

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
December 5, 2013

MEMBERS PRESENT: Erik Braun, John Brewer, Karen Bulman, Linda Marchand, Brett Monson, Cody Raterman, Kay Rippentrop, Steve Rolinger, Tim R. Rose, Andrew Scull, and Jan Swank. Amanda Scott, Council Liaison was also present.

MEMBERS ABSENT: Dennis Popp

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

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

Brewer noted that eleven Planning Commissioners are present and as such Commissioner Monson will not be voting.

Brewer 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 Item 2 be removed from the Consent Agenda for separate consideration.

Motion by Rose, seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 7 in accordance with the staff recommendations with the exception of Item 2. (10 to 0 with Braun, Brewer, Bulman, Marchand, Raterman, Rippentrop, Rolinger, Rose, Scull and Swank voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the November 21, 2013 Planning Commission Meeting Minutes.

*3. No. 13PD048 - Big Sky Business Park

A request by Fisk Land Surveying and Consulting Engineers, Inc for Pilot Properties, LLC to consider an application for a **Initial Planned Development Overlay to allow an apartment complex** for Lot 4 of Block 1 of Big Sky Business Park, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, at the northwest corner of the intersection of Bernice and Neel Streets.

Planning Commission approved the Initial Planned Development Overlay to allow an apartment complex with the following stipulations:

1. **A Final Planned Development Overlay shall be obtained prior to issuance of a building permit;**
2. **Upon submittal of a Final Planned Development Overlay application, a signed and sealed stormwater report by a professional engineer demonstrating that quantity and quality control of stormwater have been met shall be submitted for review and approval;**

3. Upon submittal of a Final Planned Development Overlay application, an erosion and sediment control plan shall be submitted for review and approval;
4. Upon submittal of a Final Planned Development Overlay application, a revised parking plan shall be submitted for review and approval showing one of the handicap accessible parking spaces as a “van accessible” handicap parking space as per Chapter 17.50.270(H) of the Rapid City Municipal Code. In addition, the parking plan shall continue to provide a minimum of 72 parking spaces with three of the parking spaces being handicap accessible. A minimum of 36 parking spaces shall be provided for Phase I and Phase II, respectively. All provisions of the Off-Street Parking Ordinance shall be continually met;
5. Upon submittal of a Final Planned Development Overlay, the applicant shall submit a revised site plan showing a minimum 29 foot front yard setback from Neel Street or an Exception must be requested from Chapter 17.40.040(A) of the Rapid City Municipal Code;
6. Upon submittal of a Final Planned Development Overlay application, a sign package showing the size and design of the proposed monument sign shall be submitted for review and approval. All signage shall conform to the Sign Code. No electronic signs are being approved as a part of this Initial Planned Development Overlay. All signage not in conformance with the Sign Code or any electronic reader board signs shall require the review and approval of a Final Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for all signs;
7. Upon submittal of a Final Planned Development Overlay application, a landscaping plan shall be submitted for review and approval. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code, shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
8. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
9. Upon submittal of a building permit, a signed and sealed stormwater report by a professional engineer demonstrating that quantity and quality control of stormwater have been met shall be submitted for review and approval;
10. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
11. All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
12. All applicable provisions of the adopted International Fire Code shall

continually be met;

13. All provisions of the Office Commercial District and shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay or a subsequent Final Planned Development Overlay; and,
14. The Initial Planned Development shall allow for four three-story 12 unit apartment buildings for a total of 48 apartment units for the property. Any change in use that is a permitted use in the Office Commercial District shall require the review and approval of a Minimal Amendment. Any change in use that is a Conditional Use in the Office Commercial District shall require the review and approval of a Final Planned Development Overlay.

* *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.*

4. No. 13CA016 - North Rapid Addition No. 2

A request by Fisk Land Surveying and Consulting Engineers, Inc for Black Hills Habitat for Humanity to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation from Public to Residential** for Block 76 of North Rapid Addition No. 2, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 925 Dilger Avenue.

Planning Commission recommended that the Amendment to the Comprehensive Plan to change the land use designation from Public to Residential be approved.

5. No. 13RZ028 - North Rapid Addition No. 2

A request by Fisk Land Surveying and Consulting Engineers, Inc for Black Hills Habitat for Humanity to consider an application for a **Rezoning from Public District to Medium Density Residential District** for Block 76 of North Rapid Addition No. 2, located in Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 925 Dilger Avenue.

