



MINUTES OF THE
RAPID CITY SPECIAL PLANNING COMMISSION
March 2, 2006

MEMBERS PRESENT: Doug Andrews, Holly Brenneise, John Brewer, Gary Brown, Thomas Hennies, Dennis Landguth and Karen Waltman.

STAFF PRESENT: Marcia Elkins, Karen Bulman, Bob Dominicak, Bill Knight, Joel Landeen, Kevin Lewis and Carol Bjornstad.

Andrews called the meeting to order at 11:35 a.m.

ITEMS ON THIS AGENDA ARE SUBJECT TO A SECOND PUBLIC HEARING BEFORE THE RAPID CITY CITY COUNCIL FOR FINAL ACTION. RECOMMENDATIONS OF THE PLANNING COMMISSION ON ITEMS FROM THIS AGENDA MAY BE CONSIDERED BY THE RAPID CITY CITY COUNCIL AT THEIR NEXT REGULAR MEETING ON MARCH 6, 2006 AT 7:00 P.M. PLEASE CONTACT GROWTH MANAGEMENT STAFF FOR INFORMATION REGARDING WHICH CITY COUNCIL AGENDA ANY PARTICULAR ITEM WILL BE HEARD FOR FINAL ACTION.

1. No. 06RZ003 - Stoneridge Subdivision - A request by City of Rapid City to consider an application for a **Rezoning from General Agriculture District to Low Density Residential District** on Lots 1 thru 19, Block 1 and Lots 1 thru 10, Block 2 and adjacent Rights-of-Way, Stoneridge Subdivision, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Parkview Drive along Gemstone Drive, Jewel Court and Enchanted Pines Drive.

Elkins presented the Rezoning request from General Agriculture District to Low Density Residential District. Elkins advised that staff became aware that the applicant had never submitted the required rezoning. Elkins stated that building permits have been issued in error for construction on the location prior to the rezoning being completed. Elkins stated that the subject property is appropriate for Low Density Residential. Elkins stated that staff's recommendation is that the Rezoning from General Agriculture District to Low Density Residential District be approved.

In response to Brewer's question, Elkins stated that letters were sent to adjacent property owners and she is unaware of any objections. Discussion followed.

Steve Brenden expressed concerns, including whether the property could be rezoned after the permits had been issued.

In response to Steve Brenden's question, Elkins advised that the process is appropriate for a rezoning application. Discussion followed.

Brewer moved, Brenneise seconded and unanimously carried to recommend that the Rezoning from General Agriculture District to Low Density Residential District be approved. (7 to 0 with Andrews, Brewer,



Brown, Brenneise, Hennies and Waltman voting yes and none voting no).

2. Revisions to the Tax Increment Financing Policy.

Elkins reviewed the content of the handout presented on the dais for the Planning Commission's review of the Draft Changes of the Tax Increment Financing Policy.

Elkins reviewed the development criteria for Tax Increment Funding for the City of Rapid City. Elkins stated that Bulman has prepared a summary of the Tax Increment Districts to include active and non-active districts, the increase in value of the property within the districts, and the proposed time the districts will be paid off.

Elkins presented the proposed Application form. Elkins stated that the Tax Increment Financing Committee requested that the required criteria for approval be shown on the application. Elkins stated that Bulman has provided a summary of the benefits of Tax Increment Financing.

In response to Andrews' question, Elkins stated that the Tax Increment Committee has requested that the Tax Increment Financing Policy be revised and staff has prepared a draft for Planning Commission approval. Elkins advised that once the Tax Increment Financing Policy has been reviewed by Planning Commission, the Policy will be presented to City Council for action. Discussion followed.

In response to Landguth's question, Elkins stated that there is not currently a checklist available for the Committee to use in reviewing applications.

In response to Landguth's question, Elkins reviewed the Mandatory and Discretionary criteria. Discussion followed.

In response to Brewer's question, Landeen advised that the "blight" criteria is part of the Statute. Landeen stated that the district cannot be created without the "blight" criteria being met. Discussion followed.

Landguth expressed his opinion in favor of a point system for criteria.

Elkins reviewed the Mandatory criteria for blighted conditions that are required to be met for an application to the Tax Increment Financing Committee for approval. Discussion followed.

Steve Brenden expressed his opinion in support of a point system for criteria for approval of Tax Increment Financing Districts.

Brewer expressed his opinion in support of utilizing the Tax Increment Financing as an economic development tool and improvements for the community. Discussion followed.

In response to Brenneise's question, Elkins stated that Tax Increment Financing criteria have been in place since 1991.



Hennies expressed his opinion in opposition for an “absolute” definition of “blighted”. Discussion followed.

Andrews expressed his opinion in support of utilizing Tax Increment Financing for economic development. Discussion followed.

Waltman expressed support of Tax Increment Financing policies and expressed her opinion in support of a point system. Waltman stated that the applicant should know in advance the required criteria to be able to provide adequate information. Discussion followed.

Elkins reviewed the previous position of the Planning Commission requiring the Tax Increment Financing funds be used previously for public improvements.

Landguth expressed his opinion that a more definitive determination of public improvement and the normal realm of the developer’s responsibility and City’s responsibility should be identified.

In response to Brewer’s question, Elkins advise that about one application every other month is submitted to the Tax Increment Financing Committee.

Landeen stated that the Planning Commission and the City Council has discretion to approve or deny Tax Increment funding.

Brown moved, Hennies seconded to recommend approval of Draft changes to the Tax Increment Financing Policy.

Brenden expressed his opinion in opposition to a number of the proposed changes to the Tax Increment Financing Policy.

Elkins stated that the proposed changes have been brought forward from the Tax Increment Financing Committee. Elkins reviewed each of the proposed changes to the Tax Increment Financing Policy. Discussion followed.

Brenden expressed concern with the proposed changes to the appeals process for Tax Increment Financing applications. Elkins advised that the City Attorney’s office has indicated State Statute that the Planning Commission must approve any application for Tax Increment Financing.

In response to Brenneise’s questions, Elkins stated that the criteria for consideration of an application for Tax Increment Financing are subjective.

In response to Brewer’s questions, Elkins stated that the applicant is notified of the Tax Increment Financing Committee’s decision, typically by phone the same day. Discussion followed.

Elkins stated that staff would modify the language in the draft policy to include notifying the applicant of the Tax Increment Financing Committee’s determination. Discussion followed.



Brown moved, Hennies seconded to amend the motion to approve the Draft Changes to the Tax Increment Financing Policy and to modify the language to make oral notification to the applicant of the determination of the Tax Increment Financing Committee within seven days.

Elkins stated that a request has come forward to limit the amount of times applicant can submit the same request. Discussion followed.

Brenneise expressed her support of modifying the language that an applicant cannot bring forward another application for thirty days.

Brown moved, Hennies seconded to amend the motion to approve the Draft Changes to the Tax Increment Financing Policy and to modify the language to make oral notification to the applicant of the determination of the Tax Increment Finance Committee and set a time limit of 30 days for reapplication. (7 to 0 with Andrews, Brenneise, Brewer, Brown, Hennies, Landguth and Waltman voting yes and none voting no.)

There being no further business, Brown moved, Waltman seconded and unanimously carried to adjourn the meeting at 12:30 p.m. (7 to 0 with Andrews, Brenneise, Brewer, Brown, Hennies, Landguth and Waltman voting yes and none voting no.)

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Rapid City Growth Management Department so that appropriate auxiliary aids and services are available.