

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
January 5, 2017

MEMBERS PRESENT: Erik Braun, John Brewer, Karen Bulman, Mike Gollhofer, John Herr, Galen Hoogestraat, Curt Huus, Mike Quasney, Steve Rolinger, Kimberly Schmidt and Gerald Sullivan. Darla Drew, Council Liaison was also present.

MEMBERS ABSENT: None

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Sarah Hanzel, Patsy Horton, Tim Behlings, Ted Johnson, Carla Cushman and Andrea Wolff.

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

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

Motion by Rolinger seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 10 in accordance with the staff recommendations. (9 to 0 with Braun, Brewer, Bulman, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the December 8, 2016 Planning Commission Meeting Minutes.

*2. No. 16PD046 - Orchard Meadows

A request by KTM Design Solutions, Inc for Yasmeen Dream LLC to consider an application for an **Initial Planned Development Overlay to allow an apartment complex** for Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southwesterly corner of Tract H of Orchard Meadows, and the point of beginning. Thence first course: N83°21'59"E, a distance of 544.47 feet; Thence second course: N74°46'00"E, a distance of 65.61 feet; Thence third course: S00°06'17"W, a distance of 146.81 feet; Thence fourth course: S45°06'12"W, a distance of 14.14 feet; Thence fifth course: N89°53'48"W, a distance of 14.67 feet; Thence sixth course: S00°06'12"W, a distance of 52.00 feet; Thence seventh course: S89°53'48"E, a distance of 14.67 feet; Thence eighth course: S44°53'48"E, a distance of 14.14 feet; Thence ninth course: S00°06'12"W, a distance of 604.68 feet; Thence tenth course: N89°54'10"W, a distance of 625.75 feet; Thence eleventh course: N00°00'35"E, a distance of 739.61 feet; Thence twelfth course: N83°22'14"E, a distance of 23.12 feet, to the point of beginning, generally described as being located south of SD Highway 44 East and east of Elk Vale Road.

Planning Commission continued the Initial Planned Development Overlay to allow an apartment complex to the January 26, 2017 Planning Commission meeting to allow staff to meet with the applicant to discuss design issues

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

3. No. 16CA007 - - Amendment to the Comprehensive Plan to adopt the Box Elder Drainage Basin Design Plan

A request by City of Rapid City - Public Works to consider an application for an **Amendment to the Comprehensive Plan to adopt the Box Elder Drainage Basin Design Plan** for the area defined in approximate description as follows: the E1/2 and SW1/4 of Section 1 (Meade County); S1/2S1/2SE1/4 of Section 2 (Meade County); E1/2SW1/4 and SE1/4 of Section 10 (Meade and Pennington); Section 11 excluding the NW1/4 north of Boxelder Creek (Meade and Pennington); Section 12 (Meade and Pennington); Section 13 (Pennington); Section 14 (Pennington); Section 15 excluding the NW1/4NW1/4 (Pennington); N1/2N1/2, SE1/4NE1/4 of Section 22 (Pennington); N1/2 and SW1/4 of Section 23 (Pennington); Section 24 excluding the S1/2SW1/4 (Pennington); and the NE1/4NE1/4 of Section 25 (Pennington), all located in T2N, R7E, BHM, South Dakota; and SW1/4 of Section 5 south of Boxelder Creek (Meade County); NW1/4 and S1/2 of Section 6 south of Boxelder Creek (Meade County); Section 7 (Meade and Pennington); W1/2 and SE1/4 of Section 8 west of Boxelder Creek (Meade and Pennington); SW1/4 of Section 16 west of Boxelder Creek; Section 17 west of Boxelder Creek (Pennington); Section 18 (Pennington); Section 19 (Pennington); Section 20 (Pennington); Section 21 south of Boxelder Creek (Pennington); W1/2 of Section 22 west of Boxelder Creek (Pennington); W1/2 of Section 27 (Pennington); Section 28 (Pennington); Section 29 (Pennington); E1/2, E1/2NW1/4, NW1/4NW1/4, NE1/4SW1/4 of Section 30 (Pennington); NE1/4 of Section 31 (Pennington); N1/2 Section 32; N1/2 and N1/2SE1/4 of Section 33 (Pennington); NW1/4, W1/2NE1/4 and N1/2S1/2 of Section 34 (Pennington), all located in T2N, R8E, BHM, South Dakota, generally described as being located north of I-90 from LaCrosse Street west to Deadwood Avenue south of Box Elder Creek in Meade County, east to Elk Vale Road and north of Anamosa Street.

Planning Commission recommended that the Amendment to the Comprehensive Plan to adopt the Box Elder Drainage Basin Design Plan as an Amendment to the Comprehensive Plan be approved.

4. No. 16PL121 - Village on Monroe

A request by Neighbor Works Dakota Home Resources for Dakota Land Trust to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 1 thru 5 and common area of Village on Monroe, legally described as Lot 14 thru 16 of Block 37 of North Rapid, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 612 Dilger Avenue.

