

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
September 21, 2023

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Alicia Ginsberg, Mike Gollither, Brook Kaufman, Mike Quasney, Haven Stuck and Vince Vidal. Jesse Ham, Council Liaison was also present.

MEMBERS ABSENT: Eirik Heikes and John Herr.

STAFF PRESENT: Vicki Fisher, Kip Harrington, Tanner Halonen, Alex Osborne, Jonathan Howard, Chip Premus, Roger Hall, Kinsley Groote 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.

Staff requested that Items 3 and 8 be removed from the Consent Agenda for separate consideration.

Motion by Vidal seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 8 in accordance with the staff recommendations with the exception of Items 3 and 8. (9 to 0 with Arguello, Braun, Bulman, Ginsberg, Gollither, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the September 7, 2023 Planning Commission Meeting Minutes.
2. No. 23PL056 - Strato Rim Estates Subdivision
A request by Davis Engineering, Inc for Adam and Sharon Weaver to consider an application for a **Preliminary Subdivision Plan** for proposed Lots A and B of Lot 4 of Strato Rim Estates, legally described as Lot 4 of Strato Rim Estates Subdivision located in the SE1/4 of the SW1/4 of Section 7, T1S, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of Aeronauts Way and Strato Rim Drive.

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

1. **Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.070 of the Rapid City Municipal Code;**
2. **Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;**
3. **Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and**

pavement) shall be submitted for review and approval as per §1.15 of 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;

4. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval to:
 - Construct a water main in Strato Rim Drive or the criteria for obtaining an Exception shall be met; and,
 - Construct property line sidewalks along the portion of Strato Rim Drive adjacent to the proposed lots or a Variance shall be obtained from City Council.

If an Exception and/or a Variance is obtained a copy of the approved document(s) shall be submitted with the Development Engineering Plan application;

5. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to County Ordinance 14 for an Easement Road shall be submitted for review and approval for Aeronauts Way or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
6. Upon the submittal of a Development Engineering Plan application, the site plan shall be revised to identify the water supply to the proposed lots;
7. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
8. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
9. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured if necessary;
10. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
11. Prior to the approval of a Development Engineering Plan application, all permits required by Pennington County shall be obtained;
12. Upon the submittal of a Final Plat application, Covenant Agreements shall be entered into with the City to ensure:
 - The installation of fire suppression systems in any new residential structures. The system design and installation shall meet the system requirements of the National Fire Protection Act 13, 13R, and 13D as applicable; and,
 - That exterior building construction materials, building separations, and landscaping provisions are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative.

A copy of the executed agreements shall be submitted with the Final Plat application;

13. Upon the submittal of a Final Plat application, the legal description shall be revised on the plat document to read 'Lot A & Lot B of Lot 4' rather than 'Lot A & Lot B and Lot 4' and 'SW¹/₄ of SW¹/₄' rather than 'SE¹/₄ of SW¹/₄';
14. Upon the submittal of a Final Plat application, the street prefix on the plat

document shall be revised to read 'Aeronauts Way' rather than 'Areonauts Way';

15. Upon the submittal of a Final Plat application, the Tax ID and Parcel ID shall be removed from the plat document;
16. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary; and,
17. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required.

4. No. 23PL080 - Century Park Subdivision

A request by Towey Design Group for Dale Schmidt to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 24 and Lots 3 thru 21 of Block 8 and dedicated right-of-way of Shepherd Hills South Subdivision, Lot 4 of Block 2 of Century Park Subdivision, legally described as Lot 4 of Block 2 of Century Park Subdivision, located in Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1720 Samco Road.

