

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
May 4, 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. Darla Drew, Council Liaison was also present.

MEMBERS ABSENT: None

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Sarah Hanzel, Patsy Horton, Tammy Stadel, 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.**

**Staff requested that Items 13 be removed from the Consent Agenda for separate consideration.**

**Motion by Rolinger seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 17 in accordance with the staff recommendations with the exception of Items 13. (9 to 0 with Braun, Bulman, Gollhofer, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)**

---CONSENT CALENDAR---

1. Planning Commission approved the April 20, 2017 Planning Commission Meeting Minutes.

2. No. 17RZ013 - Big Sky Business Park

A request by Mandi Schmierer for Penny Lind to consider an application for a **Rezoning from Office Commercial District to General Commercial District** for Lot 3 of Block 4 of Big Sky Business Park, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southwest of the intersection of Neal Street and Bernice Street.

**Planning Commission recommended that the Rezoning request be approved in conjunction with a Planned Development Designation.**

3. No. 17RZ014 - Red Rock Estates

A request by KTM Design Solutions, Inc for DKEA, LLC to consider an application for a **Rezoning from General Agricultural District to Low Density Residential District I** for Lot 5, Block 16 of Red Rock Estates, located in the N1/2 of the NW1/4 of Section 29, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota more fully described as followed: Commencing at the Section Corner common to Sections 19, 20, 29 and 30 at a found 2" iron pipe. Thence S 00°16'56" E, a distance of 441.21 feet to the South West corner of Lot

4R, Block 16 of Red Rock Estates. Thence N 89°43'19" E, a distance of 81.34 to the South West corner of Lot 5, Block 16 of Red Rock Estates being the point of beginning, Thence N 00°18'09" W, a distance of 174.89 feet, Thence N 89°43'15" E, a distance of 110.00 feet, Thence S 00°18'09" E, a distance of 174.89 feet, Thence S 89°43'19" W, a distance of 110.00 feet to the Point of Beginning, more generally described as being located north of the intersection of Bethpage Drive and Prestwick Road.

**Planning Commission recommended that the request to rezone property from General Agriculture District to Low Density Residential-I District be approved.**

4. No. 17PL033 - Skyline Ranch Subdivision

A request by Shanon Vasknetz for Troy Trombetta to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 and Lot 2 of Skyline Ranch Subdivision, legally described as the SW1/4 of the NW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the intersection of Tower Road and Skyline Drive.

**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 the existing access easement extending through the property and abutting the property shall be submitted for review and approval. 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 Exception shall be submitted with the Development Engineering Plan application;**
2. **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 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. If a private well is proposed to be utilized, then well data from an existing well or a nearby well shall be submitted to show that a well in this area can provide flows sufficient for development or documentation shall be submitted identifying that service will be provided by a water district. 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 residential fire sprinkler protection is designed and installed as per NFPA 13D throughout all new residential structures upon submittal of a Final Plat application. In addition, water testing data for proposed Lot 1 demonstrating that potable water is present shall be submitted;**
3. **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;
4. 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;
  5. 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;
  6. 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;
  7. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  8. Prior to submittal of a Final Plat application, 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. 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 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”;
  9. Prior to submittal of a Final Plat application, the applicant shall coordinate with the Fire Department to secure a Wild Fire Mitigation Plan for the property;
  10. Prior to submittal of a Final Plat application, Surveyor Note #3 stating that “Building Restrictions per the most recently adopted International Building Code and Building Setback Requirements per the City of Rapid City Ordinances” shall be removed;
  11. Prior to submittal of a Final Plat application, the recording information for the access easement shall read “Book 65, Page 7186” instead of Page 7190;
  12. Upon submittal of a Final Plat application, an agreement securing

ownership and maintenance of the well shall be submitted for recording if the existing well is to be shared. In addition, plat document shall be revised to show the well and the future service line to proposed Lot 2 within a utility easement;

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. 17PL037 - Stoney Creek South No.2 Subdivision  
A request by KTM Design Solutions, Inc for Yanni Georgas to consider an application for a **Preliminary Subdivision Plan** for proposed Lot A, B, C and D of Stoney Creek South No. 2 Subdivision, legally described as Lot 2 of Stoney Creek South No.2 Subdivision, located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Overview Lane and Nugget Gulch Drive.