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

1. **Prior to submittal of a Development Engineering Plan application,**

redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;

2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval providing a public sewer main fronting each lot. In addition, an Exception shall be obtained to allow an alternate location of the sewer main outside the center of the street or the plans shall comply with City's design standards. 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, construction plans providing an 8 inch public water main in Monroe Street shall be submitted for review and approval 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;
4. Upon submittal of a Development Engineering Plan application, construction plans for the shared access and parking easement shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum width of 50 feet and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;
5. Upon submittal of a Development Engineering Plan application, the plat document shall show the proposed shared access and parking easement approach located a minimum of 50 feet from the intersection of Dilger Avenue and Monroe Street 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;
6. Upon submittal of a Development Engineering Plan application, construction plans showing the alley with a 16 foot wide paved surface shall be submitted for review and approval 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;
7. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all

- public improvements, if applicable;
 9. Prior to submittal of a Final Plat application, the plat document shall show the proposed shared access and parking area as a “shared access and parking easement”;
 10. Prior to submittal of a Final Plat application, the associated Final Planned Development shall be approved reducing the minimum lot size requirement for a townhome lot from 4,000 square feet to 759 square feet, 870 square feet, 1,105 square feet, 1,219 square feet and 1,305 square feet, respectively, or the plat document shall be revised to meet the minimum lot size requirement;
 11. Upon submittal of a Final Plat application, an agreement securing ownership and maintenance of the Common Area Lot shall be submitted for recording;
 12. Upon submittal of a Final Plat application, an agreement securing maintenance of the shared access and parking easement shall be submitted for recording;
 13. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
 14. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).
5. No. 16PD064 - DDE Subdivision
A request by Justin Casey to consider an application for a **Major Amendment to the Planned Development to allow a child care center** for Lot 1 of Lot A of DDE Subdivision, located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located at 110 N. Cambell Street, Suite D & E.

The Development Review Team approved the requested Major Amendment to the Planned Development with the following stipulations:

1. Prior to issuance of a building permit, revised plans shall be submitted showing that the outdoor play area will be enclosed with a 6-foot-tall, opaque screening fence. In addition, plans shall show that a vertical curb face and landscaping are being provided between the outdoor play area and the adjacent parking lot;
2. Prior to issuance of a certificate of completion or initiation of the use, a fire sprinkler protection system shall be installed, connected, and approved by the Rapid City Fire Department. All requirements of the International Fire Code shall be continually maintained;
3. All required landscaping shall be installed per the originally approved landscaping plan within six months of the approval of this Major Amendment to the Planned Development. Landscaping not installed in compliance with the Rapid City Municipal Code may be bonded for. If changes to the approved landscaping are proposed, a new landscaping plan in compliance with the requirements of the Rapid City Municipal Code may be submitted for review and approval. All landscaping shall be installed and maintained as required by the Rapid

- City Municipal Code;**
4. The proposed child care center shall operate in compliance with the submitted operations plan and all approved plans. Changes in the operator of this facility shall require a Major Amendment to the Planned Development;
 5. No Light Emitting Diode (LED) message centers are being approved as a part of this request. The inclusion or addition of any LED message centers shall require a Major Amendment to the Planned Development. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign;
 6. This Major Amendment to the Planned Development shall allow for the operation of a child care center on the property. All requirements of the General Commercial District and all requirements for a child care center shall be continually maintained unless specifically stipulated as a part of a future Major Amendment to the Planned Development. All uses permitted in the General Commercial District shall be permitted contingent upon provision of sufficient parking and an approved building permit. All conditional uses in the General Commercial District shall require a Major Amendment to the Planned Development.

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

6. No. 16PD065 - Menard Subdivision

A request by Creek Drive Land, LLC to consider an application for a **Final Planned Development Overlay to allow an apartment complex** for Lot 6 and Lot 7 of Block 1 of Menard Subdivision, located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located east of the intersection of Century Road and North Creek Drive.

Planning Commission approved the requested Final Planned Development with the following stipulations:

1. All signage shall comply with the requirements of the Rapid City Sign Code. No electronic of Light Emitting Diode (LED) signage is being approved as a part of this Final Planned Development. The addition of LED signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign;
2. This Final Planned Development shall allow for the construction of multifamily housing. All requirements of the Medium Density Residential District shall be met unless specifically stipulated as a part of a subsequent Amendment to the Planned Development. All uses permitted in the Medium Density Residential District shall be permitted contingent upon provision of sufficient parking and an approved building permit. All conditional uses in the Medium Density Residential District shall require a Major Amendment to the Planned Development.

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

7. No. 16PL129 - John Roberts Subdivision

A request by Abeln and Associates Architects P.C. - Mark Abeln for Tyler Oliver of Coby 2016 LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 2A and 2B of John Roberts Subdivision, legally described as Lot 2 of John Roberts Subdivision, located in the NW1/4 of the NE1/4 of Section 27, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located in the southwest corner of E. St. Patrick Street and Cherry Avenue.