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

1. Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.070 of the Rapid City Municipal Code;
2. Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;
3. Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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;
4. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for an Industrial Street shall be submitted for review and approval for the proposed Access and Utility Easement, or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
5. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval which identify sidewalk improvements along proposed Lot 4A or a Variance shall be obtained from City Council. If a Variance is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
6. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval which identify an eight-inch water and sewer service in the Access and Utility Easement or the criteria for obtaining an Exception shall be met. If an

Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;

7. Upon the submittal of a Development Engineering Plan application, the plat document shall be revised to identify a direct water and sewer service to the proposed lots or the criteria for obtaining an Exception shall be met to allow non-conforming service lines. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
 8. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 9. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
 10. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
 11. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
 12. Upon the submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City for the maintenance of the proposed water and sewer service if an Exception is obtained to allow non-conforming service lines;
 13. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary; and,
 14. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required.
5. No. 23PL081 - Shepherd Hills South Subdivision
A request by KTM Design Solutions, Inc for Yasmeeen Dream LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 2R and Lots 3 thru 21 of Block 8 and dedicated right-of-way of Shepherd Hills South Subdivision, legally described as Lot 2 of Block 8 of Shepherd Hills South Subdivision, Section 32, T2N, R8E, Rapid City, Pennington County, South Dakota, more generally described as being located at 2042 E. Anamosa Street.

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

1. Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.070 of the Rapid City Municipal Code;
2. Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;
3. Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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 the submittal of a Development Engineering Plan application,

construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Local Street shall be submitted for review and approval for proposed Mickelson Court or the criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

4. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
5. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
6. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
7. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
8. Prior to the submittal of a Final Plat application, the street prefix on the plat document shall be revised to read 'North Mickelson Drive' rather than 'Mickelson Court';
9. Upon the submittal of a Final Plat application, the plat document shall dedicate 52 feet of right-of-way for proposed Mickelson Court and dedicate 62 feet of right-of-way for the first 200 feet from East Anamosa Street unless an Exception has been obtained to waive this requirement;
10. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary; and,
11. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required.

6. No. 23PL082 - Shepherd Hills West Subdivision

A request by KTM Design Solutions, Inc for Villa Village Mobile Home Park, LLC for Villa Village Mobile Home Park, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 2 of Block 2 of Shepherd West Subdivision, legally described as the SW1/4 of the SE1/4 of the SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 390 Creek Drive e.

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

1. Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.040 of the Rapid City Municipal Code;
2. Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;
3. Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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 the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Minor Arterial Street shall be submitted for review and approval for the extension of Creek Drive, or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
 4. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for a permanent turnaround at the eastern terminus of Viewfield Avenue or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
 5. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 6. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
 7. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
 8. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
 9. Prior to the submittal of a Final Plat application the southwestern garage shall either be removed or relocated outside of required Creek Drive right-of-way unless an Exception is obtained to waive the dedication of right-of-way. If the garage is removed, a copy of the Demolition Permit shall be submitted with the Final Plat application;
 10. Upon the submittal of a Final Plat application, the plat document shall dedicate 50 feet of right-of-way for Creek Drive unless an Exception has been obtained to waive this requirement;
 11. Upon the submittal of a Final Plat application, the plat document shall dedicate 26 feet of right-of-way for Viewfield Avenue and dedicate 31 feet of right-of-way for the first 200 feet from Creek Drive unless an Exception has been obtained to waive this requirement;
 12. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary;
 13. Upon the submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City for the maintenance and ownership of any proposed drainage elements;
 14. Upon the submittal of a Final Plat application, a Major Drainage Easement shall be dedicated for all drainage improvements; and,
 15. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required.
7. No. 23RZ017 - Shepherd Hills West Subdivision
A request by KTM Design Solutions, Inc for Villa Village Mobile Home Park, LLC to consider an application for a **Rezoning request from General Commercial District to Mobile Home Residential District** for the SW1/4 of the SE1/4 of the SW1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 390 Creek Drive.

Planning Commission recommended approval of the Rezoning request from General Commercial District to Mobile Home Residential District.

---END OF CONSENT CALENDAR---

3. No. 23PL069 - Ennen Subdivision

A request by Towey Design Group for Rob Poepel to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 thru 5 of Block 1, Lots 1 thru 18 of Block 2, Lots 1 thru 26 of Block 3, Lot 1 thru 35 of Block 4, Lots 1 thru 37 of Block 5, Lot 1 thru 21 of Block 6, Lots 1 thru 15 of Block 7 and Drainage Lot of Block 5 and Drainage Lot 2 of Block 6 of Ennen Subdivision, , legally described as Government Lot 4 less Meadow Ridge Subdivision, located n Section 2, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of Reservoir Road North of Bridge Drive.