**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 Nugget Gulch Road shall be submitted for review and approval showing the construction of street light conduit and additional pavement for a minimum width of 34 feet to allow parking on both sides of the street or provide no parking signs on the east side of the 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;
2. Upon submittal of a Development Engineering Plan application, the applicant shall confirm that the Nugget Gulch Road right-of-way is graded to accommodate the installation of a 5 foot wide property line sidewalk. If not, grading plans shall be submitted for review and approval to accommodate the sidewalk installation;
3. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval providing water and sewer services to all of the proposed lots in conformance with the Rapid City Infrastructure Design Manual and Standard Specifications;
4. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval addressing the non-conforming sewer main that fronts the proposed plat in Nugget Gulch Road ending in a termination cleanout instead of the required manhole;
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 shall be submitted for review and approval for any required subdivision improvements. The drainage plan shall

address storm water quantity control, storm water quality treatment and slope stability;

6. 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;
  7. 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;
  8. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  9. Upon submittal of a Final Plat application, the plat document shall show the dedication of all easements necessary, including drainage easements and utility easements. In addition, a note shall be placed on the plat securing a 6 foot wide exterior maintenance easement on either side of a common lot line to provide adequate room for maintenance, repair and alterations for the townhome lots;
  10. 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,
  11. Upon submittal of a Final Plat application, the plat title shall read "Lots 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2J, 2K, 2L and Lot A of Stoney Creek South No. 2 as per the Register of Deed's Office;
  12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
6. No. 17RZ015 - Stoney Creek South No. 2 Subdivision  
A request by KTM Design Solutions, Inc for Yanni Georgas to consider an application for a **Rezoning from General Agricultural District to Low Density Residential District II** for Lot 2 of Stoney Creek South No. 2 Subdivision, located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Overview Lane and Nugget Gulch Road.

**Planning Commission recommended that the Rezoning request be approved.**

7. No. 17AN004 - Tyler Knue Subdivision  
A request by KTM Design Solutions, Inc for Citcra LLC to consider an application for a **Petition of Annexation** for a portion of the unplatted balance of N1/2 NW1/4 NW1/4 lying outside Rapid City Corp Boundary located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner Lot 16 Block 1 of the

Mallridge Subdivision No. 2 located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; then S 00°16'34" W, a distance of 364.99' to the point of beginning; Thence, first course: S 00°16'22" W, a distance of 265.14';; Thence, second course: N 89°43'05" W, a distance of 287.58';; Thence, third course: N 00°16'55" E, a distance of 249.47';; Thence, fourth course: N 86°10'17" E a distance of 216.81';; Thence, fifth course: S 89°49'30" E a distance of 71.28', to the said point of beginning, more generally described as being located north of the current terminus of Kyle Street.

**Planning Commission recommended approving the Petition for Annexation**

8. No. 17RZ016 - Tyler Knue Subdivision

A request by KTM Design Solutions, Inc for Citcra LLC to consider an application for a **Rezoning from No Use District to Low Density Residential District II** for a portion of the unplatted balance of N1/2 NW1/4 NW1/4 lying outside Rapid City Corporate Boundary located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner Lot 16 Block 1 of the Mallridge Subdivision No. 2 located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; then S 00°16'34" W, a distance of 364.99' to the point of beginning; Thence, first course: S 00°16'22" W, a distance of 265.14';; Thence, second course: N 89°43'05" W, a distance of 287.58';; Thence, third course: N 00°16'55" E, a distance of 249.47';; Thence, fourth course: N 86°10'17" E a distance of 216.81';; Thence, fifth course: S 89°49'30" E a distance of 71.28', to the said point of beginning, more generally described as being located north of the current terminus of Kyle Street.

