

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
April 6, 2017

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Golliher, John Herr, Kimberly Schmidt and Gerald Sullivan.

MEMBERS ABSENT: Galen Hoogestraat, Curt Huus, Mike Quasney and Steve Rolinger. Darla Drew, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, 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 Bulman seconded by Sullivan and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 3 in accordance with the staff recommendations. (7 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Schmidt and Sullivan voting yes and none voting no)

---CONSENT CALENDAR---

1. Planning Commission approved of the March 23, 2017 Planning Commission Meeting Minutes.
2. No. 17PL022 - Dyess Subdivision
A request by KTM Design Solutions, Inc for Boomshockalocka, LLC to consider an application for a **Preliminary Subdivision Plan** for Proposed Lots 1 thru 12 of Block 1 of Dyess Subdivision, legally described as the NW1/4 of the SW1/4 less the north 925 feet and less Lot H1; the north 926 .1 feet of the SW1/4 of the SW1/4, located in Section 21, T2N, R8E, BHM, R Rapid City, Pennington County, South Dakota, more generally described as being located north of Seger Drive and Dyess Avenue intersection.

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

1. **Upon submittal of a Development Engineering Plan application, construction plans for Dyess Avenue shall be submitted for review and approval showing the dedication of 50 feet of right-of-way located east of the center line of the section line highway and the construction of a minimum 36 foot wide paved surface, curb, gutter, sidewalk, street light conduit and a second water main 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;**
- 2. Upon submittal of a Development Engineering Plan application, construction plans for Industrial Road shall be submitted for review showing the street located within a minimum 60 foot wide right-of-way with 10 additional feet the first 200 feet as it extends east from Dyess Avenue 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;**
 - 3. 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;**
 - 4. 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;**
 - 5. 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 and in compliance with the Box Elder Drainage Basin Plan shall be submitted for review and approval for the proposed subdivision improvements. Any changes proposed that do not follow the basin plan will require a drainage basin plan amendment. On-site and/or off-site drainage improvements as needed for the proposed development shall be provided. In addition, the drainage plan shall address the phasing for the project with drainage improvements being provided for each phase while considering the overall drainage plan for the development. Drainage easements shall also be provided as needed;**
 - 6. 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;**
 - 7. Upon submittal of a Development Engineering Plan application, a master plan for the unplatted balance 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. 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. Prior to submittal of a Final Plat application, an alternate street name for Industrial Road shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the plat document shall show the approved street name;
12. Prior to submittal of a Final Plat application, the plat document shall show the dedication of all existing and proposed utility and/or drainage easements. In addition, the plat document shall show a non-access easement along Dyess Avenue;
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.

3. No. 17PL023 - The Stoneridge Subdivision

A request by KTM Design Solutions, LLC for Stoneridge LLC to consider an application for a **Preliminary Subdivision Plan** for Proposed Lot 1 of Stoneridge Subdivision, legally described as the unplatted balance of the NE1/4 less Lot H2R of the SE1/4 of the NE1/4 Less the NW1/4 of the NW1/14 of the NE1/4 less Lot H-1 of the N1/2 of the NE1/4 less the S1/2 of the NE1/4 lying southwest of 5th Street and less right-of-way, all located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of the intersection of Parkview Drive and 5th Street.

Planning Commission recommended 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 showing a second water main along Fifth Street shall be submitted for review and approval 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, the plat document shall show the dedication of one additional foot of right-of-way for Parkview Drive the first 200 feet as it extends north from Fifth 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, 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 as necessary;
 7. 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;
 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. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
 10. Prior to submittal of a Final Plat application, the subdivision name shall be changed to Stoneridge Subdivision #2;
 11. 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,**
- 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

4. No. 17TI001 - Rainbow Ridge Subdivision

A request by Doyle Estes and Kathy Johnson for DTH, LLC to consider an application for a **Resolution approving Revision #2 Project Plan Reallocating Project Costs for Tax Increment District No. 54** for a parcel of land in the S1/2 NE1/4 including right-of-way, Section 23, T2N, R7E; N1/2 SW1/4 including right-of-way, Section 24, T2N, R7E; and Lots 6 thru 17 of Block 5 including right-of-way, all of Block 10 including right-of-way, all of Block 11 including right-of-way, all located in CHMH Subdivision, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Mall Drive and west of Haines Avenue.

Bulman recused herself from the item due to a conflict of interest.

Horton presented the application noting that the application is for the reallocation of funds within an existing Tax Increment District and reviewed the associated slides. Horton noted that a previous amendment in 2008 changing the original plan from a well to a water tower. Horton identified the amount of funds being reallocated and stated that mid 2023 is the anticipated payoff timeframe. The Tax Increment District will be dissolved after payoff occurs.

