

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
January 23, 2014

MEMBERS PRESENT: John Brewer, Karen Bulman, Linda Marchand, Dennis Popp, Tim R. Rose, Andrew Scull, Walt Swan and Jan Swank. John Roberts was also present as Council Liaison.

MEMBERS ABSENT: Erik Braun, Brett Monson, Kay Rippentrop and Steve Rolinger.

STAFF PRESENT: Brett Limbaugh, Vicki Fisher, Fletcher Lacock, Robert Laroco, Patsy Horton, Tim Behlings, Ted Johnson, Joel Landeen, Carla Cushman and Andrea Wolff.

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

Brewer welcomed John Roberts who was representing City Council today.

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.

Motion by Rose, seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 2 in accordance with the staff recommendations. (8 to 0 with Brewer, Bulman, Marchand, Popp, Rose, Scull, Swan and Swank voting yes and none voting no)

---CONSENT CALENDAR---

1. Planning Commission approved the January 9, 2014 Planning Commission Meeting Minutes.

***2. No. 13PD056 - Prairie Meadows Subdivision**

A request by Sperlich Consulting, Inc. for Freeland Meadows LLC to consider an application for a **Final Planned Development Overlay to allow a residential development** for a portion of Tract A of Prairie Meadows Subdivision, and a portion of "Government" Lot 4 of Section 18, all located in "Government" Lot 4, Section 18, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota. More fully described as follows: Commencing at the northeasterly corner of Lot 15 of Block 1 of Prairie Meadows Subdivision, and the Point of Beginning; Thence, first course: S57°10'06"E, a distance of 276.00 feet, to an angle point; Thence, second course: S32°49'54"W, a distance of 100.00 feet, to an angle point; Thence, third course: S57°10'06"E, a distance of 36.43 feet, to an angle point; Thence, fourth course: S32°49'54"W, a distance of 137.00 feet, to an angle point; Thence, fifth course: S41°03'28"W, a distance of 73.01 feet, to an angle point; Thence, sixth course: S51°42'19"W, a distance of 111.49 feet, to an angle point; Thence, seventh course: S75°06'03"W, a distance of 110.26 feet, to an angle point; Thence, eighth course: S86°40'12"W, a distance of 88.69 feet, to an angle point; Thence, ninth course: N60°00'00"W a distance of 119.13 feet, to the southeasterly corner of Lot 7 of Block 4 of Prairie Meadows Subdivision; Thence, tenth course: N32°16'21"E, along the easterly boundary of said Lot 7 of

Block 4 of Prairie Meadows Subdivision, a distance of 113.77 feet, to the northeasterly corner of said Lot 7 of Block 4 of Prairie Meadows Subdivision, common to a point on the southerly edge of the dedicated right-of-way of East Bengal Drive; Thence, eleventh course: S57°43'39"E, along southerly edge of said dedicated right-of-way of East Bengal Drive, a distance of 22.83 feet, to the southeasterly corner of said dedicated right-of-way of East Bengal Drive; Thence, twelfth course: N32°16'21"E, along the easterly end of said dedicated right-of-way of East Bengal Drive, a distance of 52.00 feet, to a point on the northerly edge of said dedicated right-of-way of East Bengal Drive, common to the southeasterly corner of Lot 16 of Block 2 of Prairie Meadows Subdivision; Thence, thirteenth course: N32°28'06"E, along the easterly boundary of said Lot 16 of Block 2 of Prairie Meadows Subdivision, a distance of 108.93 feet, to the northeasterly corner of said Lot 16 of Block 2 of Prairie Meadows Subdivision, common to the southeasterly corner of Lot 13 of Block 2 of Prairie Meadows Subdivision; Thence, fourteenth course: N32°49'54"E, along the easterly boundary of said Lot 13 of Block 2 of Prairie Meadows Subdivision, a distance of 124.66 feet, to the northeasterly corner of said Lot 13 of Block 2 of Prairie Meadows Subdivision, common to the southeasterly corner of the dedicated right-of-way of Eli Drive; Thence, fifteenth course: N33°09'51"E, along the easterly end of said dedicated right-of-way of Eli Drive, a distance of 55.00 feet, to the northeasterly corner of said dedicated right-of-way of Eli Drive, common to a point on the easterly boundary of Tract A of Prairie Meadows Subdivision; Thence, sixteenth course: N57°10'06"W, along the northerly edge of said dedicated right-of-way of Eli Drive, a distance of 22.01 feet, to a point on the northerly edge of said dedicated right-of-way of Eli Drive, common to the southeasterly corner of said Lot 15 of Block 1 of Prairie Meadows Subdivision; Thence, seventeenth course: N32°49'54"E, along the easterly boundary of said Lot 15 of Block 1 of Prairie Meadows Subdivision, a distance of 100.00 feet, to the northeasterly corner of said Lot 15 of Block 1 of Prairie Meadows Subdivision, and the Point of Beginning, more generally described as being located east of the current terminus of East Bengal Drive and Eli Drive.