**Planning Commission recommended approving the Request to rezone property from No Use District to Low Density Residential 2 District.**

9. No. 17PL039 - Red Rock Estates

A request by KTM Design Solution, Inc for DKEA, Inc. to consider an application for a **Preliminary Subdivision** for proposed Lots 5 thru 15 of Block 9 and Lots 1 and 2 of Block 17 of Red Rock Estates, legally described as a portion of the N1/2 of Section 30 and Lot 6 (Golf Course), all located in Sections 29 and 30, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota and a Tract of land located in the NE1/4 along the east boundary being 33.01 feet by 2657.7 feet, located in Section 30, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located west of the northern most section of Prestwick Road.

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

1. **Upon submittal of a Development Engineering Plan application, construction plans for the western portion of Bethpage Drive shall be submitted for review and approval showing the street located within a minimum 68 foot wide right-of-way and constructed with a minimum 34 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;**

2. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing handicap ramps at the intersection of Bethpage Drive and Prestwick Road, sidewalk connecting handicap ramps, and sidewalk on any unbuildable parcels in compliance with ADA requirements;
3. Upon submittal of a Development Engineering Plan application, a plat document shall be submitted for review and approval showing the recording information of the previously vacated section line highway extending through the property. In addition, the 33 foot wide public utility easement secured along the eastern 33 feet of the vacated section line highway shall be shown on the plat and construction plans;
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. If it is determined that fire flows cannot be met, the applicant shall work with the Fire Department to ensure that fire protection is being provided for the residential development. Utility easements shall be provided as needed;
5. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval showing water and sewer services to serve all proposed lots in conformance with the Rapid City Infrastructure Design Criteria Manual and Standard Specifications;
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 addition, the report shall confirm that the Red Rock Estates Lift Station is sized to accommodate flows from this area. A Sewer Master Plan shall also be submitted for review and approval to ensure that the proposed sewer can serve future development. Utility easements shall be provided as needed;
7. Upon submittal of a Development Engineering Plan application, construction plans showing the extension of a sewer main from Prestwick Road across proposed Lot 6 to the western property line within the existing utility easement shall be submitted for review and approval to extend sewer to the property boundary;
8. 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 any required subdivision improvements. The drainage plan shall address storm water quantity control and storm water quality treatment. Drainage easements shall also be provided as needed;

9. Upon submittal of a Development Engineering Plan application, a geotechnical analysis, including soil corrosivity analysis shall be submitted for review and approval for all subdivision improvements;
  10. Upon submittal of a Development Engineering Plan application, a site plan shall be submitted demonstrating that a building envelope exists on all of the proposed lots due to the limitations imposed by the existing public utility easement that extends through the property, the requirement to extend a sewer main across Lot 6 of Block 9 and the drainage concerns on proposed Lot 7 of Block 9. If a lot is solely for drainage, then it shall be identified as such and an ownership and maintenance agreement shall be submitted for recording with the Final Plat application;
  11. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained to allow 58 dwelling units with one point of access in lieu of a maximum of 40 dwelling units as per the Infrastructure Design Criteria Manual or the construction plans shall be revised to provide a second point of access;
  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 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;
  14. 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;
  15. Upon submittal of a Final Plat application, the Infrastructure Development Partnership Fund Loan payment shall be submitted;
  16. Prior to submittal of a Final Plat application, that portion of the property located outside of the City limits shall be annexed;
  17. Prior to submittal of a Final Plat application, the applicant shall coordinate with the Register of Deed's office to re-label Lots 5 and 6 of Block 9 and Lots 1 and 2 of Block 17 since they are already used;
  18. 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,
  19. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
10. No. 17AN003 - Red Rock Estates  
A request by KTM Design Solutions, Inc for Selador Ranches, Inc. to consider an application for a **Petition of Annexation** for a portion of the NE1/4 of the NE1/4 and a portion of the NE1/4 of the SE1/4 of the NE1/4, all located in Section 30,