Planning Commission recommended that the Rezoning from Public District to Medium Density Residential District be approved in conjunction with the associated Comprehensive Plan Amendment.

*6. No. 13PD046 - Rushmore Crossing

A request by Renner and Associates, LLC for Midland Atlantic to consider an application for a **Final Planned Development to allow a commercial development** for Lot 5A4 of Block 2 of Rushmore Crossing, located in Section 29, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more

generally described as being located at 1325 and 1329 Eglin Street.

Planning Commission approved the Final Planned Development to allow a commercial development with the following stipulations:

- 1. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;**
- 2. Prior to issuance of a building permit, an access easement for access to the water shut-off valve on private property shall be dedicated. In addition, a copy of the recorded easement shall be submitted with the building permit application;**
- 3. Prior to issuance of a building permit, the applicant shall confirm the location of all water and sanitary sewer services stubbed to the property. All services that will not be used shall be abandoned in compliance with the requirements of the Infrastructure Design Criteria Manual;**
- 4. Prior to issuance of a building permit, final construction plans signed and sealed by a registered professional engineer shall be submitted for review and approval;**
- 5. Prior to issuance of a Certificate of Occupancy, temporary or permanent site stabilization shall be achieved;**
- 6. Prior to issuance of a Certificate of Occupancy, all parking and landscaping must be installed in compliance with the requirements of the Rapid City Municipal Code, the previously approved landscaping plan (File #07PD074), and the submitted plans. All parking and landscaping shall be maintained in a live vegetative state and replaced as necessary in compliance with the Rapid City Municipal Code;**
- 7. All signage shall comply with the submitted sign package and the Rapid City Municipal Code. Changes to the signage which comply with the Rapid City Sign Code shall be permitted. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Planned Development. The addition of electronic or LED signage shall require a Major Amendment to the Planned Development. A sign permit is required for each sign;**
- 8. All outdoor lighting shall be designed to reflect within the property boundaries so as to not shine on adjoining properties and rights-of-way and not be a hazard to the passing motorist or constitute a nuisance of any kind;**
- 9. All applicable provisions of the International Fire Code shall be continually maintained;**
- 10. All provisions of the General Commercial District shall be continually maintained unless specifically authorized as a stipulation of a subsequent Major Amendment to this Final Planned Development, and;**
- 11. This Final Planned Development shall allow for development of a commercial development. All permitted uses in the General Commercial District shall be permitted contingent upon approval of a building permit and provision of sufficient parking. All conditional**

uses in the General Commercial District shall require a Major Amendment to the Planned Development.

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

*7. No. 13PD047 - Forest Edge Subdivision

A request by Sperlich Consulting, Inc for Lage Development, Inc to consider an application for a **Final Planned Development to allow a residential development** for Lots 1-16 of Forest Edge Subdivision, legally described as Lot 1 of Block 1 of Pine View Terrace, located in the SW1/4 of the SE1/4 of Section 16, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, more generally described as being located on the north side of Corral Drive west of the intersection of Corral Drive and Park Drive.

Planning Commission approved that the Final Planned Development to allow a residential development with the following stipulations:

1. The previously approved Exception to reduce the front yard setback from 25 feet to 20 feet is hereby acknowledged;
2. The previously approved Exception to reduce the setback from the section line from 58 feet to 41 feet is hereby acknowledged;
3. The previously approved Exception to reduce the minimum required lot width at the front building line from 50 feet to 48 feet is hereby acknowledged;
4. The previously approved Exception to increase the maximum permitted lot coverage for all lots from 30 percent to 37.5 percent is hereby acknowledged;
5. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;
6. Prior to issuance of a building permit, the applicant shall confirm with the Rapid City Fire Department that adequate fire flows exist throughout the proposed development. If fire flows are found to be inadequate for the development, a fire sprinkler protection system shall be provided for each residence. In addition, the applicant shall coordinate with the Rapid City Fire Department for implementation of a Wildland Fire Mitigation Plan as necessary. All provisions of the most recently adopted International Fire Code shall be continually maintained;
7. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be recorded at the Register of Deeds for each residential lot;
8. All provisions of the Low Density Residential District shall be continually maintained unless specifically stipulated as a part of the Initial Planned Development, this Final Planned Development, or a subsequent Major Amendment to the Planned Development, and;
9. This Final Planned Development shall allow for a residential

development comprised of townhomes and single-family residential lots. All permitted uses in the Low Density Residential District shall be permitted with the approval of building permit and contingent upon the provision of sufficient parking. All conditional uses shall require a Major Amendment to the Planned Development.