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

1. **Prior to submittal of a Development Engineering Plan application, redlined comments on the construction drawings and the master plan shall be addressed pursuant to the Infrastructure Design Criteria Manual and the Standard Specifications 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. In addition, the redline comments shall be returned;**
2. **Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way for E. St. Patrick Street or an Exception shall be obtained. In addition, construction plans shall be submitted showing a second water main along E. St. Patrick Street or an Exception shall be obtained. If Exceptions are obtained, a copy of the approve document shall be returned with the Development Engineering Plan application;**
3. **Upon submittal of a Development Engineering Plan application, the plat document shall be revised to show the dedication of 5 additional feet of right-of-way along E. St. Francis Street or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;**
4. **Upon submittal of a Development Engineering Plan application, construction plans for Cherry Avenue shall be submitted for review and approval showing the dedication of 11.5 additional feet of right-of-way with 5 additional feet the first 200 feet as it extends south from the intersection with E. St. Patrick Street and constructed with water or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;**
5. **Upon submittal of a Development Engineering Plan application, 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;
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;
 7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer shall be submitted for review and approval. The drainage plan and report shall address storm water quantity control and storm water quality treatment in conformance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code. In addition, easements shall be provided as needed;
 8. Prior to Development Engineering Plan approval, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed, permits required shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the infrastructure Design Criteria Manual;
 9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
 10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 11. Upon submittal of a Final Plat application, all necessary easements shall be dedicated including drainage easements, shared access easements and utility easements;
 12. 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,
 13. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
8. No. 16PL130 - Patrick Foley Addition
A request by Davis Engineering for Duininck Brothers and Gilchrist Land Co to consider an application for a **Preliminary Subdivision Plan** for Lot A of Patrick Foley Addition, legally described as that portion of Lot 2 of Government Lot 1 lying east of Highway 79; Lot AB-1 of Government Lot 1; Lot AB-2 of Government Lot 1, located in Section 5, T1S, R8E, BHM, Pennington County, South Dakota, generally described as being located on the east side of Highway 79, 2.5 miles south of RC Landfill.

Planning Commission recommended that the Preliminary Subdivision Plan

be approved with the following stipulations:

- 1. Upon submittal of a Development Engineering Plan application, water plans prepared by a Registered Professional Engineer showing the extension of mains and service lines shall be submitted for review and approval as per the Infrastructure Design Criteria Manual. If a well is proposed for water service, then well testing data shall be provided demonstrating that potable water is present and that sufficient fire flows are being provided to serve the development. As an alternative to providing fire flows, a Covenant Agreement shall be submitted for recording at the Register of Deed's Office to ensure that fire sprinkler protection is designed and installed as per NFPA 13 throughout all new structures upon submittal of a Final Plat application. In addition, easement(s) must be secured as needed;**
- 2. Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer showing the extension of mains and service lines shall be submitted for review and approval as per the Infrastructure Design Criteria Manual or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application. Since a private on-site wastewater system is proposed to be utilized, the following note shall be placed on the plat: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations";**
- 3. Upon submittal of a Development Engineering Plan application, construction plans for S.D. Highway 79 shall be submitted for review and approval showing the street constructed with curb, gutter, sidewalk, streetlight conduit, sewer and dual water or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;**
- 4. Upon submittal of a Development Engineering Plan application, construction plans for the east-west section line highway located along the north lot line shall be submitted for review and approval showing the street located in a minimum 68 foot wide right-of-way with 10 additional feet of right-of-way the first 200 feet as it extends east from S.D. Highway 79 and constructed with a minimum 34 foot wide paved surface to allow parking on both sides of the street or 30 foot wide paved surface to allow parking on one side of the street or 24 foot wide paved surface and posted with no parking signs on both**

- sides of the street and with curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
5. Upon submittal of a Development Engineering Plan application, construction plans for the unnamed road located along the south lot line shall be submitted for review and approval showing the street located in a minimum 70 foot wide right-of-way with 10 additional feet of right-of-way the first 200 feet as it extends east from S.D. Highway 79 and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 6. Upon submittal of a Development Engineering Plan application, construction plans for the north-south section line highway located along the east lot line shall be submitted for review and approval showing the street located in a minimum 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained or the section line highway shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
 7. Upon submittal of a Development Engineering Plan application, a drainage plan shall be submitted for review and approval if subdivision improvements are required. The drainage plan shall address storm water quantity control and storm water quality treatment, in conformance with the Infrastructure Design Criteria Manual and Rapid City Municipal Code. In addition, the plat document shall be revised to provide drainage easements as necessary;
 8. Upon submittal of a Development Engineering Plan application, a geotechnical report including an analysis of soil corrosivity for all proposed subdivision improvements shall be submitted for review and approval if subdivision improvements are required.
 9. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual and a grading plan shall be submitted for review and approval if subdivision improvements are required;
 10. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
 11. Prior to approval of the Development Engineering Plan application, a

Development Agreement shall be entered into with the City for all public improvements, if applicable;

12. **Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;**
13. **Prior to submittal of a Final Plat application, the applicant shall coordinate with the Register of Deed's Office to clarify the "formerly" portion of the plat title. In addition, the plat document shall be revised to show the corrected information;**
14. **Prior to submittal of a Final Plat application, the property shall be rezoned through Pennington County to allow the proposed 2.1 acre lot or a lot size Variance shall be obtained to allow a 2.1 acre lot in lieu of a minimum 40 acre lot in the General Agriculture District;**
15. **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,**
16. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).**

9. No. 16RZ034 - Cambell Square Addition

A request by Steve Wynia to consider an application for a **Rezoning from General Commercial District to Light Industrial District** for Lot 8 of Cambell Square Addition, located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located at 1300 E. Centre Street.

