat document shall be revised to show the street in alignment with the Major Street Plan or a Comprehensive Plan Amendment to the
Major Street plan shall be submitted for review and approval relocating the collector street as shown;

3. Prior to submittal of a Development Engineering Plan application, the horizontal alignment for Streets A and B shall be revised to meet City criteria or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

4. Upon submittal of a Development Engineering Plan application, redline comments from the Preliminary Subdivision Plan review shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;

5. Upon submittal of a Development Engineering Plan application, construction plans for Street A and Street B shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street and the permanent and temporary cul-de-sac(s) shall meet the design standards set forth in Table 2-4 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

6. Upon submittal of a Development Engineering Plan application, construction plans for Country Road West shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

7. Upon submittal of a Development Engineering Plan application, construction plans for the sewer main along Country Road West shall be submitted for review and approval showing sewer extended to the west lot line of the subject property or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application.

8. Upon submittal of a Development Engineering Plan application, construction plans for the water main in Country Road West shall be submitted for review and approval showing the extension of a 12-inch water main which currently exists along Country Road east of the subject property. In addition, if it is determined that the development requires a main less than 12-inches, the additional size is eligible for oversize reimbursement;

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 approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) 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;

12. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;

13. Prior to approval of the Development Engineering Plan application, a 404 Permit shall be obtained from the Corp of Engineers if it is determined one is needed;

14. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded. In addition, a copy of the recorded easements shall be submitted with the Development Engineering Plan application;

15. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements created with the proposed development. In addition, Major Drainage Easements shall be dedicated for all drainage improvements;

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.

3. No. 22PL015 - Rushmore Center
A request by KTM Design Solutions, Inc for Crossing Land Company to consider an application for a Preliminary Subdivision Plan for proposed Lots 3 and 4 of Tract B of Rushmore Center, legally described as Tract B Less Lots 1 and 2 of Rushmore Center, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northwest of the intersection of Luna Avenue and E. Anamosa Street.

Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations:
1. Upon submittal of a Final Plat application, the plat document shall show the required 4 feet of dedicated right-of-way for Luna Avenue along the entire eastern border of the property with an additional 5 feet of dedicated right-of-way within 200 feet of the intersection of Luna Avenue and East Anamosa Street; and,
2. Upon submittal of the Final Plat application, the plat document shall show all necessary easements.

4. No. 22RZ001 - Auburn Hills Subdivision
A request by Longbranch Civil Engineering, Inc for Doeck, LLC to consider an application for a Rezoning request from General Agricultural District to Low Density Residential District I for a portion of the SE ¼ of the NE ¼ of Section 14, T2N, R7E, B.H.M., Less Auburn Hills Subdivision, Located in the NE ¼ and in the
SE ¼ of, Section 14, T2N, R7E, B.H.M., Pennington County, South Dakota, more fully described as follows: Commencing at the northwesterly corner of Lot 1 of Block 10 of Auburn Hills Subdivision., and the point of beginning; Thence, S 75°22'27" W, a distance of 303.56 feet to a random point; Thence, S 89°58'42" W a distance of 137.07 feet to a random point; Thence, S 00°03'02" E a distance of 31.29 feet to a random point; Thence, N 89°56'58" E a distance of 137.07 feet to a random point; Thence, N 00°03'02" W, a distance of 31.22 feet; The
once, N 75°22'27" E, a distance of 303.56 feet to the southwesterly corner of Lot 1 of Block 10 of Auburn Hills Subdivision, and the point of beginning, more generally described as being located southwest of existing terminus of Cobalt Drive.

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

5. No. 22RZ002 - Auburn Hills Subdivision
A request by Longbranch Civil Engineering, Inc for Doeck, LLC to consider an application for a Rezoning request from General Agricultural District to Low Density Residential District I for a portion of the SE ¼ of the NE ¼ of Section 14, T2N, R7E, B.H.M., Less Auburn Hills Subdivision, Located in the NE ¼ and in the SE ¼ of, Section 14, T2N, R7E, B.H.M., Pennington County, South Dakota, more fully described as follows: Commencing at the northwesterly corner of the SE ¼ of the NE ¼ of Section 14, T2N R7E, B.H.M., Less Auburn Hills Subdivision and the point of beginning; Thence, S 00°01'17" E, a distance of 628.87 feet to a random point; Thence, N 89°54'38" E a distance of 135.00 feet to a random point; Thence, S 00°03'02" E a distance of 15.67 feet to a random point; Thence, S 89°56'58" W a distance of 135.43 feet to a random point; Thence, N 00°01'17" W, a distance of 15.67 feet; Thence, N 00°01'17" W, a distance of 628.87 feet to the northwesterly corner of the SE ¼ of the NE ¼ of Section 14, T2N R7E, B.H.M., Less Auburn Hills Subdivision and the point of beginning, more generally described as being located southwest of the existing terminus of Cobalt Drive.