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

- 1. An Exception is hereby granted to reduce the required rear yard setback on proposed Lots 16-19 of Block 1 from 25 feet to 20 feet;**
- 2. A building permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy of the structures;**
- 3. Prior to issuance of a Certificate of Occupancy, a Final Plat shall be approved for each individual lot.**
- 4. All provisions of the International Fire Code shall continually be maintained;**
- 5. All provisions of the Low Density Residential District shall be continually maintained unless specifically stipulated as a part of this Final Planned Development or a subsequent Major Amendment to the Planned Development, and;**
- 6. This Final Planned Development shall allow for the development of single-family residences. All uses permitted within the Low Density Residential District shall be permitted with the review and approval of a**

Building Permit. All conditional uses in the Low Density Residential District shall require the review and approval of 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---

*3. 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 this application has been continued at previous meetings to allow the applicant to provide photo simulations and report on fire flow to support the need for the application. However, to date these requests have not been met and staff recommends that the application for a **Final Planned Development Overlay to construct a water reservoir** be continued to the February 20, 2014 Planning Commission meeting to again allow the applicant time to provide the requested information. Lacock stated that if the information is not submitted by February 6, 2014, staff will recommend to deny the application at the February 20, 2014 Planning Commission meeting.

In response to a question from Brewer, staff confirmed that the applicant is Chapel Lane Water Company but not all residence are members of Chapel Valley Water Company nor will they benefit for domestic purposes by this tower. It will benefit the fire flows for the area. Fisher stated this request has been proposed before without success and that is why it is important for the applicant to provide information including the information demonstrating what the benefit will be.

Scull moved, Marchand seconded and unanimously carried to continue the Final Planned Development Overlay to construct a water reservoir to the February 20, 2014 Planning Commission meeting. (8 to 0 with Brewer, Bulman, Marchand, Popp, Rose, Scull, Swan 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.

*4. No. 13PD052 - Big Sky Business Park

A request by Dream Design International, Inc to consider an application for an **Initial Planned Development Overlay to construct an apartment complex** for a portion of the S1/2 of Government Lot 3, less the Big Sky Subdivision and less right-of-way; the S1/2 of Government Lot 4, less Big Sky Business Park and less Lot H1, H2 and right-of-way, more fully described as follows: Commencing at the northeastern corner of Neel Street right-of-way, and the point of beginning; Thence first course S89°49'35"E, a distance of 554.00 feet; Thence second course: S00°10'25"W, a distance of 273.86 feet, to a point on the northerly edge of Berniece Street right-of-way; Thence, third course: N89°49'35"W, along the northely edge of said Berniece Street right-of-way, a distance of 543.85 feet; Thence, fourth course: N45°08'59"W, along the northerly edge of said Berniece Street right-of-way, a distance of 14.08 feet, to a point on the easterly edge of said Neel Street right-of-way; Thence, fifth course: N00°08'37"E, along the easterly edge of said Neel Street right-of-way, a distance of 263.96 feet, to the said point of beginning, located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the northeast corner of the intersection of Berniece Street and Neel Street.