Planning Commission recommended the Rezoning from General Commercial District to Light Industrial District be approved.

10. No. 16RZ035 - AJ Meier Subdivision

A request by KTM Design Solutions for A and J Meier LLC to consider an application for a **Rezoning from General Agricultural District to Light Industrial District** for a portion of the NE1/4 of the NW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeast corner of NE1/4 NW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; then S 00°03'17" W, a distance of 607.94' to the point of beginning; Thence, first course: S 00°03'17" W, a distance of 717.48';; Thence, second course: N 89°51'08" W, a distance of 500.00';; Thence, third course: N 00°03'17" E, a distance of 577.26';; Thence, fourth course: N 52°18'49" E a distance of 207.25';; Thence, fifth course: N 75°28'03" E a distance of 142.49';; Thence, sixth course: curving to the left with an arc length of 200.05', with a radius of 850.01', with a chord bearing of S 83°13'47" E, with a chord length of 199.58', to the said point of beginning, generally described as being located at the northwest terminus of Seger Drive between Dyess Avenue and Elk Vale Road.

Planning Commission recommended that the Rezoning from General Agricultural District to Light Industrial District

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

11. No. 16PD058 - Village on Monroe

A request by Neighbor Works Dakota Home Resources for Dakota Land Trust to consider an application for a **Final Planned Development Overlay to Create to a townhome development** for Lots 14 thru 16 of Block 37 of North Rapid, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located at 612 Dilger Avenue.

Lacock presented the application noting that he had discussed the application with Commissioners Quasney and Bulman before the meeting. Lacock then reviewed the associated slides and requested Exceptions. Lacock identified the seven Exception requests as follows: An Exception to reduce the minimum lot size, an Exception to reduce the minimum required lot width for proposed Lot 4, an Exception to increase the maximum allowed lot coverage for proposed Lots 3, 4 and 5, an Exception to reduce the minimum required rear yard and side yard setbacks, an Exception to reduce the minimum required parking for Lots 3 and 4 and an Exception to allow a maximum height of 3 stories. Lacock noted that the right-of-way width of Monroe Street and Dilger Street, which is 80 feet is in excess of the minimum required 52 feet right-of-way which will help to reduce the impact of the development. Lacock stated that this is a unique and innovative development design and staff recommends that the Final Planned Development Overlay to Create to a townhome development be approved with the stipulations.

Chuck Rausch, 602 Dilger Avenue, spoke to his concerns including density of occupancy, noise, and pet control and requested a privacy fence be required along the south property line. He stated that the proposed design is nice and hopes that the final elevations reflect the proposed design.

Rolinger moved to approved, Bulman seconded.

In response to a question from Quasney regarding how the houses will be made affordable, Joy McCracken, Neighbor Works and Dakota Land Trust, identified the funding sources that will keep the homes affordable. In response to a question from Braun regarding the upkeep of the units once they are individually owned, McCracken stated that the units will be required to be owner occupied and that there will be a Home Owners Association that will maintain the common area.

McCracken explained how the property will retain an affordable rate stating that if the townhome is purchased though Dakota Land Trust that the purchaser will own the structure but Dakota Land Trust will retain ownership of the underlying real estate. McCracken further discussed ways of maintaining the affordability of the proposed townhomes.

In response to Bulman's question regarding a privacy fence, Fisher stated that these are residential units in a residential area and no fence is required by

Ordinance. Fisher further discussed that the City of Rapid City Municipal Code addresses many of Mr. Roush's concerns regarding pets, noise and occupancy. She noted that staff has been pleased with the proposed elevations of the units and offered that the stipulations could be revised to require that any change to the character of the elevations would require a Major Amendment to the Planned Development.

Rolinger and Bulman agreed with the friendly amendment to the stipulations.

Rolinger noted that this option for creating affordable housing is a better option than constructing apartments as these proposed townhomes will be owner occupied rather than rented.

In response to a question from Herr regarding the Home Owners Association or covenants for the housing, McCracken stated that they are working to create the Home Owners Association and covenants. Fisher stated that these documents will need to be recorded prior to occupancy. McCracken also discussed the expected costs for the Home Owners Association fees and agreed that the actual or expected fees will be available to the purchasers prior to purchase.

