

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
February 23, 2017

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollhofer, John Herr, Galen Hoogestraat, Curt Huus, Mike Quasney, Steve Rolinger, Kimberly Schmidt and Gerald Sullivan.

MEMBERS ABSENT: Darla Drew, Council Liaison was absent.

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Sarah Hanzel, Kelly Brennan, 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.**

**Schmidt requested that Items 3 and 4 be removed from the Consent Agenda for separate consideration.**

**Motion by Rolinger seconded by Hoogestraat and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 15 in accordance with the staff recommendations with the exception of Items 3 and 4. (9 to 0 with Braun, Bulman, Gollhofer, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)**

---CONSENT CALENDAR---

1. Approval of the February 9, 2017 Planning Commission Meeting Minutes.
2. No. 16CA006 - Amendment to the Comprehensive Plan by adopting the Experience Rapid City Cultural Plan - Final  
A request by City of Rapid City to consider an application for an **Amendment to the Comprehensive Plan by adopting the Experience Rapid City Cultural Plan - Final**.

**Planning Commission recommended that the Amendment to the Comprehensive Plan by adopting the Experience Rapid City Cultural Plan (Final) be approved.**

- \*5. No. 17PD002 - PLM Subdivision  
A request by Fisk Land Surveying and Consulting Engineer, Inc for PLM Development LLC to consider an application for a **Revocation of a Planned Development** for Lots 1 thru 33 of Block 1 of PLM Subdivision No.2 (also located in Section 13) all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of Stumer Road and Enchanted Pines Road.

**Planning Commission approved the requested revocation of 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. 17UR002 - Dunham Estates

A request by Joel Brink to consider an application for a **Conditional Use Permit to allow an oversized garage** for Lot 11 of Block 5 of Dunham Estates, located in Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the Twin Peak Lane and Severson Street intersection.

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

- 1. An Exception is hereby granted to allow an over-sized garage of 2,234 square feet in lieu of the maximum 1,500 square feet;**
- 2. The proposed over-sized attached garage shall be constructed with the same character as shown on the applicant's submitted elevations. Any change to the character of the detached garage shall require a Major Amendment to the Conditional Use Permit; and,**
- 3. The Conditional Use Permit shall allow for an over-sized garage for the property. The garage shall not be used for commercial purposes or as a second residence. In addition, the garage shall not be used as a rental unit. Any change in use that is a permitted use in the Low Density Residential District shall require a building permit. Any change in use that is a Conditional Use in the Low Density Residential District shall require the review and approval of a Major Amendment to the Conditional Use Permit.**

***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. 17RZ001 - Elks Country Estates

A request by Sperlich Consulting, Inc for ZO Incorporated to consider an application for a **Rezoning from General Agricultural District to Low Density Residential District II** for a portion of the Lot 2R, Elks Country Golf Course Subdivision, located in the E1/2, Section 16, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeasterly corner of the Lot 21R of Block 11 of Elks Country Estates, common with an angle point on the southerly boundary of Lot 2R of Elk Golf Course Subdivision, and the Point of Beginning; Thence, first course: S

13032'47" E, a distance of 10.11 feet to a point along the easterly boundary of Lot 21R of Block 11 of Elks Country Estates; Thence, second course: S 65o22'03" W, a distance of 69.15 feet, to the beginning of a 918.84 foot radius curve to the left; Thence, third course: along said curve of a length of 36.37 feet with a Chord Bearing of N 25o48'11" W and a Chord Distance of 36.37 feet and a delta angle of 02°16'04" to a point common with the southerly boundary of Lot 2R of Elks Golf Course Subdivision and the northerly boundary of Lot 21R of Block 11 of Elks Country Estates; Thence, fourth course: N 85o38'24" E, a distance of 76.60 feet to the northeasterly corner of the Lot 21R of Block 11 of Elks Country Estates, common with an angle point on the southerly boundary of Lot 2R of Elk Golf Course Subdivision, and the point of beginning, more generally described as being located northeast of Jolly Lane and Ping Drive intersection.