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

*6. No. 22PD010 - Rainbow Addition and South Boulevard Addition
A request by KTM Design Solutions, Inc for Dakota Title, LLC to consider an application for a Final Planned Development Overlay to allow a title agency for Lots 1 thru 5 of Block 1 of Rainbow Addition, less Lots H1 of said Lots 1 thru 5 of Block 1 of Rainbow Addition and Lots 15 and 16 of Block 16 of South Boulevard Addition, all located in Sections 11 and 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2202 and 2208 Mt. Rushmore Road.

Planning Commission approved the Final Planned Development Overlay to allow a title agency with the following stipulations:
1. Prior to issuance of a building permit, a Development Lot Agreement shall be entered into to allow the four lots to be developed as one property;
2. A minimum of 27 parking spaces shall be provided with two of the spaces being ADA accessible. In addition, one of the accessible spaces must be “van” accessible. All parking shall be designed in compliance
with the City's Parking Regulations;

3. A minimum of 18,862 landscaping point shall be provided. All landscaping shall be designed in compliance with the City's Landscaping Regulations;

4. All signage shall meet the requirements of the Rapid City Sign Code. A Sign Permit is required for any new signs; and,

5. The Final Planned Development Overlay shall allow for a title agency to be constructed on the subject property. Any expansion or change in use that is permitted in the General Commercial District and meets the requirements of the Rapid City Municipal Code shall require the review and approval of a Building Permit. Conditional Uses shall require the review and approval of a Major Amendment to the Planned Development Overlay.

_The Rapid City Planning Commission’s action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals must be submitted in writing to the Department of Community Development by close of business on the seventh full calendar day following action by the Planning Commission._

7. No. 22VR001 - Section 30, T2N, R8E
A request by Renner Associates, LLC for Shiny and Dry Rapid City Eglin, LLC to consider an application for a Vacation of Right-of-Way for all of Luna Avenue and Spruce Street right-of-ways lying adjacent to Lots L, M and adjacent alley of the NW1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located between 716 Eglin Street and 1630 Pine Street.

Planning Commission recommended approval of the Vacation of Right-of-Way.

8. No. 22VR002 - Section 30, T2N, R8E
A request by Renner Associates, LLC for Shiny and Dry Rapid City Eglin, LLC to consider an application for a Vacation of Right-of-Way for portion of alley right-of-way lying adjacent to Lot L and Lot M of the NW1/4 of the SW1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located between 716 Eglin Street and 1630 Pine Street.

Planning Commission recommended approval of the Vacation of Right-of-Way.

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

*9. No. 22PD009 - Rushmore Mall Addition
A request by Breawna Nylen to consider an application for a Major Amendment to a Planned Development Overlay to allow a cirque show as an extended temporary use for Tract A and B of Lot 2 of Rushmore Mall Addition, located in Section 25, T2N, R7E and Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2200 N.
Halonen presented the application and reviewed the associated slides. Halonen stated that the proposed operation plan is to run from June through August and an Exception to allow a 50-foot high structure in lieu of a maximum 35-foot high structure for the temporary support towers for the tent is being requested. Halonen noted that the stipulations defines the limit of operation to 3 months and change of use or expansion of use permitted in the Community Shopping Center-2 District and meets the requirements of the RCMC shall require the review and approval of a Temporary Use Permit. Any increase in the three-month time limit of the temporary event or change in operation of the event shall require a Major Amendment to the Planned Development Overlay. Halonen stated that staff recommends approval of the Major Amendment to a Planned Development Overlay to allow a cirque show as an extended temporary use with the stipulations outlined in the Project Report.