In response to questions from Drew, McCracken stated they hope to have the properties available by early summer and that there will not be any prequalification for the purchase of these properties unless they are requesting purchase assistance through Dakota Land Trust.

Rolinger moved, Bulman seconded and unanimously carried to approve the Final Planned Development Overlay to create a townhome development be approved with the following stipulations:

- 1. An Exception is hereby granted to reduce the minimum lot size requirement from 4,000 square feet to 759 square feet, 870 square feet, 1,105 square feet, 1,219 square feet, and 1,305 square feet, respectively;**
- 2. An Exception is hereby granted to reduce the minimum required lot width from 16 feet to 15.19 feet for proposed Lot 4;**
- 3. An Exception is hereby granted to allow a height of 3 stories no greater than 35 feet in lieu of the maximum allowed height of 2½ stories;**
- 4. An Exception is hereby granted to increase the maximum allowed lot coverage from 40% to 41.3%, 47.4%, and 43.8% for proposed Lots 3, 4, and 5, respectively;**
- 5. An Exception is hereby granted to reduce the minimum required side yard setback from 12 feet to "0" feet for proposed Lots 1, 2, 3, and 5;**
- 6. An Exception is hereby granted to reduce the minimum required rear yard setback from 25 feet to "0" feet;**
- 7. An Exception is hereby granted to reduce the minimum required parking for Lot 3 and Lot 4 from two spaces to one space per lot and to allow two parking spaces to be provided on the Common Area Lot contingent upon a parking agreement being recorded to secure the Common Area Lot for use by the owner(s) of Lot 3 and Lot 4. A copy of the recorded agreement shall be submitted with the Building Permit**

- application;
8. Upon submittal of a Building Permit, the proposed driveway location shall be moved to comply with the Infrastructure Design Criteria Manual or an Exception shall be obtained;
 9. Upon submittal of a Building Permit, the site plan shall be revised to show conforming water and sewer services;
 10. Upon submittal of a Building Permit, the applicant shall revise the construction plans to address redlined comments. The redlined plans shall be returned to Community Planning and Development Services;
 11. Upon submittal of a Building Permit, a grading and drainage plan shall be submitted for review and approval;
 12. Prior to issuance of a Building Permit, Development Engineering Plans shall be approved;
 13. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved; and,
 14. The Final Planned Development Overlay shall allow for a five unit townhome development and a Common Area Lot. Permitted uses within the Medium Density Residential District shall be allowed with a Building Permit. Any change to the character of the proposed elevations shall require the review and approval of a Major Amend to the Planned Development. Any conditional use shall require the review and approval of a Major Amendment to the Planned Development. (9 to 0 with Braun, Brewer, Bulman, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)

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

12. No. 16PD062 - Original Town of Rapid City

A request by Gene Fennell for Fennell Design Inc. to consider an application for a **Major Amendment to the Planned Development to allow a mixed-use development** for Lots 1 thru 5 of Block 88 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located at 201 Main Street.

Laroco presented the application indicated that this property has been reviewed previously for numerous commercial uses but noted that since this is a residential use the reduced parking being requested is much less than the reduction previously approved. Laroco reviewed associated slides calling out that as part of the residential use the parking that is available will be required to be signed for the residential occupant use. Laroco presented staff's recommendation that the **Major Amendment to the Planned Development to allow a mixed-use development** be approved with stipulations.

Brewer spoke to the revitalization of this iconic building in the downtown area and his support for this application. Brewer did request that in the East of 5th Street Downtown Review the parking requirements for this area be reviewed.

In response to a question from Bulman regarding the state of fire protection for the building, Behlings stated that the fire protection of the building has been completed over the years and the Fire Department had no additional requirements.

Bulman moved, Brewer seconded and unanimously carried to approve the Major Amendment to the Planned Development with the following stipulations:

- 1. The requested Exception to reduce the required amount of parking provided on the property from 74 spaces to 0 spaces is hereby granted, contingent upon provision of 13 signed, residential parking spaces and 2 ADA accessible parking spaces on the existing, legally non-conforming parking located on the property today;**
- 2. Prior to issuance of a building permit for any external renovation, an 11.1 Historic Review shall be completed for the property;**
- 3. Prior to issuance of a sign permit, Historic Review of all signage shall be complete. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment. The addition of LED signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign, and;**
- 4. This Major Amendment to the Planned Development shall allow a total of nine residential units in the existing mixed-use development located on the property today. All requirements of the General Commercial District shall be maintained unless specifically stipulated as a part of this Major Amendment or a subsequent Major Amendment to the Planned Development. All permitted uses in the General Commercial District shall be permitted. All conditional uses in the General Commercial District shall require a Major Amendment to the Planned Development. (9 to 0 with Braun, Brewer, Bulman, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)**

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

13. No. 16PD063 - Original Town of Rapid City

A request by TSP, Inc for 118 Main Street LLC to consider an application for a **Final Planned Development Overlay to allow residential uses in conjunction with business uses** for Lots 20 thru 24 and the south 1/2 of the vacated alley adjacent to said lots of Block 79 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located at 118 Main Street.