**Planning Commission recommended the Rezoning request from General Agricultural District to Low Density Residential District II be approved.**

8. No. 17RZ002 - Elks Country Estates

A request by Sperlich Consulting, Inc for Benevolent and Protective Order of Elks to consider an application for a **Rezoning from Low Density Residential District II to General Agricultural District** for a portion of the Lot 2R, Elks Country Golf Course Subdivision, located in the E1/2, Section 16, T1N, R8E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the southwesterly corner of the Lot 2R of Elks Country Golf Course Subdivision, common with the northwesterly corner of the Lot 21R of Block 11 of Elks Country Estates, common with the easterly boundary of the Jolly Lane Right of Way beginning a 1200.00 foot radius curve to the left and the Point of Beginning; Thence, first course: from the Point of Beginning along said curve of a length of 125.36 feet with a Chord Bearing of N 21°51'12" W and a Chord Distance of 125.30' feet, and delta angle of 05°59'08" to a point common with Lot 18 of Block 11 of Elks Country Estates, and said Lot 2R of Elks Country Golf Course Subdivision, common with the easterly boundary of the Jolly Lane Right of Way; Thence, second course: N 53o20'57" E, a distance of 32.29 feet, to a point on the southerly boundary of said Lot 18 of Block 11, Elks Country Estates, common to a point on the northerly boundary of Lot 2R of Elks Country Golf Course to the beginning of a 920.95 foot radius curve to the right; Thence, third course: along said curve of a length of 154.19 feet with a Chord Bearing of S 31o44'19" E and a Chord Distance of 154.01 feet and a delta angle of 09°35'33" to a point common with the southerly boundary of Lot 2R of Elks Golf Course Subdivision and the northerly boundary of Lot 21R of Block 11 of Elks Country Estates; Thence, fourth course: S 85o38'24" W, a distance of 60.45 feet to the southwesterly corner of Lot 2R of Elks Country Golf Course Subdivision, common with the northwesterly corner of Lot 21R of Block 11 of Elks Country Estates, common with the easterly boundary of the Jolly Lane Right of Way and the Point of Beginning, more generally described as being located northeast of Jolly Land and Ping Drive intersection.

**Planning Commission recommended that the Rezoning request from Low Density Residential District II to General Agricultural District be approved.**

9. No. 17RZ004 - Johnson Ranch Subdivision

A request by KTM Design Solutions Inc for BH Capital, LLC to consider an application for a **Rezoning from No Use District to Low Density Residential District I** for a portion of the N1/2 of the NW1/4, and a portion of the N1/2 of the SE1/4 of the NW1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the Section Corner common to Sections 4, 5, 8, and 9, T1N, R8E, BHM., thence S 00°14'11" W, a distance of 957.94 feet, to the point of beginning; Thence, first course: S 89°53'40" E, a distance of 1,590.23' feet; Thence, second course: S 38°08'02" W, a distance of 97.96 feet; Thence, third course: on a curve turning to the left with an arc length of 245.17 feet, with a radius of 409.03 feet, with a chord bearing of S 20°55'26" W, with a chord length of 241.52 feet; Thence, fourth course: N 86°14'55" W, a distance of 152.90 feet; Thence, fifth course: N 89°53'57" W, a distance of 1,291.96 feet; Thence, sixth course: N 00°14'11" E, a distance of 293.50 feet, to the said point of beginning, more generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.

**Planning Commission recommended that the request to rezone property from No Use District to Low Density Residential District be continued to the March 9, 2017 Planning Commission meeting at the applicant's request.**

10. No. 17RZ005 - Johnson Ranch Subdivision

A request by KTM Design Solutions Inc for BH Capital, LLC to consider an application for a **Rezoning from No Use District to Medium Density Residential District I** for a portion of the N1/2 of the NW1/4, and a portion of the N1/2 of the SE1/4 of the NW1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Section Corner common to Sections 4, 5, 8, and 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; thence, S00°14'11"W, a distance of 355.00', to the point of beginning; Thence first course: S89°56'50"E, a distance of 464.94 feet, Thence second course: N54°39'22"E, a distance of 41.99 feet; Thence third course: on a curve turning to the left with an arc length of 300.65 feet, with a radius of 600.00 feet, with a chord bearing of S55°17'43"E, with a chord length of 297.52 feet; Thence fourth course: on a curve turning to the right with an arc length of 64.51 feet, with a radius of 273.01 feet, with a chord bearing of S07°18'59"E, with a chord length of 64.36 feet; Thence fifth course: S00°14'11"W, a distance of 32.39 feet; Thence sixth course: S89°53'57"E, a distance of 151.00 feet; Thence seventh course: S00°14'11"W, a distance of 52.00 feet; Thence eighth course: S89°53'57"E, a distance of 233.71 feet; Thence ninth course: S75°00'50"E, a distance of 132.95 feet; Thence tenth course: S51°16'39"E, a distance of 425.14 feet; Thence eleventh course: S38°08'02"W, a distance of 14.11 feet; Thence twelfth course: N89°53'40"W, a distance of 1,590.23 feet; Thence thirteenth course: N00°14'11"E, a distance of 602.94 feet, to the point of beginning, more generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.