T1N, R7E, B.H.M., Pennington County, South Dakota, commencing at the Section Corner common to Sections 19, 20, 29 and 30, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota; Thence S 00°18'22" E, a distance of 266.21 feet along the said section line common to sections 29 and 30; Thence S 89°41'38" W, a distance of 33 feet to the point of beginning; Thence S 00°18'22" E, a distance of 1028.06 feet along the west edge of said section line Right-of-Way; Thence N 17°46'44" W, a distance of 351.37 feet; Thence N 00°18'22" W, a distance of 693.00 feet; Thence N 89°41'38" E, a distance of 105.50 feet, to the point of beginning, more generally described as being located west of the northern most section of Prestwick Road.

**Planning Commission recommended that the Petition for Annexation be approved**

11. No. 17RZ017 - Red Rock Estates

A request by KTM Design Solutions, Inc for Selador Ranches, Inc. to consider an application for a **Rezoning from No Use District to Low Density Residential District** for a portion of the NE1/4 of the NE1/4 and a portion of the NE1/4 of the SE1/4 of the NE1/4, all located in Section 30, T1N, R7E, B.H.M., Pennington County, South Dakota, commencing at the Section Corner common to Sections 19, 20, 29 and 30, T1N, R7E, B.H.M., Rapid City, Pennington County, South Dakota; Thence S 00°18'22" E, a distance of 266.21 feet along the said section line common to sections 29 and 30; Thence S 89°41'38" W, a distance of 33 feet to the point of beginning; Thence S 00°18'22" E, a distance of 1028.06 feet along the west edge of said section line Right-of-Way; Thence N 17°46'44" W, a distance of 351.37 feet; Thence N 00°18'22" W, a distance of 693.00 feet; Thence N 89°41'38" E, a distance of 105.50 feet, to the point of beginning, more generally described as being located west of the northern most section of Prestwick Road.

**Planning Commission recommended that the Request to rezone property from No Use District to Low Density Residential 1 District be approved.**

12. No. 17PL038 - North Twenty Subdivision

A request by KTM Design Solutions, Inc for Eastern Slope Land Corp. to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 1 thru 17 of Block 1; Lots 1A, 1B, 2A, 2B, 3A, 3B, 4 thru 12 of Block 2; Lots 1 thru 14 of Block 3, Lots 1 thru 13 and Tract A of Block 4 and Lot 1 of Block 5, legally described as the S1/2 of the S1/2 of the W1/2 of the SW1/4 of Section 13, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current terminus of Chalkstone, Brooke Street and Country Road.

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

1. **Prior to submittal of a Development Engineering Plan application, the redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;**
2. **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. In addition, approval of sanitary sewer and water infrastructure improvements from the South Dakota Department of Environment and Natural Resources shall be provided;

3. Upon submittal of a Development Engineering Plan application, construction plans for Country Road shall be submitted for review and approval showing the street located in a minimum 68 foot wide right-of-way and constructed with a minimum 34 foot wide paved surface to allow parking on both sides of the street, curb, gutter, sidewalk, street light conduit, water and sewer in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code 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 Brooke Street, Chalkstone Drive, Road A and Road B shall be submitted for review showing the streets located within a minimum 52 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. In addition, the cul-de-sac bulb at the eastern terminus of Road A shall be located in a minimum 104 foot diameter right-of-way and constructed with a minimum 84 foot diameter paved surface in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code 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 un-named cul-de-sac located in the southwest corner of the property and Cul-de-sac A shall be submitted for review and approval showing the streets located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the cul-de-sac bulb shall be located in a minimum 104 foot diameter right-of-way and constructed with a minimum 84 foot diameter paved surface in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code 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. 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;