Stuck requested additional information on access, road improvements and the tiny home lots. Fisher reviewed the plating process explaining how improvements to Reservoir Road would be addressed through that process and that the smaller sized lots are designed for tiny homes. Fisher reviewed the smaller sized lots may require a Planned Development Overlay that will allow for the need for open space, and setbacks and lot coverage to be addressed.

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

1. **Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.040 of the Rapid City Municipal Code;**
2. **Prior to the submittal of a Development Engineering Plan application, a Traffic Impact Study shall be submitted for review and approval or the criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;**
3. **Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;**
4. **Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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;**
5. **Upon the submittal of a Development Engineering Plan application, the plat document shall be revised to identify visitor parking pursuant to §2.15.1 of the Infrastructure Design Criteria Manual, or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;**
6. **Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Principal Arterial Street shall be submitted for review**

and approval for the portion of East Anamosa Street adjacent to the proposed lots or the criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;

7. Upon the submittal of a Development Engineering Plan application:
 - Construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Principal Arterial Street shall be submitted for review and approval for the portion of Reservoir Road adjacent to the proposed lots or the criteria for obtaining an Exception shall be met; and,
 - The plat document shall identify an additional 10 feet of right-of-way for 200 linear feet from Reservoir Road on Overpass Drive or the criteria for obtaining an Exception shall be met.

If Exceptions are obtained a copy of the approved documents shall be submitted with the Development Engineering Plan application;

8. Upon the submittal of a Development Engineering Plan application:
 - Construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Local Street shall be submitted for review and approval for Bond, Bridge, Crystalline, Ennen, Overpass, and Paragon Drive, or the criteria for obtaining an Exception shall be met; and,
 - The plat document shall be revised to identify turnarounds at the eastern terminus of Bridge Drive and at the northern and southern terminus of Paragon Drive, or the criteria for obtaining an Exception shall be met.

If Exceptions are obtained, a copy of the approved documents shall be submitted with the Development Engineering Plan application;

9. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval identifying the construction of water and sewer to Rapid Valley Sanitary District criteria. The water main along Reservoir Road shall be improved along the proposed development from Crystal Mountain Street to the future East Anamosa Street intersection;
10. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
11. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
12. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
13. Prior to the approval of a Development Engineering Plan application, a Pennington County Construction / Stormwater Permit shall be obtained if the property has yet to be annexed into the City limits of Rapid City;
14. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
15. Prior to the submittal of a Final Plat application, the property shall be annexed into the City limits of Rapid City;
16. Prior to the submittal of a Final Plat application, the property shall be rezoned from No Use District to a zoning designation in compliance with the City's Comprehensive Plan;
17. Prior to the submittal of a Final Plat application, the plat document shall be

revised to comply with the standard area regulations required for low-density residential development or a Final Planned Development Overlay shall be obtained to allow for the necessary Exceptions;

18. Prior to the submittal of a Final Plat application, the plat document shall be revised to identify alternate street names for the proposed right-of-ways identified as 'Crystalline Drive and 'Overpass Drive';
19. Upon the submittal of a Final Plat application, the plat document shall show the dedication of 50 feet of right-of-way including the southern 33 feet of the Section Line Highway for the portion of East Anamosa Street adjacent to the proposed lots or the criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
20. Upon the submittal of a Final Plat application, the plat document shall show the dedication of 50 feet of right-of-way including the eastern 33 feet of the Section Line Highway for the portion of Reservoir Road adjacent to the proposed lots or the criteria for obtaining an Exception shall be met. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
21. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary;
22. Upon the submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City for the maintenance and ownership of any proposed drainage elements; and,
23. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required.