**Planning Commission recommended that the request to rezone property from No Use District to Medium Density Residential District be continued to the March 9, 2017 Planning Commission meeting at the applicant's request.**

11. No. 17RZ006 - Johnson Ranch Subdivision

A request by KTM Design Solutions Inc for BH Capital, LLC to consider an application for a **Rezoning from No Use District to General Commercial District** for a portion of the N1/2 of the NW1/4, and a portion of the N1/2 of the SE1/4 of the NW1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Section Corner common to Sections 4, 5, 8, and 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, and the point of beginning; Thence first course: S89°56'50"E, a distance of 280.80 feet; Thence second course: S60°22'50"E, a distance of 91.92 feet; Thence third course: on a curve turning to the left with an arc length of 320.43 feet, with a radius of 600.00 feet, with a chord bearing of S25°38'28"E, with a chord length of 316.63 feet; Thence fourth course: S54°39'22"W, a distance of 41.99 feet; Thence fifth course: N89°56'50"W, a distance of 464.94 feet; Thence sixth course: N00°14'11"E, a distance of 355.00 feet, to the point of beginning, more generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.

**Planning Commission recommended that the request to rezone property from No Use District to General Commercial District be continued to the March 9, 2017 Planning Commission meeting at the applicant's request.**

12. No. 17RZ007 - Johnson Ranch Subdivision

A request by KTM Design Solutions Inc for BH Capital, LLC to consider an application for a **Rezoning from No Use District to General Commercial District I** for a portion of the N1/2 of the NW1/4, and a portion of the N1/2 of the SE1/4 of the NW1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the Section Corner common to Sections 4, 5, 8, and 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; thence, S89°56'50"E, a distance of 1,176.59 feet; thence, S51°16'05"E, a distance of 545.28 feet, to the point of beginning; Thence first course: S51°16'05"E, a distance of 369.68 feet; Thence second course: S38°08'02"W, a distance of 478.29 feet; Thence third course: N51°16'39"W, a distance of 425.14 feet; Thence fourth course: N75°00'50"W, a distance of 132.95 feet; Thence fifth course: N89°45'49"W, a distance of 233.71 feet; Thence sixth course: N00°14'11"E, a distance of 51.45 feet; Thence seventh course: N89°45'49"W, a distance of 151.00 feet; Thence eighth course: N00°14'11"E, a distance of 32.04 feet; Thence ninth course: on a curve turning to the left with an arc length of 64.51 feet, with a radius of 273.01 feet, with a chord bearing of N07°18'59"W, with a chord length of 64.36 feet; Thence tenth course: on a curve turning to the left with an arc length of 103.64 feet, with a radius of 600.00 feet, with a chord bearing of S74°35'56"E, with a chord length of 103.54 feet; Thence eleventh course: on a curve turning to the left with an arc length of 651.65 feet, with a radius of 918.50 feet, with a chord bearing of

N80°07'40"E, with a chord length of 638.07 feet; Thence twelfth course: N59°48'10"E, a distance of 151.83 feet, to the point of beginning, more generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.