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

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

*2. No. 13UR020 - Section 32, T2N, R7E

A request by Renner and Associates, LLC for Rapid City School District to consider an application for a **Conditional Use Permit to allow a child care center as an after school care program** for the west 900 feet of the north 500 feet of the SW1/4 of the SE1/4, located in Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4901 West Chicago Street.

Laroco presented the application and reviewed the slides. Laroco stated the property is the existing Pinedale Elementary School and that the proposed child care center will be operated after standard school hours. Laroco noted that a minimum of 53 parking spots are required and as there are only 50 parking spaces the applicant has submitted an Administrative Exception to allow the lower number of parking spaces, which is currently under review.

Laroco noted that Conditional Use Permits are associated to the property unless specifically issued to the operator. Laroco stated that this Conditional Use Permit is specific to the operator, which in this case is the Rapid City Independent School District as noted in the stipulation of approval to ensure that changes in the operator of the child care center would require a review and approval of a Major Amendment to the Conditional Use Permit. Laroco presented staff's recommendation to approve **Conditional Use Permit to allow a child care center as an after school care program** with stipulations as revised.

In response to a question from Brewer as to whether this location is still a polling place for the City, staff confirmed that it was and the applicant stated they would be able to modify operations to accommodate the additional traffic at those times.

In response to question from Brewer on how the number of required parking spaces was calculated, Laroco stated that the employees of the child care center are considered separate from and additional to the school employees and allows for parents to come and go throughout the day which creates the higher number.

Discussion followed regarding the submitted Administrative Exception for parking. Laroco stated that staff anticipates the approval of the Exception, but if it is not approved the applicant will be required to provide the minimum number of parking spaces.

Rolinger moved, Rose seconded and unanimously carried to approve the Conditional Use Permit to allow a child care center as an after school care program with the revised stipulations as follows:

- 1. A building permit shall be obtained prior to commencement of the after school child care center activities;**
- 2. The child care center shall operate in compliance with the submitted operations plan. In addition, the loading/unloading zone shall be provided as shown on submitted plans;**
- 3. All landscaping shall continue to comply with the requirements of the Rapid City Landscaping Ordinance;**
- 4. A minimum of 53 off-street parking spaces shall be provided, or an Administrative Exception shall be obtained reducing the required amount of off-street parking spaces, All parking shall continue to comply with the requirements of the Rapid City Parking Ordinance and the submitted parking plan;**
- 5. All signage shall comply with the requirements of the Rapid City Sign Code. A sign permit shall be required for each sign;**
- 6. All provisions of the Public District and the requirements for a child care center pursuant to Chapter 17.50.150 of the Rapid City Municipal Code shall be continually maintained, and;**
- 7. This Conditional Use Permit shall allow for a child care center to be operated as an after school program for the Rapid City School District. Uses permitted in the Public District shall be permitted with an approved building permit and contingent upon provision of sufficient parking. Conditional uses shall require the review and approval of a Major Amendment to the Conditional Use Permit. Changes in the operator of the child care center, which is the Rapid City Independent School District, shall require the review and approval of a Major Amendment to the Conditional Use Permit. (10 to 0 with Braun, Brewer, Bulman, Marchand, Raterman, Rippentrop, Rolinger, Rose, Scull and Swank 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.

8. No. 13AN004 - Section 19, T2N, R8E

A request by Freeland Meadows. LLC to consider an application for a **Petition for De-Annexation** for the NE1/4 of the NW1/4 of Section 19, located in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally

described as being located north of Country Road.

Horton informed the Planning Commission that staff had received a request to withdrawal the **Petition for De-Annexation** and presented staff's recommendation that Planning Commission acknowledge the withdrawal of the **Petition for De-Annexation**.