*8. No. 23PD026 - Kateland Subdivision

A request by KTM Design Solutions, Inc for Craft Properties LLC to consider an application for an **Initial and Final Planned Development Overlay to allow an apartment complex** for Lot 2 of Block 3 of Menard Subdivision, located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 415 North Creek Drive.

Fisher stated that the item had been pulled to allow Commissioner Arguello to abstain but also that staff had received a letter of concern regarding drainage associated with the development in the area of this application. Fisher explained that both the neighbor and the applicant's engineer were available to speak to these concerns.

Terrell Adams, neighbor, spoke to the issues they have experienced with drainage and road damage since the development in the area has started. Tyrell reviewed the photos showing recent drainage issues noting that the bulk of the development has not even been done.

Zoe Adams, neighbor, spoke to the removal of existing stock dams and the proposed designs that show the drainage plans and the grading plans that show directing flow towards their property rather than away. Adams noted again that the existing stock dams have been removed back in 2020 for development in the area and have not been replaced or managed and worries what issues additional development will create.

Renee Catron, KTM Design Solutions, clarified that KTM has just taken over the project and as they have not started any development to date on the property is not responsible for the noted issues.

Charlie Carman, neighbor spoke to the drainage that has changed in recent years and need to be addressed before additional development is done and showed pictures of recent drainage issues.

Jeremey Schnell, PT Engineer with KTM, spoke stated due to drainage basin there should have always been drainage issues.

Fisher clarified that the project will be required to show how the development will address drainage on their lot. Fisher discussed review of drainage in the area noting that individual construction can change drainage elements that were included in the initial drainage plan.

How to ensure that development does not increase or add to the existing drainage issues, how to address and management of the drainage as the development moves forward including acceptance of the drainage plans were discussed.

Fisher presented the application noting that the applicant proposes building a 36 unit apartment complex noting they will have to provide a drainage report and erosion and sediment control plan.

Hall reviewed the requirements and tools that Engineering has for drainage control prior to and during construction and steps taken to avoid increasing the flow to surrounding properties including culverts, detention ponds. Hall agreed this is a challenge but that they will work to take of the citizens of Rapid City.

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

- 1. Prior to issuance of a Building Permit, the applicant shall provide a water service plan and profile that complies with Rapid City Municipal Code 13.08.430(B)(2)(d);**
- 2. Prior to issuance of a Building Permit, the applicant shall provide a drainage report prepared by a registered Professional Engineer;**
- 3. Prior to issuance of Building Permit, the applicant shall provide an Erosion Control Plan;**
- 4. Prior to issuance of Building Permit, the applicant shall provide a fire hydrant on site that complies with the Fire Department standards; and,**
- 5. The Final Planned Development Overlay shall allow for the proposed apartment complex on the subject property. (8 to 0 to 1 with Braun, Bulman, Ginsberg, Gollither, Kaufman, Quasney Stuck and Vidal voting yes and none voting no and Arguello abstaining)**

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

---BEGINNING OF REGULAR AGENDA ITEMS---

*9. No. 23UR024 - Terrace View Subdivision

A request by Daniel Winger to consider an application for a **Conditional Use Permit to allow an oversized garage** for property generally described as being located at 4384 Patricia Street.

Harrington noted that this item had been heard at the September 7, 2023 Planning Commission meeting and had been continued to allow the applicant to review options and after meeting with staff to discuss options they were able to come to an agreement. As such, Harrington stated the staff recommends approval of the Conditional Use Permit to allow an oversized garage with stipulations.

Fisher reviewed the changes which include a developmental lot agreement, setting the structure back slightly and adding landscaping, so the structure is now an oversized garage with an Accessory Dwelling Unit.

Use of the structure and potential future sale of properties were discussed.