Laroco reviewed the application and reviewed the associated slides. Laroco noted that this request for residential uses follows the Downtown Plan's call for more residential uses in the downtown area and reviewed the requested Exceptions: An Exception to reduce the required parking from 19 parking spaces

to 15 spaces with the provision that onsite parking being signed for residents only; An Exception to reduce the required landscaping from 10,500 points to 5,250 points with the provision that a landscape screening is provided along the southern property line adjacent to the Main Street right-of-way; and an Exception to reduce the required front yard setback from 25 feet to 0 feet, noting that this area is expected to be part of the future Downtown District and as such would then not require the front yard setback. Laroco stated that this is a good example of introducing residential uses into the Downtown area and stated that staff recommends that the Final Planned Development Overlay to allow residential uses in conjunction with business uses be approved with stipulations.

In response to a question from Huss, Laroco confirmed that this would meet current Central business District requirements.

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

- 1. The requested Exception to reduce the required front yard setback to Main Street from 25 feet to 0 feet is hereby granted;**
- 2. The requested Exception to reduce the required parking from 19 spaces to 15 spaces is hereby granted. A minimum of one of the proposed 15 parking spaces shall be a van accessible ADA space. All parking shall comply with the requirements of the Rapid City Municipal Code;**
- 3. The requested Exception to reduce the required landscaping from 10,500 points to 5,250 points is hereby granted, contingent upon prior to issuance of a building permit, a revised landscaping plan shall be submitted showing that a landscape screening is being provided along the southern property line adjacent to the Main Street right-of-way and the proposed parking lot. The landscaping shall provide a vegetative screening buffer between the street right-of-way and the proposed parking lot;**
- 4. Prior to issuance of a building permit, an access easement securing access to the parking lot through the previously vacated alley shall be completed and recorded at the Pennington County Register of Deeds. A copy of the recorded access easement shall be submitted to Community Planning and Development Services;**
- 5. Prior to issuance of a building permit, the applicant shall confirm that the existing alleyway is sufficient to allow for two-way access and constructed to minimum alleyway design standards, or provide construction plans to meet minimum design standards;**
- 6. Prior to issuance of a building permit, revised, final construction plans signed and sealed by a registered professional per SDCL 36-18A shall be submitted. In particular, construction plans shall show signage and striping for one-way traffic in the parking lot; removal of the existing approach onto Main Street and striping for 60-degree, on-street parking in compliance with the Rapid City Standard Details; confirmation of any conflicts between the proposed carport with any existing utilities and/or easements; typical concrete pavement section for all proposed concrete paving; site drainage, storm water quality, and grading plans and reports; and confirmation of the location and**

- size of existing utility services, including a determination that existing services are adequate to service the proposed development. If services are not sufficient, revised plans must include new water services which are adequate to serve the proposed development;
7. All requirements of the International Fire Code shall be continually met. In particular, a residential fire sprinkler protection system shall be installed and maintained;
 8. No Light Emitting Diode (LED) message centers are being approved as a part of this request. The inclusion or addition of any LED message centers shall require a Major Amendment to the Planned Development. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign;
 9. This Final Planned Development shall allow for the construction of a mixed-use commercial and residential project with a total of eight residential dwelling units. All requirements of the General Commercial District shall be continually maintained unless specifically stipulated as a part of this Final Planned Development or a subsequent Major Amendment. All uses permitted in the General Commercial District shall be permitted. All conditional uses in the General Commercial District shall require a Major Amendment to the Planned Development. (9 to 0 with Braun, Brewer, Bulman, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)

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

14. No. 16AN006 - Big Sky Subdivision
A request by City of Rapid City to consider an application for a **Resolution of Intent to Annex** for Lots 1 - 5 of Block 1, Lots 1-6, 7R, and 8-14 of Block 2, Lots 2 – 13 of Block 3, Lots 1-9 of Block 4, Lots 1 – 12 of Block 5, Lots 1 – 23 of Block 6, Lots 1 – 6 of Block 7, Lots 1 – 3 of Block 8, Lot 1 of Block 9, Lot 1 of Block 10, Lots 1 – 15 of Block 11, Lots 1 – 15 of Block 12, Lot 1 of Block 13, Lot 1 of Block 14, Lots 1 – 11 of Block 15, and Lots 1 - 2 of Block 16, and all adjacent dedicated rights of way all located in Big Sky Subdivision, Section 3, T1N, R8E, BHM, Pennington County, South Dakota, generally described as being located east of Elk Vale Road, north of Twilight Drive, west of Reservoir Road, south of Homestead Street.