**Planning Commission recommended that the request to rezone property from No Use District to General Commercial District be continued to the March 9, 2017 Planning Commission meeting at the applicant's request.**

13. No. 17RZ008 - Johnson Ranch Subdivision

A request by KTM Design Solutions Inc for BH Capital, LLC to consider an application for a **Rezoning from General Agricultural District to Medium Density Residential District I** for a portion of the N1/2 of the NW1/4, and a portion of the N1/2 of the SE1/4 of the NW1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the Section Corner common to Sections 4, 5, 8, and 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; thence, S00°14'11"W, a distance of 355.00'; thence, S89°56'50"E, a distance of 464.94 feet; thence, N54°39'22"E, a distance of 41.99 feet, to the point of beginning; Thence first course: N54°39'22"E, a distance of 101.60 feet; Thence second course: on a curve turning to the left with an arc length of 92.30 feet, with a radius of 260.00 feet, with a chord bearing of S37°35'40"E, with a chord length of 91.81 feet; Thence third course: on a curve turning to the right with an arc length of 191.88 feet, with a radius of 273.01 feet, with a chord bearing of S34°13'15"E, with a chord length of 187.96 feet; Thence fourth course: on a curve turning to the right with an arc length of 300.65 feet, with a radius of 600 feet, with a chord bearing of N55°17'43"E, with a chord length of 297.52 feet to the point of beginning, more generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.

**Planning Commission recommended that the request to rezone property from No Use District to General Commercial District be continued to the March 9, 2017 Planning Commission meeting at the applicant's request.**

14. No. 17RZ009 - Johnson Ranch Subdivision

A request by KTM Design Solutions Inc for BH Capital, LLC to consider an application for a **Rezoning from General Agricultural District to General Commercial District** for a portion of the N1/2 of the NW1/4, and a portion of the N1/2 of the SE1/4 of the NW1/4, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, More fully described as follows: Commencing at the Section Corner common to Sections 4, 5, 8, and 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; thence, S89°56'50"E, a distance of 280.80', to the point of beginning; Thence first course: S89°56'50"E, a distance of 895.79 feet, Thence second course: S51°16'05"E, a distance of 545.28 feet; Thence third course: S59°48'10"W, a distance of 151.83 feet; Thence fourth course: on a curve turning to the right with an arc length of 651.65 feet, with a radius of 918.50 feet, with a chord bearing of S80°07'40"W, with a chord length of 638.07 feet; Thence fifth course: on a curve turning to the right with an arc length of 103.64 feet, with a radius of 600.00 feet, with a chord bearing of

N74°35'56"W, with a chord length of 103.51 feet; Thence sixth course: on a curve turning to the left with an arc length of 192.70 feet, with a radius of 249.74 feet, with a chord bearing of N34°13'15"W, with a chord length of 187.96 feet; Thence seventh course: on a curve turning to the right with an arc length of 92.30 feet, with a radius of 260.00 feet, with a chord bearing of N37°35'40"W, with a chord length of 91.81 feet; Thence eighth course: S54°39'22"W, a distance of 101.60 feet; Thence ninth course: on a curve turning to the right with an arc length of 320.43 feet, with a radius of 600.00 feet, with a chord bearing of N25°38'28"W, with a chord length of 316.63 feet; Thence tenth course: N60°22'50"W, a distance of 91.92 feet, to the point of beginning, more generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.

**Staff recommends that the request to rezone property from General Agriculture District to General Commercial District be continued to the March 9, 2017 Planning Commission meeting at the applicant's request.**

15 17TP004 - Approve the Rapid City Year End 2016 Population Estimate

**Planning Commission recommended approval of the Rapid City year end 2016 population estimate.**

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

3. No. 17PL003 - Freeland Ranch

A request by KTM Design Solutions for Hagg Brothers, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 1 thru 12 of Block 1, Lots 1 thru 22B of Block 2, Lots 1A thru 13F of Block 3, Lots 1 thru 14 of Block 4, Lot 1 of Block 5, Lots 1 thru 5 of Block 6, Lots 1A thru 2 of Block 7, Lots 1A thru 5C of Block 8 and Lot 1 of Block 9 of Freeland Ranch, legally described as that portion of the SW1/4, less Freeland Subdivision, less Prairie Hills Subdivision and less 1 acre tract in the SE1/4 of the SW1/4 of Section 19, T2N, R8E; the unplatted portion of the NW1/4, less Lot H4 and less Lot H5 of Section 30, T2N, R8E, all located in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Seger Drive.

Bulman stated that she would be abstaining due to a conflict of interest.