Scull moved, Marchand seconded and unanimously carried to acknowledge the withdrawal of the Petition for De-Annexation. (10 to 0 with Braun, Brewer, Bulman, Marchand, Raterman, Rippentrop, Rolinger, Rose, Scull and Swank voting yes and none voting no)

*9. No. 13PD036 - Meadowlark Hills Subdivision

A request by FMG Inc for Northwestern Engineering Company to consider an application for a **Final Planned Development Overlay to allow for the expansion of an existing mobile home park** for Tract A Of North Side Addition; Lot 1 Of Meadowlark Hills Subdivision; And That Portion Of Lot 2 Of Meadowlark Hills Subdivision Lying Within The Following Described Boundary: From The Northeast Corner Of Section 31, T2N, R8E, BHM, Which Is Also The Northeast Corner Of Lot 3 Of Meadowlark Hills Subdivision, S11°45'20"W A Distance Of 2399.95' To The Point Of Beginning, Said Point Being A 5/8" Rebar With Survey Cap Marked "Fmg Inc. Ls Sd 4225" Marking A Corner On The West Side Of Lot 2 Of Meadowlark Hills Subdivision, Thence N09°42'19"W A Distance Of 245.08', Thence N21°30'42"W A Distance Of 269.27', Thence N42°57'23"E A Distance Of 373.68', Thence N07°52'48"W A Distance Of 324.68', Thence S47°03'10"E A Distance Of 574.35', Thence S00°03'09"W A Distance Of 767.09', Thence N89°57'11"W A Distance Of 59.02', Thence S00°02'49"W A Distance Of 30.00', Thence N89°57'11"W A Distance Of 27.50', Thence S00°02'49"W A Distance Of 40.00', Thence S89°57'11"E A Distance Of 27.50', Thence S00°02'49"W A Distance Of 151.90', Thence S89°56'23"W A Distance Of 7.00', Thence N00°02'50"E A Distance Of 101.23', Thence N26°41'46"W A Distance Of 116.42', Thence N49°23'40"W A Distance Of 135.41', Thence S89°56'23"W A Distance Of 268.56', To The Point Of Beginning., more generally described as being located south of East Anamosa Street and north of the railroad tracks.

Lacock noted that this application has been before the Planning Commission previously and stated that the applicant has submitted Exceptions to the design of the water system, which have been approved, but not prior to the preparation of the staff reports. The applicant has requested that the item be continued to the January 9, 2014 Planning Commission meeting. Lacock stated that staff therefore recommends that the application for a **Final Planned Development Overlay to allow for the expansion of an existing mobile home park** be continued to the January 9, 2014 Planning Commission meeting.

Rolinger moved, Rose seconded and unanimously carried to continued the Final Planned Development Overlay to allow for the expansion of an existing mobile home park to the January 9, 2014 Planning Commission meeting at the applicant's request. (10 to 0 with Braun, Brewer, Bulman,

Marchand, Raterman, Rippentrop, Rolinger, Rose, Scull and Swank 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.

*10. No. 13PD045 - Stoney Creek South Subdivision

A request by NWE Management Company for Autumn Hills Property LLC and Stoney Creek Plaza LLC to consider an application for a **Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a restaurant** for Lots 1B, 2 and 3 of Block 1 of Stoney Creek South Subdivision, located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5734 Sheridan Lake Road, Suites 202 and 203.

Lacock presented the application and reviewed the slides noting that the applicant intends to open a full service restaurant. Lacock noted that the applicant has indicated they intend to expand the boundary of the Planned Development to the north of the property where 58 additional parking spaces are proposed. Lacock state that the applicant would need these 58 additional parking spaces as well as a shared parking agreement in order to meet the minimum parking spaces required.

Lacock noted that there are three additional on-sale liquor establishments on this property, two restaurants and a yoga studio. Lacock stated that this site meets the objectives of the adopted Comprehensive Plan and as such it is staff's recommendation that the **Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a restaurant** be approved with stipulations.

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

In response to a question from Brewer, Lacock stated the Major Amendment does expand the boundary of the Planned Development, but that the on-sale liquor use in conjunction with a restaurant will be specific to Suites 202 and 203.

Rolinger moved, Rose seconded and unanimously carried to approve the Major Amendment to a Planned Development to allow an on-sale liquor establishment in conjunction with a restaurant with the following stipulations:

- 1. A building permit shall be obtained prior to any construction;**
- 2. Upon submittal of a building permit, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;**
- 3. Upon submittal of a building permit, an erosion and sediment control**