8. 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;
9. Upon submittal of a Development Engineering Plan application, agreements securing perpetual ownership and maintenance of any drainage ways, detention ponds, drainage structures and other related surface or underground drainage improvements shall be submitted for review and approval. In addition, easements shall be provided as needed and shall accommodate estimated maximum high water levels including minimum one foot of freeboard. Publicly maintained easements shall be a minimum 20 feet in width, and in accordance with the Infrastructure Design Criteria manual requirements;
10. 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 report shall address storm water quantity control and storm water quality treatment. Stormwater analysis and improvements shall also include consideration of current and future stormwater quality requirements and improvements. In addition, easements shall be provided as needed;
11. Upon submittal of a Development Engineering Plan application, street names for Road A, Road B and Cul-de-sac A shall be submitted to the Emergency Services Communication Center for review and approval. In addition, the approved street names shall be shown on the Final Plat document. The plat document shall also show Country Road as "Country Road West". In addition, Brooke Street and Chalkstone Drive shall be labeled within the boundary of the proposed subdivision;
12. 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;
13. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
14. Prior to submittal of a Final Plat application, a note shall be placed on the plat securing a 6 foot wide exterior maintenance easement on either side of a common lot line to provide adequate room for maintenance, repair and alterations for the townhome lots;
15. Upon submittal of a Final Plat for that portion of the property located along the south lot line, a plat document shall be submitted showing the previously vacated section line highway, including the recording

information;

16. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and,
  17. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).
- \*14. No. 17UR007 - Rapid City Greenway Tract  
A request by City of Rapid City to consider an application for a **Major Amendment to a Conditional Use Permit to expand a Fire Station** for Lots A and B of Tract 3 of Rapid City Greenway Tract, located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2902 Park Drive.

**Planning Commission recommended that the Conditional Use Permit to expand a Fire Station be approved with the following stipulation(s):**

1. Upon submittal of a Building Permit, a revised site plan shall be submitted identifying property line sidewalk along Morningview Drive or a Variance shall be obtained;
2. Prior to the start of construction, a Floodplain Development Permit shall be obtained;
3. Lot B of Tract 3 shall be exclusively reserved for park land;
4. The trees along the south and east property lines shall remain as a buffer and be maintained in a live vegetative state; and,
5. The Conditional Use Permit shall allow the expansion of a fire station to include 6 dorm rooms and a training / exercise room. Any expansion to the conditional use shall be in compliance with Chapter 17.54.030 of the Rapid City Municipal Code. Permitted uses within the underlying zoning district in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use 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.***

- \*15. No. 17UR008 - Rapid City Greenway Tract  
A request by Sarah Keppen for Black Hills Pride Festival to consider an application for a **Conditional Use Permit to allow structures in the Flood Hazard District in conjunction with a festival** for Tract 20 less Lot H1 of Rapid City Greenway Tract, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 301 N. 5th Street.

**Planning Commission recommended that the Conditional Use Permit to**

allow structures in the Flood Hazard District in conjunction with a special event be approved with the following stipulation(s):

1. A Temporary Use Permit shall be obtained;
2. A Floodplain Development Permit shall be obtained;
3. A Special Event Permit shall be obtained; and,
4. The Conditional Use Permit shall allow structures in the Flood Hazard District in conjunction with a festival. Changes to the proposed special event shall require an 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.*

\*16. No. 17UR009 - South Boulevard Addition

A request by Jessica Castleberry to consider an application for a **Conditional Use Permit to allow a childcare center** for Lot 27 thru 30 of Block 19 of South Boulevard Addition, located in Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2220 5th Street.