In response to a question from Braun whether the City has a Temporary Use Permit application, Fisher confirmed that it is an existing option and although other temporary uses have been approved for the parking lot, this is a use that is approved in a different area and would be allowed through a Temporary Use Permit. Fisher noted that the Conditional Use Permit allows the use each year without the need to secure additional approval from the Planning Commission.

Quasney noted his concerns regarding parking issues. Fisher stated that staff believes that parking is not anticipated to be an issue, agreeing that parking does overflow from other uses at times, but noted there is parking in other parking lots on the property.

In response to a question from Quasney on how issues will be tracked, Fisher stated that if staff is made aware of issues, it will initiate a review. Quasney stated that he is still worried that parking may be an issue and hopes that steps are being taken to make sure it does not become a conflict with mall uses.

In response to a question from Vidal regarding duration and if that it is to a specific timeframe, Halonen stated the timeframe is from June to August. Halonen reviewed some of the events they have held previously. Fisher stated any changes would require review.

In response to a question from Stuck on use and change of use, Fisher stated the use is circus type show and if that changes it would generate review by the Planning Commission. Fisher spoke to the applicant’s history noting that their tents are inspected by the Fire Department to ensure safety. In response to Stuck’s question if the applicant could lease out the tent, Fisher stated that the use is specific to the applicant.

Caesar stated that she is excited to see new life and use of Uptown Rapid and is glad to see that the Planning Department is working with them to approve reuse options.

In response to a question from Braun as to the safety of structure, noting it is a large ten in a high wind area, Fisher stated that structure stability and safety is
ensured by engineers and fire department.

In response to questions from Herr, Halonen stated no animals are anticipated and that the total area of use is 200 feet diameter including tent, towers and cording required for set up.

Caesar moved and Gollier seconded and the Planning Commission approved the Major Amendment to a Planned Development to allow a cirque show as an extended temporary use on an annual basis with the following stipulations:

1. An Exception is hereby granted to allow a 50-foot high structure in lieu of a maximum 35-foot high structure for the temporary support towers for the tent;
2. An emergency evacuation plan and arrangements for restrooms and accessible restroom facilities shall be submitted upon submittal of a Temporary Use Permit;
3. A Temporary Use Permit shall be obtained for each annual event and shall be limited to three months per year;
4. The Major Amendment to the Planned Development shall allow for a cirque show as an extended temporary use on an annual basis. Any change of use or expansion of use permitted in the Community Shopping Center-2 District and meets the requirements of the RCMC shall require the review and approval of a Temporary Use Permit. Any increase in the three-month time limit of the temporary event or change in operation of the event shall require a Major Amendment to the Planned Development Overlay. (7 to 0 with Arguello, Braun, Caesar, Golliher, Herr, Quasney Stuck 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. No. 21PD047 - Section 9, T1N, R8E
A request by Joseph Mailander of Clearwell Engineering for SDRC Terra Kennedy MHP 2, LLC to consider an application for an Initial Planned Development Overlay to allow the expansion of an existing mobile home park for Lot 3A of Lot 3 of the SW1/4 of the NW1/4 and the balance of Lot 3 of the SW1/4 of the NW1/4, located in Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2412 S. Valley Drive.

Hanzel reviewed the application stating this item was heard on January 27, 2022 and was continued to allow the applicant to address the concerns discussed at that meeting by the Planning Commission, to review and modify their plan, to hold a neighborhood meeting and to allow staff to review those proposed changes. Hanzel reviewed the current site noting that many hold non-conforming status and will continue to maintain that status until changes to these units are made which will create the need to come into compliance. She noted that the area is identified as Urban Neighborhood on the Future Land Use Plan which encourages diversity of residential uses and that this segment of South Valley Drive is not in the city limits.
and is maintained by Pennington County. Hanzel reviewed some of the concerns from the previous meeting including the condition of Garden Lane and concern regarding access and traffic on South Valley Drive, floodplain, drainage and density of the development as well as neighborhood disturbances. Hanzel noted the access from South Valley Drive has been removed and that the applicant has provided a trip generation report that identified less than 40 peak-hour trips per day. Hanzel noted that floodplain information was reviewed to be allowed to build in the floodplain and some of the requirements to obtain a Floodplain Development Permit which includes permanent foundations 1 foot above base flood elevation and to anchor the structures to those foundations to reduce collapse or floatation risks. Hanzel noted the revised plans show that the number of units has been reduced from 45 to 42 and that they exceed the lot size required, that screening fencing and landscaping are being provided along with the paved access road. Hanzel stated that utilities are under Rapid Valley Sanitary District who will work in coordination with Rapid City for the design of the engineering plans and will be part of the Final Planned Development. Hanzel stated that staff is recommending the Initial Planned Development Overlay to allow the expansion of an existing mobile home park be approved with the stipulations outlined in the Project Report.