**Hoogestraat moved, seconded by Schmidt to recommend that the Preliminary Subdivision Plan be approved with the following stipulations:**

- 1. Upon submittal of a Development Engineering Plan application, the redline drawing comments shall be addressed. In addition, the redline drawing comments shall be returned with the Development Engineering Plan application;**
- 2. Upon submittal of a Development Engineering Plan application, construction plans for Street A shall be submitted for review and approval showing the street located in a minimum 52 foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as it extends north from E. Mall Drive. In addition, the street shall be**

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;

3. Upon submittal of a Development Engineering Plan application, construction plans for Seger Drive shall be submitted for review and approval showing the street located within 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. 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, 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;
5. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual;
6. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage plan shall also be in compliance with the Box Elder Drainage Basin or amendments to the basin plan shall be secured. All on-site and off-site drainage improvements as needed for the proposed development shall be provided either as a regional facility or specifically for the development. The project phasing shall be reviewed and drainage improvements provided for each phase while considering the overall drainage plan for the development. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, the drainage plan shall also confirm if any wetlands will be impacted by the project and, if so, permitting through the Army Corp of Engineer, along with wetland mitigation, will be required. Easements shall also be provided as needed and perpetual ownership and maintenance of facilities must be identified;
7. Upon submittal of a Development Engineering Plan application, a geotechnical report including an analysis of soil corrosivity and



- pavement design for all proposed subdivision improvements shall be submitted for review and approval;
8. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;
  9. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
  10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  11. Upon submittal of a Development Engineering Plan application, a maintenance agreement securing maintenance of the proposed landscape islands located in proposed Street A shall be submitted for review and approval. In addition, the approved agreement shall be submitted with the Final Plat application for recording at the Register of Deed's Office;
  12. Upon submittal of a Development Engineering Plan application, the applicant shall demonstrate ownership and maintenance for the proposed drainage lot. In addition, the approved agreement shall be submitted with the Final Plat application for recording at the Register of Deed's Office;
  13. Prior to submittal of a Final Plat application, proposed street name(s) shall be submitted to the Emergency Services Communication Center for review and approval. Upon submittal of a Final Plat application, the approved street name(s) shall be shown on the plat document;
  14. 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,
  15. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s). (8 to 0 to 1 with Braun, Gollither, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no and Bulman abstaining)
4. No. 17VR001 - Robbinsdale Addition No. 7  
A request by Renner Associates, LLC for Presbyterian Retirement Village of Rapid City, Inc. to consider an application for a **Vacation of Right of Way** for property generally described as being located at 225 Texas Street.

Schmidt and Huus stated that they would be abstaining due to conflict of interest.

**Hoogestraat moved, Bulman seconded and unanimously carried to recommend that the Vacation of Right-of-Way be approved. (7 to 0 to 2 with Braun, Gollhofer, Herr, Hoogestraat, Rolinger, Schmidt and Sullivan voting yes and none voting no and Bulman and Huus abstaining)**

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

\*16. No. 16PD046 - Orchard Meadows

A request by KTM Design Solutions, Inc for Yasmeeen 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, more generally described as being located south of SD Highway 44 East and east of Elk Vale Road.

Lacock stated that the applicant has requested that this item be continued to the March 23, 2017 Planning Commission meeting and as such staff recommends that the **Initial Planned Development Overlay to allow an apartment complex** be continued to the March 23, 2017 Planning Commission meeting at the applicants request.

**Schmidt moved, Rolinger seconded and unanimously carried to continue the Initial Planned Development Overlay to allow an apartment complex to the March 23, 2017 Planning Commission meeting at the applicants request. (9 to 0 with Braun, Bulman, Gollhofer, 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.***

17. No. 17RZ003 - Rypkema Subdivision and Poplar Subdivision

A request by Fisk Land Surveying and Consulting Engineers, Inc for HER

Enterprises LLC to consider an application for a **Rezoning from General Commercial District to Light Industrial District** for Tract E of Rypkema Subdivision and the S1/2 of adjacent vacated East Saint Louis Street adjacent to said Tract (also in Section 6, T1N, R8E) and Lot 2 of Poplar Subdivision, located in Section 31, T2N, R8E, BHM, Rapid City, Pennington County, more generally described as being located at 1002 E. Omaha Street.

Lacock stated that the applicant has requested that the item be continued to the March 9, 2017 Planning Commission meeting and as such staff recommends that the **Rezoning from General Commercial District to Light Industrial District** be continued to the March 9, 2017 Planning Commission meeting at the applicants request.