**Planning Commission recommended that the requested Conditional Use Permit to allow a childcare center be approved with the following stipulations:**

1. Prior to issuance of a certificate of completion or initiation of the use, a five to six foot high ornamental screening fence shall be constructed along the north lot line or a Variance shall be obtained to waive the requirement;
2. 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 Conditional Use Permit;
3. 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 Conditional Use Permit. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign;
4. This Conditional Use Permit shall allow for the operation of a child care center on the property. All requirements of the Neighborhood Commercial District and all requirements for a child care center shall be continually maintained. All uses permitted in the Neighborhood Commercial District shall be permitted contingent upon provision of sufficient parking and an approved Building Permit. All conditional uses in the Neighborhood Commercial District shall require 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.***

17. 17PR001 - Croyle Court Road District

A request by Donald Leonard to consider an application for a **Petition for the Organization and Incorporation Croyle Court Road District.**

**Planning Commission recommended the Petition for the Organization and Incorporation Croyle Court Road District be approved.**

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

13. No. 17PL040 - South Terrace Subdivision

A request by KTM Design Solutions, Inc for Catron Blvd Investors, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots A thru D, Lots 1 thru 20 of Block 2, Lots 1 thru 15 of Block 3, Lots 1 thru 20 of Block 4, Lots 1 thru 20 of Block 5, Lots 1 thru 37 of Block 6 , Lots 1 thru 9 of Block 7, Lots 1 thru 5 of Block 8 and Lots 1 and 2 of Block 9 of South Terrace Subdivision, legally described as the SE1/4 of the NE1/4; the E1/2 of the SE1/4; the NE1/4 of the NE1/4; and a portion of Tract A of BFS Subdivision of Section 26, all located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of Catron Boulevard east of Mount Rushmore Road.

Fisher stated that the applicant has requested that the **Preliminary Subdivision Plan** be continued to the June 8, 2017 Planning Commission Meeting.

**Rolinger moved, Hoogestraat seconded and unanimously carried to continue the Preliminary Subdivision Plan to the June 8, 2017 Planning Commission Meeting. (9 to 0 with Braun, Bulman, Gollither, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)**

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

\*18. No. 17PD015 - Stoney Creek South No.2 Subdivision

A request by KTM Design Solutions, Inc for Yanni Georgas to consider an application for a **Initial Planned Development Overlay to allow a townhome development** for Lot 5 of Block 5 of Catron Crossing Subdivision Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the NW corner of Lot 5 of Block 5 of Catron Crossing Subdivision, located in Section 22, T1 N R7E, BHM, Rapid City, Pennington County, South Dakota, and the point of beginning; Thence first course: on a curve turning to the left with an arc length of 202.05 feet, with a radius of 434.00 feet, with a chord bearing of N 14°54'42"W, with a chord length of 200.23 feet; Thence second course: on a curve turning to the right with an arc length of 179.61 feet, with a radius of 365.99 feet, with a chord bearing of N 14°11'24"W, with a chord length of 177.81 feet; Thence third course: N00°16'43"W, a distance of 40.75 feet; Thence fourth course: N00°15'50"W, a distance of 16.93 feet; Thence fifth course: N44°51'27"E, a distance of 14.22

feet; Thence sixth course: N89 °59'11"E, a distance of 16.75 feet; Thence seventh course: on a curve turning to the right with an arc length of 92.21 feet, with a radius of 74 feet, with a chord bearing of S54°19'18"E, with a chord length of 86.36 feet; Thence eighth course: S04°38'57"E, a distance of 52.00 feet; Thence ninth course: on a curve turning to the left with an arc length of 154.03 feet, with a radius of 226.00 feet, with a chord bearing of S21°08' 13"E, with a chord length of 151.06 feet; Thence tenth course: on a curve turning to the right with an arc length of 192.86 feet, with a radius of 538.76 feet, with a chord bearing of S11°57'37"E, with a chord length of 191.84 feet; Thence eleventh course: S88°21'21"W, a distance of 100.02 feet; to the point of beginning, more generally described as being located southeast of the intersection of Overview Lane and Nugget Gulch Drive.