Hanzel presented the application. Hanzel stated that involuntary annexations processes are not commonly invoked and reviewed the specific requirements and steps involved in this process. Hanzel reviewed the history of the subdivision; that the City had meet with the property owners regarding issues including street repair and maintenance; that homeowners had worked to obtain approximately 75 percent of the property valuation signatures on requests for annexation, but due to their inability to reach the number of registered voters signatures required, staff was unable to complete the annexation voluntarily. As such, the involuntary annexation process was started. Hanzel briefly reviewed

the steps involved in the Involuntary Annexation such as meeting with homeowners, preparing the Annexation Study that outlines the costs and requirements for the proposed annexation, notice to the homeowners of the Resolution of Intent to Annex, and review and approval of the Resolution of Intent to Annex by the Planning Commission, the Legal and Finance Committee and the City Council. Once the Resolution of Intent to Annex is approved, notice of the Resolution of Annexation is sent to property owners the Resolution of Annexation and is reviewed at the same precession of public hearings. Hanzel indicated that if the application moves as anticipated that the road repairs are estimated to be completed within the 2017 construction period. Hanzel further reviewed the options for payment of Fire District Debt as allowed by State Law and Rapid City Ordinance.

Linda Soucy, spoke to her reasons for not wanting the annexation, stating she feels the developer should be responsible for repairing streets and questioned the benefits for either the City or the homeowners by annexing.

Stan Fright, 484 Hanson Lane, stated he was against the annexation and spoke to his concerns to the proposed costs verses the final cost and asked what would happen if the costs exceed the budgeted funds.

Shelly Fisher, 5003 Avenue A, spoke to her reasons for not supporting the annexation asking if there are benefits to the property owners, stating that she didn't feel that there would be and did not feel that the increase in her mill levy as a result of the annexation would be in her favor. She also stated that the Fire District Debt Reimbursement fees associated should not be charged to her or other property owners.

Hoogestraat stated that he believe the payment of the Fire District Debt should be paid and thanked the property owners for their time and comments but stated that he supports this application.

Bulman spoke to the long term desire for a number of the property owners who have wanted to annex and noted that there are general benefits that non-city residents use without paying taxes.

Huss spoke to his experience with previous annexations and feels it was unfortunate that prior annexation attempts in the valley did not pass. He feels this is a good opportunity and stated he would be supporting this application.

In response to questions from Sullivan regarding the age of the water and waste water service systems and responsibility for services, Johnson stated that Rapid Valley Sanitary District would retain responsibility for these services and stated that he believes that they are constructed of modern material installed when the streets were constructed. He stated that in utility life they are relatively new.

Hoogestraat moved to approve with the recommendation that the City pay the Fire District Debt.

A roll call vote was called.

Hoogestraat moved, Bulman seconded to recommend that the Resolution of Intent to Annex be approved and directed staff to include payment to the Rapid Valley Rural Fire Protection District in the Resolution of Annexation. (7 to 2 with Braun, Brewer, Bulman, Hoogestraat, Huus, Schmidt and Sullivan voting yes and Herr and Rolinger voting no)

Bulman recused herself from Items # 15 and 16.

15. No. 16TI005 - Heartland Retail Center

A request by Doyle Estes and Kathy Johnson to consider an application for a **Resolution approving Revision #2 Project Plan Reallocating Project Costs for Tax Increment District No. 38** for a parcel of land located in part of the NE1/4 SW1/4 and S1/2 SW1/4 of Section 27, and all of the N1/2 NW1/4 of Section 34, all in T2N, R8E, BHM, Pennington County, South Dakota, being more particularly described as follows: Beginning at the center north 1/16 corner of said Section 34, a pin and cap stamped Arleth and Assoc., RLS 3977, this being the point of beginning; thence N89°52'24"W along the south line of said N1/2 NW1/4, 2526.27 feet to a point lying on the easterly right-of-way line of Elk Vale Road; thence N00°01'02"W along said easterly right-of-way line, 1501.22 feet to a point lying on the southerly railroad right-of-way line, said point is lying on a curve concave to the northwest and whose chord bears N71°31'11"E, 767.24 feet, thence northeasterly along said southerly railroad right-of-way line the following four courses; thence continuing along the arc of said curve to the left whose radius is 5829.58 feet and having a central angle of 07°32'46", an arc length of 767.79 feet to a point on said curve; thence N22°15'13"W, 50.00 feet to a point lying on a curve concave to the northwest and whose chord bears N60°03'38"E, 1545.97 feet, thence continuing along the arc of said curve to the left whose radius is 5779.58 feet and having a central angle of 15°22'19", an arc length of 1550.61 feet to a point of tangency; thence N52°22'28"E, 208.14 feet; thence departing said southerly railroad right-of-way line, S89°40'45"E, 319.90 feet; thence S00°14'20"W, 1374.57 feet to the northeast corner of said N1/2 NW1/4; thence S00°01'50"W along the easterly line of said N1/2 NW1/4, 1318.56 feet to the point of beginning; and, Lot 1 and 2 of Tract F of W-Y Addition in the SW1/4SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H5 and Lot H6 in the SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H9 in that part of the S1/2SW1/4 of Section 27 lying south of the relocation of the Chicago and Northwestern Transportation Company right-of-way in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 33 foot section line right-of-way located south of Lot H9 in the S1/2SW1/4 of Section 27, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, all of the S1/2SE1/4 of Section 28 less Lot E of S1/2SE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H3, H4, H5, H6, & H7 located in the NE1/4SE1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the existing US Highway 14 & 16 right-of-way prior to 1935 located in the N1/2SE1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H3 of the SW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 and Lot H2 in the NW1/4NW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County,