Fisher noted that there is a representative from the Police Department is available for questions.

In response to a question from Braun whether the private drive access is separate or shared with the units located to the south of the property, Fisher clarified that that it is not shared.

In response to a questions from Stuck regarding access for the number of units, Fisher clarified that with 6 units taking access from South Valley Drive only 36 units take access from the single access bring it below the 40 unit restriction.

In response to a question from Stuck regarding plans for improvement of existing structures, Hanzel stated that is not currently planned, but as they do reach the age of replacement they will need to meet current requirements.

In response to a question from Quasney regarding existing units, Chip Premus of the Rapid City Fire Department, stated they do inspect existing units in all trailer parks and that units should have tie downs to meet requirements and they will work with the park to ensure this is being done.

Cody Champion, 2734 Garden Lane, spoke of the 1972 Flood, the impact it left on the city and how areas such as these in the City were cleared and made greenway to avoid such events being repeated. Champion stated that had this park been in the city at that time rather than the county it would have been cleared also and worries for the expansion in this area

Joe Mailander, Engineer for Clearwell, PLLC, spoke to the increase of 27 new homes and reviewed the layout and development including the setback and lot sizes, roadway and parking stating that all meet or exceed City requirements. Mailander reviewed the trip generator results that show less than 40 trips per day and noted that the revised plan removes any new access to public streets with access being taken from the private loop street with parking provided for each lot.
as well as guest parking. Mailander reviewed landscaping plans, privacy fencing and proposed park area and that new utilities and drainage will be designed to standards. Mailander thanked staff for working with them on this project and hopes that the revised plans show that they have worked to address the concerns presented by the Planning Commission and neighbors.

Steven Klotz, 2726 Garden Lane, stated he lives directly across the street from development and spoke of the effect the development will have on the property values and the quality of life. Klotz fears that Impact will make bad neighbors as they are not local and will not feel the effect created by the development.

Jay Schmit, 2333 South Valley Drive, spoke to his concerns regarding the development specifically the 265 call for service for law enforcement in 2021 for existing units and wonders what adding additional units will bring. Schmidt asked why they do not clean up exiting issues before creating new.

Dottie Kruthoff, 2403 South Valley Drive, spoke to the security issues and her interaction with law enforcement and the improvements that have been made to date, but feels there could be more done. Kruthoff stated that the applicants should clean up the existing park before they add new development.

Pat Jones, 219 Cleveland Street, Ward 1 Councilman which this property falls into, spoke to the concerns he has heard from his constituents. Jones stated that he had met with Todd Berget, Vice President of Impact Communities. Jones spoke to his question on ownership and who is accountable and he feels the information he has received has been inconsistent. Jones discussed the community meeting stating that it was confrontational and nonproductive. Jones spoke to the affordable housing identification of the project but that with both housing and lot costs exceed $1,000 to 1,200, which is he does not consider affordable housing. Jones discussed the layers of ownership from owner to management company make it hard and that he feels the people in the area have not been treated fairly as a whole and this is another example of such treatment. Jones stated that he will not support this when it is appealed to the City Council as he expects it to be.

Bob Warax, 295 Country Road, stated that his father in-law lives in the area and has no concerns regarding the development but has been disturbed by others who are. Warax agrees there are a few bad apples, but he feels the overall opinion that mobile homes and their residents are bad people is offensive.

Todd Berget, Impact employee, spoke to the fact that all people should be allowed to buy their own home and this is what they are trying to achieve. Berget spoke to ownership stating it is owned by an LLC set up for liability security and that the ownership is clearly defined from owner to management company. Berget spoke to the cost of the housing including the lot and house stating that each instance is different with some owning the unit and leasing the lot and other financing the unit and the lot and that they are working to provide options.