- plan shall be submitted for review and approval;
4. Upon submittal of a building permit, a signed and sealed stormwater report by a professional engineer demonstrating that quantity and quality control of stormwater have been met shall be submitted for review and approval;
 5. Upon submittal of a building permit, a grading plan shall be submitted for review and approval;
 6. Prior to issuance of a building permit, a shared parking agreement shall be recorded and submitted for review and approval;
 7. All provisions of the General Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Planned Development or a subsequent Major Amendment;
 8. A minimum of 188 parking spaces shall be provided. In addition, six of the parking spaces shall be handicap accessible. One of the handicap spaces shall be "van accessible." All provisions of the Off-Street Parking Ordinance shall be continually met;
 9. A minimum of 224,750 landscaping points shall be provided on Lot 1B. In addition, a minimum of 104,035 shall continue to be provided on Lot 2 and Lot 3. All provisions of Section 17.50.300, the Landscaping Regulations of the Rapid City Municipal Code shall be continually met. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
 10. All outdoor lighting shall be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
 11. All signage shall continually conform to the Sign Code. No new electronic signs are being approved as a part of this Major Amendment to the Planned Development. Changes to the proposed sign package, which the Community Planning and Development Services Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Development. All signage not in conformance with the Sign Code shall require a Major Amendment to the Planned Development. Any electronic reader board signs shall require the review and approval of a Major Amendment to the Planned Development. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each individual sign;
 12. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
 13. All applicable provisions of the adopted International Fire Code shall continually be met; and,
 14. The Major Amendment to the Planned Development shall allow for an on-sale liquor establishment in conjunction with a restaurant for Suites 202 and 203. Any expansion to the on-sale liquor use in

conjunction with a restaurant shall require a Major Amendment to the Planned Development. Any change in use that is a permitted use in the General Commercial District shall require the review and approval of a Minimal Amendment. All conditional uses in the General Commercial District shall require the review and approval of a Major Amendment to the Planned Development. (9 to 0 to 1 with Braun, Brewer, Bulman, Marchand, Raterman, Rippentrop, Rolinger, Rose and Swank voting yes and none voting no and Scull 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.

*11. No. 13PD049 - Copperhill Ridge Subdivision

A request by Davis Engineering, Inc for Chapel Lane Water Company to consider an application for a **Final Planned Development Overlay to construct a water reservoir** for Lot 2 of Lot A of Copperhill Ridge Subdivision, located in the SE1/4 of the SW1/4 of Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current western terminus of Copper Hill Ridge.

Lacock noted that the Initial Planned Residential Development (File # 12PD024) which was approved in July of 2012 stipulated that the applicant hold a public neighborhood meeting to discuss the numerous concerns posed regarding the design and location of the proposed water reservoir prior to the Final Planned Development. Based on e-mails received from the neighborhood, it appears that a public meeting was not held. As such, staff recommends, and the applicant agrees, that the application for a **Final Planned Development Overlay to construct a water reservoir** be continued to the January 9, 2013 Planning Commission Meeting to allow the required public meeting to be held.

Lacock also stated that the applicant has indicated that the public neighborhood meeting has been scheduled for December 13, 2013. Additionally, Lacock stated that the photo simulations requested of the applicant have not been submitted and staff hopes that they will be ready for the January 9, 2014 Planning Commission meeting if not the public neighborhood meeting.

Swank moved, Marchand seconded and unanimously carried to continue the Final Planned Development Overlay to allow for the expansion of an existing mobile home park to the January 9, 2014 Planning Commission meeting at the applicant's request. (10 to 0 with Braun, Brewer, Bulman, Marchand, Raterman, Rippentrop, Rolinger, Rose, Scull and Swank voting yes and none voting no)

The Rapid City Planning Commission's action on this item is final unless any party appeals that decision to the Rapid City Council. All appeals

must be submitted in writing to the Department of Community Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.

12. Discussion Items

None

13. Staff Items

Fisher noted that this is the final Planning Commission meeting for the year and thanked the Planning Commissioners for their dedication and wished them all a happy holiday season.

14. Planning Commission Items

Brewer thanked the staff for all their hard work and wished them a Happy Holiday also.

15. Committee Reports

- A. City Council Report (November 18, 2012)
The City Council concurred with the recommendations of the Planning Commission.
- B. Building Board of Appeals
- C. Zoning Board of Adjustment
- D. Capital Improvements Subcommittee
- E. Tax Increment Financing Committee

There being no further business, Scull moved, Marchand seconded and unanimously carried to adjourn the meeting at 7:20 a.m. (10 to 0 with Braun, Brewer, Bulman, Marchand, Popp, Raterman, Rippentrop, Rolinger, Rose, Scull and Swank voting yes and none voting no)