**Bulman moved, Rolinger seconded and unanimously carried that the Rezoning request from General Commercial District to Light Industrial District be continued to the March 9, 2017 Planning Commission meeting at the applicants request. (9 to 0 with Braun, Bulman, Golliher, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)**

\*18. No. 17PD003 - Lampert's Addition No. 2

A request by Fisk Land Surveying and Consulting Engineers, Inc for Landstrom's Gold Creations, LLC to consider an application for a **Final Planned Development Overlay to allow a mixed use development** for Lot 10A and Lots 1 thru 9 of Block 5 of Lampert's Addition No. 2 and the E1/2 and the W1/2 of vacated Canal Street adjacent to said Block 5, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 405 Canal Street.

Laroco presented the application and reviewed he associated slides. Laroco noted that this is Phase I of a two phased plan for this location with this phase proposing retail space, office space, a coffee shop with a drive through lane and a restaurant and the Phase II which will be submitted separately at a later date proposing additional office use and a microbrewery which will require a Major Amendment to the Planned Development Laroco noted that there is an expansion being requested with this development which is for the coffee shop and the drive thru lane for the coffee shop. Laroco pointed out that the Park Forest District zoning to the north and west of this and the railroad right-of-way to the south will help in limiting future development of the area controlling the access and traffic to the development. Laroco reviewed the three Exceptions being requested which are a reduction of off-street parking from 122 parking spaces to 70 parking spaces, reducing the required number of the landscaping islands from two to zero and to reduce the required number of landscaping points from 68,718 points to 57,724 points. Laroco noted that the applicant is proposing to provide additional vegetation and screening around the building and targeted landscaping specifically along the drive through lane, menu boards and the patio which should mitigate the reduction of the landscaping and landscaping islands. Laroco stated that staff believes that this is a good reuse of a unique

existing site and will be an strong step towards rejuvenating this portion the downtown area and presented staff's recommendation that the Exceptions be granted and the **Final Planned Development Overlay to allow a mixed use development** be approved with stipulations.

In response to a question from Bulman regarding the proposed signaling of Cross Street and Omaha Street, Ted Johnson of the Public Works Department stated that at present the date of this improvement is not known, but that it would help with the traffic flow in this area.

Huss stated that he would be abstaining from this item due to a conflict of interest.

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

- 1. The requested Exception to reduce the required amount of off-street parking from 122 spaces to 70 spaces is hereby granted. All parking shall be designed in compliance with the requirements of the Rapid City Municipal Code;**
- 2. The requested Exception to reduce the required amount of landscaping points provided on the property from 68,718 points to 57,724 points is hereby granted. All landscaping shall be installed and maintained in compliance with the Rapid City Municipal Code and with the landscaping plan submitted and approved as a part of this request;**
- 3. The requested Exception to waive the required number of landscaping islands from 2 to 0 is hereby granted, provided that a landscaping node around the proposed menu board be provided as shown on submitted plans in order to provide separation between the drive through lane and the parking lot.**
- 4. The requested Final Planned Development is for Phase 1 of development only. Prior to issuance of a building permit for Phase 2, a Major Amendment to the Planned Development is required. Phase 1 does not include an on-sale liquor use or a microbrewery;**
- 5. All signage shall comply with the requirements of the Rapid City Municipal Code. Electronic or Light Emitting Diode (LED) message centers are not permitted as a part of this request. The addition of LED message centers in the future shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign;**
- 6. This Final Planned Development shall allow for a mixed-use commercial development on the property. All requirements of the General Commercial District shall be continually maintained unless specifically permitted as a stipulation of this Final Planned Development or a subsequent Major Amendment to the Planned Development. All uses permitted in the General Commercial District shall be permitted contingent upon an approved building permit and provision of sufficient parking. All conditional uses or any use that results in an increase in parking shall require a Major Amendment to**

**the Planned Development. (8 to 0 to 1 with Braun, Bulman, Golliher, Herr, Hoogestraat, , Rolinger, Schmidt and Sullivan voting yes and none voting no and Huus abstaining)**

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

19. Discussion Items

Fisher welcomed Rachel Caesar to the Planning Commission.

20. Staff Items

None

21. Planning Commission Items

None

22. Committee Reports

- A. City Council Report (February 6, 2017)  
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, Rolinger moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:16 a.m. (9 to 0 with Braun, Bulman, Golliher, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)**