Demoine Whitworth, Impact Communities, spoke to the relationship between Terra Kennedy and Impact Communities explaining that they work for the owner as a contracted entity as a management company. Whitworth spoke to the community meeting stating that they had wanted input from the neighbors’ not actual solutions.
Whitworth spoke to the identification of affordable housing, which is not low income housing, that they are separate levels and that Impact Communities work towards home ownership rather than rental.

Vidal spoke to his interaction with manufactured homes business and that they are homes and need to be considered as such.

In response to Vidal’s request to hear from the Police Department representative, Captain John Olson, of the Rapid City Police Department, thanked the people for their speaking to their concerns. Olson reviewed that the calls pulled were only for the park and not surrounding properties and those calls totaled 17 calls which included civil calls, medical, warrant apprehension, accidents and at least one mental health calls among them. Olson stated that they respond at the best response time possible and if there are issues he wanted to be made aware and would be welcome to meet with the neighborhood and acknowledged there have been growing pains with taking over the area from the County.

In response to a question from Quasney regarding comparison of this area to other areas, Olson said this area is not on the radar as an area of issue not that things do not happen it just is not identified as a high issue area.

Vidal spoke to Jones’ concern with who is involved, the effect of the 1972 Flood and the stipulations that address development of the land in the floodplain.

Todd Peckosh, Engineering Services, stated that the Floodplain Manager has been working with this development to ensure that the Floodplain Permit is obtained, further explaining that that is part of the building permit and is not required at this point. Peckosh also explained that this property is not in the Floodway where no development is allowed, but in the Floodplain. Fisher reviewed the differences and how the City staffs work to ensure that floodplain requirements are met.

Caesar spoke to homeowners and mobile home owners all being accepted as homeowners.

In response to a question from Caesar about the change to requirements for development in the floodplain and mobile homes over the last 50 years, Peckosh stated that he understands many mobile homes were located along the creek prior to the flood, in what is now greenway which is floodway. Peckosh stated that properties now built in the floodplain must have the finished floor 1 foot above the base flood elevation. Fisher stated that she does not know the exact changes, but that based on FEMA’s review many changes have been made to help prevent such an event happening again.

In response to a question from Caesar if there difference between stick built and mobile home requirements, Peckosh stated that he wasn’t sure but that the 1 foot above base flood elevation is required for both and lack of such would require flood insurance.

Stuck stated that he understands the concerns the neighborhood has but that many of them are outside of the Planning Commissions scope of authority. He is concerned about the floodplain issue and asked what other use would be possible
based on the zoning. Fisher stated that the zoning of the area would allow for single homes or apartment development, which would be higher density use than the proposed development based on the area available for development.

**Weifenbach entered the meeting at this time.**

Quasney spoke to accountability and the need to protect the flood areas and that responsible development can be a good thing and we can’t prevent disaster but we can plan responsibly. In response from Quasney regarding when the existing structures being brought into conformance, Fisher reviewed current non-conforming structures in the city stating that they would be required to meet current requirements when their use needed to be updated or replaced noting that mobile homes have shorter live spans than brick and mortar houses.

Chip Premus of the Rapid City Fire Department, stated that they have worked with Impact Communities in the management of this and other parks stating that they have made improvements and corrected the violations that were identified during inspections. Premus also stated that they know who to contact with issues and that the Fire Department would be happy to assist.

Stuck stated that he feels that as long as the development meets requirements it is not the Planning Commissions place to impose their personal preferences.

In response to a question from Quasney about fence’s location to the road, Hanzel reviewed where the fence would be located and Fisher clarified the fence along Garden Lane will be 10 feet back from the road. Fisher reviewed that the access for the mobile homes located to south is taken from South Valley Drive and that there is actually an existing fence between the properties now so there is no loss of access.