Kaufman moved, Vidal seconded and the Planning Commission recommended that the Conditional Use Permit to allow an oversize garage be approved with the following stipulations;

- 1. Prior to submittal of a building permit application, the applicant shall enter into a Developmental Lot Agreement;**
- 2. Prior to submittal of a building permit application, a Zoning Exception shall be obtained to reduce the front yard setback for an accessory structure from 35 feet to 28 feet;**
- 3. Prior to issuance of a Certificate of Occupancy, the accessory dwelling unit contained within the oversize garage shall be registered with the Community Development Department; and,**
- 4. The exterior design of the proposed oversize garage and the existing residence shall match, as proposed by the applicant. (9 to 0 with Arguello, Braun, Bulman, Ginsberg, Golliher, Kaufman, 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. 23PD025 - North 80 Subdivision

A request by Renner Associates, LLC for U-Haul Company of South Dakota to consider an application for an **Initial Planned Development Overlay to allow a self-storage, rental and retail sale facility** for Lot 5 less Lots A thru E of Lot 5 and less right-of-way and Lot 6 of North 80 Subdivision, located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Shelby Avenue and Stumer Road.

Osborne presented the application reviewing the layout and area of uses which will include warehousing, multi-purpose rental and retail facility and mini storage facilities noting that the applicant will be required to provide elevations with submittal of the Final Planned Development Overlay application. Osborne noted that the applicant has indicated they will be requesting an Exception to the screening requirement with the Final Planned Development Overlay and that staff recommends approval of the Initial Planned Development Overlay to allow a self-storage, rental and retail sale facility with stipulations.

Fisher noted that staff will be looking for robust screening in place of the fencing, but that the use is supported by staff.

Golliher moved, Bulman seconded and the Planning Commission recommended approval of the Initial Planned Overlay to allow self-storage, rental, & retail sales facility complex development with the following stipulations:

- 1. Upon submittal of a Final Planned Development Overlay application, the applicant shall provide elevations of the buildings and signage on site;**
- 2. Upon submittal of a Final Planned Development Overlay application, the applicant shall provide a landscaping plan identifying a minimum of 264,218 landscaping points shall be located in compliance with Chapter 17.50.300 of the Rapid City Municipal Code;**
- 3. Prior to submittal of a Final Planned Development Overlay application, the site plan shall be revised to show the driveway approach to be a maximum of 40-feet wide;**
- 4. Upon submittal of a Final Planned Development Overlay application, the applicant shall provide stormwater quality and detention report for review and approval;**
- 5. Prior to submittal of a Final Planned Development Overlay application, the applicant shall coordinate with the Fire Department to ensure access around all building and provide fire hydrants as needed. In addition, the site plan shall be revised accordingly;**
- 6. Prior to submittal of a Final Planned Development Overlay application, the site plan shall be revised to show the required screening and security fencing around the mini-storage units or an Exception shall be requested to waive the requirement with justification showing how the units will be buffered from Catron Boulevard;**
- 7. Prior to issuance of a Building Permit, the applicant shall enter into a Developmental Lot Agreement allowing shared parking, landscaping, and signage;**
- 8. Prior to issuance of a Building Permit, Sanitary Sewer & Major Easements that are not needed on site shall be vacated;**
- 9. Prior to the issuance of a Building Permit, a Final Planned Development Overlay shall be approved; and,**
- 10. The Initial Planned Development Overlay shall allow for warehousing, self-storage, and retail development on Lot 5 and 6 of North 80 Subdivision. (9 to 0 with Arguello, Braun, Bulman, Ginsberg, Golliher, Kaufman, 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. Staff and Planning Commission Discussion Items

Fisher announced that Alex Osborne has tendered his resignation and this will be his last Planning Commission meeting. .

Arguello asked about requiring open space with future development and the Commission briefly discussed adversities and benefits to doing so.

Ham spoke to the Hope Center issue stating that the Council respected the Planning Commission's actions but explained that they felt they needed to make the decision they did. Ham spoke to the difficulty associated with planning for the growth of Rapid City and appreciates the hard job the Planning Commission faces.

There being no further business, Kaufman moved, Vidal seconded and unanimously carried to adjourn the meeting at 8:00 a.m. (9 to 0 with Arguello, Braun, Bulman, Ginsberg, Gollither, Kaufman, Quasney Stuck and Vidal voting yes and none voting no)