Sullivan moved, Schmidt seconded and unanimously carried to recommend approval to reallocate costs within the Rainbow Ridge Tax Increment District No. 54 and directed staff to prepare the revision to the Project Plan for TID #54 as presented in 17TI001. (7 to 0 with Braun, Bulman, Caesar, Golliher, Herr, Schmidt and Sullivan voting yes and none voting no)

*5. No. 17PD013 - Gateway Business Park Subdivision

A request by KTM Design Solutions Inc for Rice Mall Drive Family Properties LLC to consider an application for a **Final Planned Development Overlay to allow vehicle sales** for Lot A of Block 2 of Gateway Business Park Subdivision, located in Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast corner of Outfitter Road and E. Mall Drive intersection.

Lacock presented the application and reviewed the associated slides. Lacock noted that the applicant has requested an Exception to reduce the landscaping islands from four to zero stating that as the Landscape Plan proposes to provide robust landscaping along the perimeter rather than in landscape islands, staff recommends that the Exception be granted. Lacock also stated that there is a proposed rally event area on the south side of the property to be utilized during

that period of the year. Lacock clarified that the applicant will have to obtain a Temporary Use Permit each year to operate the area. Lacock presented staff's recommendation that the Final Planned Development Overlay to allow vehicle sales be approved with stipulations.

Bulman moved, Schmidt seconded and unanimously approved the Final Planned Development Overlay to allow vehicle sales with the following stipulations:

- 1. An Exception is hereby granted to reduce the minimum required landscape islands from four to zero contingent upon the proposed landscaping along the perimeter of the property being provided. In addition, the landscape plan shall be installed and maintained in a live vegetative state and replaced when needed;**
- 2. Upon submittal of a Building Permit, redline comments shall be addressed;**
- 3. Upon submittal of a Building Permit, the site plan shall be revised to show a minimum of seven ADA accessible parking spaces with one being "van accessible";**
- 4. Prior to issuance of a Building Permit, the applicant shall coordinate with the Rapid City Fire Department to ensure access to emergency apparatus around the rear of the building. In addition, prior to issuance of a Building Permit, the applicant shall ensure that adequate fire flows and hydrants are provided as required;**
- 5. Prior to issuance of a Building Permit, the applicant shall bring the subject property into compliance with the Erosion and Sediment Control Permit issued in 2016 for site grading;**
- 6. Prior to issuance of a Certificate of Occupancy, any outstanding subdivision improvements associated with the platting of the property shall be completed and accepted by the City;**
- 7. A Temporary Use Permit shall be obtained prior to setting up tents in the parking lot for events;**
- 8. All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or LED signage is being approved as a part of this Final Planned Development Overlay. Any electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,**
- 9. The Final Planned Development Overlay shall allow vehicle sales and repair. All uses permitted in the General Commercial District shall be permitted, contingent upon sufficient parking being provided and an approved Building Permit. Any change in use that is a Conditional Use in the General Commercial District shall require the review and approval of a Major Amendment to the Planned Development. (7 to 0 with Braun, Bulman, Caesar, Gollhofer, Herr, 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.

6. 17TIF002 – The Village on Monroe
Appeal of Tax Increment Review Committee's decision to create an affordable housing Tax Increment District

Horton presented the application noting that the request had been denied by the Tax Increment District and is being appealed to the Planning Commission. Horton reviewed the appeal options and process for Tax Increment Finance application. Horton reviewed the proposed costs and improvements for the district which include construction of a five unit workforce housing development.

Bulman clarified that she is no longer working with the City on tax increment districts and has not had involvement with the current application. She stated that she supports the application.

Horton confirmed that the City Council had approved the request to use Tax Increment Finance funds for land acquisition for this Tax Increment District.

Kent Hagg, a resident of Rapid City, spoke in support of the proposal stating that this is a small in fill area that can benefit and the area and provide needed work force homes.

Bulman moved, Sullivan seconded to overturn the denial and direct staff to prepare the Project Plan. (7 to 0 with Braun, Bulman, Caesar, Gollhofer, Herr, Schmidt and Sullivan voting yes and none voting no)

7. Discussion Items
None

8. Staff Items
None

9. Planning Commission Items
None

10. Committee Reports
A. City Council Report (March 20, 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

here being no further business, Bulman moved, Gollhofer seconded and unanimously carried to adjourn the meeting at 7:28 a.m. (7 to 0 with Braun, Bulman, Caesar, Gollhofer, Herr, Hoogestraat, Huus, Quasney, Rolinger, Schmidt and Sullivan voting yes and none voting no)