**Caesar moved, Vidal seconded and the Planning Commission unanimously carried to continue the meeting past 9:00 a.m. (7 to 0 with Arguello, Braun, Caesar, Golliher, Herr, Quasney Stuck and Vidal voting yes and none voting no)**

In response to a request from Caesar for Impact Communities to provide information on local contact, Michelle Gomez, District Manager for Impact Communities, addressed the structure of Impact Communities and introduced Dave Reynolds who is the main boss, Todd Berget, who is Vice President of Impact Communities, Demoine Whitworth of Impact Communities and herself Michel Gomez who is Regional Manager stating that they are all located out of the local area. Gomez then introduced the local team including Janine Mascovich who is the Manager of this park and Amanda Goodmenson who is the Community Manager of Silverleaf Park, which is another of the parks they own in the city. Gomez introduced the local managers of another park managed by Impact Communities in Rapid City stating and that they also have four maintenance men who live in town, so they do have local representation as well as of those that are out of state. She spoke to their interaction with the Fire Department and other divisions they have worked closely with to address issues and that they will continue to do so as they do care on a local level.
Fisher reviewed that this is an Initial Planned Development not a Final Planned Development and the Final is where the requirement for the design for sewer and water, drainage, fencing and other detailed information is provided. Fisher advised that a thorough business plan be included in that Final Planned Development application should it make it to that point.

Quasney stated that it is important for the community to stay involved and he thanked everyone for the input from everyone involved.

Jay Schmit spoke again to his concerns with the area including traffic, street conditions, the non-support from the surrounding neighbors and the desire to have the area cleaned up prior to additional development.

Braun stated that he understand the concerns that have been presented, noting that there are numerous areas where development of a single property effects the regional areas and although they understand they are issues separate from Planning Commission controls.

In response from Stuck regarding an appeal, Fisher stated that should this be appealed it will be heard at Council in approximately a month to allow for publication and notification requirement to be met and should the Council uphold the approval this would come back with the Final Planned Development application, however, should the Council agree with the appeal the applicant would have to start over with a new application.

In response to a question from Klotz on ownership of Terra Kennedy, Hanzel reviewed staff procedure for taking in an application including identifying ownership of the property and that review showed ownership of the property as being SD Terra Kennedy, MHP and the authorized agent for that entity being the signator on file.

Vidal moved and Golliher seconded and the Planning Commission approved the Initial Planned Development Overlay with the following stipulations:
1. A Final Planned Development shall be obtained prior to issuance of a building permit;
2. Upon submittal of a Final Planned Development Overlay application, utility plans shall be submitted for review and approval by the Rapid Valley Sanitary District;
3. The applicant shall obtain a building permit prior to placement of any mobile homes. The Park Manager shall provide a site plan for every mobile home install and permitted structures showing clearances pursuant to Rapid City Municipal Code 15.48. In addition, the Park Manager shall provide a letter stating they approve of mobile home installs and any other structures requiring permits such as decks, carports, and deck covers;
4. Upon submittal of a building permit, a drainage report prepared by a professional engineer shall be provided for review and approval;
5. A Floodplain Development Permit shall be obtained prior to issuance of a building permit;
6. The proposed Action Plan shall be implemented and complaints addressed in a timely manner;
7. All applicable provisions of the adopted International Fire Code shall continually be met;
8. All provisions of the Medium Density Residential District and Chapter 15.48 of the Rapid City Municipal Code shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay or a subsequent Final Planned Development Overlay;
9. An approach permit shall be obtained from the Pennington County Highway Department for any additional access points along S. Valley Drive;
10. An Air Quality Permit shall be obtained prior to disturbance of 1 acre or more of soil;
11. Prior to submittal of Final Planned Development Overlay application, the applicant shall submit all documentation related to the private road on the south lot line of the subject property.
12. All signage shall meet the requirements of the Rapid City Sign Code. Any proposed electronic or Light Emitting Diode (LED) signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for any new signs; and,
13. The Initial Planned Development shall allow for up to 42 mobile home spaces in accordance with the site plan submitted. Any expansion beyond 42 mobile home spaces shall require the review and approval of a Major Amendment to the Planned Development Overlay. Any change in use that is a permitted use in the Medium Density Residential District shall require a building permit. Any change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Planned Development. (7 to 0 with Arguello, Braun, Caesar, Golliher, Herr, Quasney Stuck 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.

11. Discussion Items
   None
12. Staff Items
   None
13. Planning Commission Items
   None

There being no further business, Herr moved, Quaseney seconded and unanimously carried to adjourn the meeting at 9:14 a.m. (7 to 0 with Arguello, Braun, Caesar, Golliher, Herr, Quasney Stuck and Vidal voting yes and none voting no)