Lacock presented the application noting that this application has two associated applications that were approved as part of the consent agenda, a Preliminary Subdivision Plan (17PL039) to create 11 townhome lots and one single-family lot and a Rezoning request to change the zoning from General Agricultural District to Low Density Residential District II (17RZ015). Lacock reviewed the associated slides noting that the applicant is requesting an Exception to reduce the rear yard setback from the required 25 feet to 20 feet and an Exception to allow a three-unit townhome and two four-unit townhomes in lieu of the maximum allowed two-unit townhomes in the Low Density Residential II District. Lacock said that staff supports the mix of housing options as promoted by the Comprehensive Plan and noted that the rear yard setback allows for the housing units to have a larger setback from the street and as such, staff supports the Exceptions and recommends that the Initial Planned Development Overlay to allow a townhome development be approved with stipulations.

Lacock noted that as this is an Initial Planned Development Overlay which allows the applicant to address initial design and layout prior to the Final Planned Development Overlay which will come before the Planning Commission before building begins.

Golliher stated that he will be abstaining from this item due to a conflict of interest.

In response to a question from Drew, Lacock confirmed that even with the intent to build more than two-unit structures that the density and development does fit with the intent of the Low Density Residential District II.

Kyle Treloar, KTM Design Solutions, Inc, briefly discussed the reasoning behind the type of housing units and the lots stating that they are looking at buffering from one type of housing to the another and briefly reviewed the proposed design of the units.

In response to questions regarding lot size and design, Fisher confirmed that the lot met the minimal lot size and that Planning Commission can request by stipulation to have structural elevations submitted with the Final Planned Development Overlay application to allow the review of the design.

Quasney said he feels that the density of the development could create congestion and he does not support the request.

Hoogestraat moved to approve with the additional stipulation that structural elevations be submitted with the Final Planned Development Overlay application.

A roll call vote was called.

**Hoogestraat moved, Rolinger seconded and carried 5 to 3 to 1 to approve the Initial Planned Development Overlay to allow a townhome development with the following stipulations:**

- 1. The Exception to reduce the minimum required rear yard setback from 25 feet to 20 feet is hereby granted;**
- 2. The Exception to allow a three-unit townhome and two four-unit townhomes in lieu of the maximum allowed two-unit townhomes is hereby granted;**
- 3. Prior to issuance of a Building Permit, a Final Planned Development Overlay shall be submitted and approved;**
- 4. Upon submittal of a Final Planned Development Overlay application, a grading and drainage plan shall be submitted for review and approval. The grading plan shall identify that Nugget Gulch Road is graded to accommodate a five foot wide property line sidewalk;**
- 5. Upon submittal of a Final Planned Development Overlay application, construction plans for water and sewer services shall be submitted for review and approval;**
- 6. Upon submittal of a Final Planned Development Overlay application, a site plan identifying approach locations shall be submitted for review and approval;**
- 7. Prior to issuance of a Building Permit, a Development Engineering Plan shall be approved;**
- 8. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved;**
- 9. This Initial Planned Development Overlay shall allow for an 11-unit townhome development. Permitted uses within the underlying zoning district in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Final Planned Development Overlay; and,**
- 10. Upon submittal of a Final Planned Development Overlay application, structural elevations shall be submitted. (5 to 3 to 1 with Braun, Bulman, Hoogestraat, Huus and Rolinger voting yes and Herr, Schmidt and Sullivan voting no and Gollither 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.***



No. 17OA001 - Ordinance Amendment to Amend Provisions Concerning Zoning Applications by the City Amending Section 17.54.040 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for an **Ordinance Amendment to Amend Provisions Concerning Zoning Applications by the City Amending Section 17.54.040 of the Rapid City Municipal Code.**

Cushman reviewed the Ordinance explaining the constraints of the current Ordinance requirements for City Sponsored Rezoning requests and how the proposed changes would allow more flexibility and a shorter timeframe for these rezoning applications.

In response to a question from Braun regarding whether the homeowners will be privy to the same information as they are currently, Cushman confirmed that they will. She clarified that the revision of the ordinance will reduce the processing time by reducing the number of mailing and waiting periods between mailing by approximately a month but that it will still allow enough time for public notice and input.