South Dakota; and, Lot H1 and Lot H2 in the SW1/4NW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H-1 in the W1/2SW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in the N1/2W1/2SW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota as recorded in Highway Book 9 page 125; and, Lot H3 in the S1/2SW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 33 foot section line right-of-way located north of Lots H1 & H2 in the NW1/4NW1/4 of Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 33 foot section line right-of-way located south Lot H1 in the W1/2SW1/4 and Lot H3 in the S1/2 SW1/4 all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 & Lot H2 in the E1/2NE1/4 of Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in the E1/2SE1/4 of Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in the SE1/4 of Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 33 foot section line right-of-way located north of Lots H1 & H2 in the E1/2NE1/4 of Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 33 foot section line right-of-way south of Lot H1 in the SE1/4 of Section 33 and south of Lot H2 in the E1/2SE1/4 of Section 33, all located in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 66 foot Section line right-of-way located between Sections 33 & 34 in T2N, R8E, BHM, Pennington County, South Dakota; and, Lot H2 in the N1/2 of Government Lot 4 & Lot H3 in the S1/2 of Government Lot 4, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H-1 in the NW1/4NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in the W1/2SW1/4NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and Lot H1 in the SW1/4NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the 33 foot section line right-of-way located north of Lot H2 in the N1/2 of Government Lot 4 of Section 3 and Lot H1 in the NW1/4NW1/4 of Section 3, all located in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in the NE1/4 of Section 4 and Lot H2 in Government Lot 1 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 33 foot section line right-of-way located north of Lot H1 in the NE1/4 of Section 4 and Lot H2 in Government Lot 1 of Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, 66 foot section line right-of-way located between Section 4 and Section 3 all located in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, the 30 foot dedicated right-of-way lying adjacent to Lot A of Lot 1R of Rushmore Regional Industrial Park, Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located in the southeast quadrant of Elk Vale Road and Interstate 90.

Horton presented the application reviewing slides outlining the Tax Increment District, the improvements effected by the Tax Increment District, noting that some of the improvements were completed by other entities allowing other improvements to be completed, realigning the funding. Horton stated this amendment to the Project Plan will allow the certification of the actual costs for the Tax Increment District to be completed. Horton also clarified that there are no additional costs proposed to be added, just the reallocation of funds.

In response to Braun's question on base value, Horton confirmed that the base value remains the same and anything over and above is used to pay off the loan.

In response to Hoogestraat' question on the delay of payoff, Horton reviewed the applicant's option for certifying for reimbursement should the amendment not be approved, and further stated that reallocation of funds is not uncommon for a Tax Increment District Project Plan.

Brewer moved, Rolinger seconded to recommend approval of Resolution approving Revision #2 Project Plan Reallocating Project Costs for Tax Increment District No. 38 (7 to 1 to 1 with Braun, Brewer, Herr, Huus, Rolinger, Schmidt and Sullivan voting yes, with Hoogestraat voting no and Bulman abstaining)

Brewer moved to extend the meeting if needed, Rolinger seconded and unanimously carried. (9 to 0 with Braun, Brewer, Bulman, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)

16. No. 16TI006 - Section 28, T2N, R8E
A request by City of Rapid City to consider an application for a **Resolution approving Revision #1 Project Plan Reallocating Project Costs for Tax Increment District No. 64** for all of Section 28 lying north of U.S. Interstate 90 less Lots 1 – 3 of RCI Addition and less the S1/2S1/2NW1/4NW1/4 of Section 28, all located in Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota., generally described as being located northeast of the intersection of Interstate 90 and Dyess Avenue.

Drew left the dais at this time.

Horton presented the application and reviewed the Tax Increment District, the improvements, the requested reallocation of the funds and the payoff projections. Horton noted there was a delay of payments towards this Tax Increment District as it was part of an overlapping Tax Increment District, but now that Tax Increment District #44 is paid off all payments will go towards payoff of Tax Increment District #64.

Rolinger moved, Schmidt seconded to recommend approval of Resolution approving Revision #1 Project Plan Reallocating Project Costs for Tax Increment District No. 64 (7 to 1 to 1 with Braun, Brewer, Herr, Huus, Rolinger, Schmidt and Sullivan voting yes, with Hoogestraat voting no and Bulman abstaining)

17. Discussion Items
18. Staff Items
19. Planning Commission Items

20. Committee Reports

- A. City Council Report (December 19, 2016)
The City Council concurred with the recommendations of the Planning Commission
- B. Building Board of Appeals
- C. Capital Improvements Subcommittee
- D. Tax Increment Financing Committee

There being no further business, Braun moved, Schmidt seconded and unanimously carried to adjourn the meeting at 8:57 a.m. (9 to 0 with Braun, Brewer, Bulman, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)