**Bulman moved, Schmidt seconded and unanimously recommended that the Ordinance Amendment to Amend Provisions Concerning Zoning Applications by the City Amending Section 17.54.040 of the Rapid City Municipal Code be approved. (9 to 0 with Braun, Bulman, Gollither, Herr, Hoogestraat, Huus, Rolinger, Schmidt and Sullivan voting yes and none voting no)**

20. No. 17TI002 - Village on Monroe

A request by NeighborWorks Dakota Home Resources to consider an application for a **Resolution Creating the Village on Monroe Tax Increment District and a Resolution approving the Project Plan** for 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.

Horton presented the application, reviewed the associated slides, tax increment qualification requirements and financial information for the application. Horton noted that Planning Commission has previously approved a Planned Development to allow a Townhome Development (16PD058) for this property. Horton said that the proposed dwellings are identified as affordable workforce housing and reviewed the accessibility of the property to services and amenities needed to support affordable housing. Horton presented a brief overview of Tax Increment Financing. She then reviewed the Project Plan improvements and expenses proposed for this specific request. Horton noted that there had been some revisions to the Project Plan to correct the increment payment schedule.

In response to Herr's question on the how the land and the funds will be used, Horton reviewed the options for the use of the funds. Horton clarified that the taxable value of the structure will drive the increase of value not the land.

Joy McCracken, Executive Director of Neighbor Works, reviewed how the property would be managed and the options for purchasing the properties

including using land trust or the use of down payment assistance. McCracken discussed how the regional dependency on tourism drives lower wages and creates the need for affordable workforce housing.

Discussion followed regarding the two option for purchasers. McCracken further explaining the land trust and zero percent financing options. McCracken stated that this is the first use of Land Trust in South Dakota.

Hoogestraat expressed concern for setting a precedent for residential Tax Increment Financing.

Bulman spoke to her reasons for supporting this request agreeing that it is a unique request, but a worthwhile effort.

**Bulman moved, Rolinger seconded finding that the criteria identified in SDCL 11-9-8 regarding blight and/or economic development have been met, that the application meets the intent of the Rapid City Tax Increment District Policy, and recommended creating the Village on Monroe Tax Increment District and approving the associated Project Plan to provide five work force housing townhomes with updates to the schedules as presented. (7 to 2 with Braun, Bulman, Gollither, Huus, Rolinger, Schmidt and Sullivan voting yes and Herr and Hoogestraat voting no)**

21. Discussion Items

22. Staff Items

A. Fair and Impartial Hearings

Cushman reviewed fair and impartial decision practices stating that this information is provided by the Attorney's Office to help Planning Commissioners to understand the procedures and due process considerations of their bodies. As part of the presentation Cushman reviewed conflict of interest and ex parte communications and how to recognize each and how to handle and best manage these issues.

B. Staff update on status of downtown zoning regulation and revisions – Sarah Hanzel

Schmidt and Hoogestraat left the meeting at this time

Hanzel presented an update on the Downtown Master Plan implementation specifically the creation of a new zoning district for the East of Fifth Area Downtown. She said as they move forward on creating this new Downtown Zoning District staff has been meeting regularly to address various associated topics. Hanzel stated that key among those are parking, uses, setbacks, signage and landscaping. These are being reviewed and incorporated to allow the improvement and development of the area to operate more in the nature of the Downtown Central Business District.

Hanzel stated that staff will continue to work on this and are anticipating

bringing the ordinance forward sometime around July following stakeholder meetings and public open houses.

23. Planning Commission Items

None

**There being no further business, Herr moved, Rolinger seconded and unanimously carried to adjourn the meeting at 8:52 a.m. (9 to 0 with Braun, Bulman, Caesar, Gollither, Herr, Huus, Quasney, Rolinger and Sullivan voting yes and none voting no)**