Lacock presented the application and reviewed the associated slides, noting that this item had been continued at the January 9, 2014 Planning Commission meeting due to a staff error in notification, and that the requirement has since been met. Lacock noted that a change has been made to stipulation number 10 requiring that the City's proposed sewer bypass project from Degeest Drive to Timmons Boulevard must be completed prior to receiving a Certificate of Occupancy for the proposed apartments if the sanitary sewer connections are made to Berniece Street. If the City's sewer bypass project is not complete, the apartments must install the sanitary sewer connections to Neel Street. Lacock stated that the applicant has requested an Exception to allow an increase in the height from 35 feet to 42 feet for the apartments. Staff recommends that the Exception be approved since a minimum 50 foot setback to the apartments is being provided. Staff also recommends that the **Initial Planned Development Overlay to construct an apartment complex** be approved with stipulations.

In response to Brewers question regarding the change of sewer designs as they relate to the revised stipulation, staff discussed that the changes were to provide options for the applicant for sewer hookup. Discussion followed.

Bulman asked if they initially hooked up to the alternative main would they be able to hook to the City's sewer bypass expansion. Johnson stated that they could, but due to the cost, he would not anticipate that they would. Johnson did state that regardless of which sewer line they hooked to, it would be City Sewer.

Swan moved, Scull seconded approved the Initial Planned Development Overlay to construct an apartment complex with the following stipulations:

1. An Exception is hereby granted to allow a height of three-stories and

42 feet in lieu of the maximum allowed height of three-stories and 35 feet for the proposed apartment buildings provided that the proposed minimum front yard setbacks from Berniece Street and Neel Street are maintained;

2. A Final Planned Development Overlay shall be obtained prior to issuance of a building permit;
3. Prior to submittal of a Final Planned Development Overlay application, the applicant shall consult with the Rapid City Fire Department concerning fire hydrant locations and fire sprinkler riser locations;
4. Upon submittal of a Final Planned Development Overlay application, a fire apparatus turn around shall be provided since the parking lot exceeds 150 feet in length or the parking layout shall be revised accordingly;
5. 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;
6. Upon submittal of a Final Planned Development Overlay application, an outdoor lighting plan shall be submitted. 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;
7. Upon submittal of a Final Planned Development Overlay application, a sign package showing the size and design of any proposed signage shall be submitted for review and approval;
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, plans shall be prepared and stamped by a licensed Architect or Professional Engineer as per SDCL 36-18A;
10. The City's proposed sewer bypass project from Degeest Drive to Timmons Boulevard shall be completed prior to receiving a Certificate of Occupancy for the proposed apartments if the sanitary sewer connections are made to Berniece Street. If the City's sewer bypass project is not complete, the apartments shall install the sanitary sewer connections to Neel Street;
11. Temporary or permanent site stabilization shall be achieved prior to issuance of a Certificate of Occupancy;
12. An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;
13. A minimum of 96 parking spaces shall be provided. Four 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;

14. All applicable provisions of the adopted International Fire Code shall continually be met;
15. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Initial Planned Development Overlay or a subsequent Final Planned Development Overlay; and,
16. The Initial Planned Development shall allow for two three-story 32 unit apartment buildings for a total of 64 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. (8 to 0 with Brewer, Bulman, Marchand, Popp, Rose, Scull, Swan 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.

*5. No. 13PD054 - Black Hills Center

A request by Henriksen, Inc for Big D Oil Company to consider an application for a **Final Planned Development Overlay to allow a convenience store** for Lot 8 of Block 2 of Black Hills Center, located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the southwest corner of 5th Street and Stumer Road.

Laroco presented the application and reviewed the slides noting that the application is on the non-consent agenda to allow the request for LED signage to be addressed. Laroco noted that staff requests that the applicants request for an Exception to reduce the parking from 49 to 39 be approved. Laroco noted that the two 45 foot pole signs each with a 12' 6" LED reader board and noted that it is the practice of the Planning Commission to review request for LED reader boards. Staff recommends that the Exception to height for the pole signs from 35 feet to 45 feet be approved. Should the Planning Commission determine that the proposed LED signage is appropriate for the neighborhood, then staff recommends that the **Final Planned Development Overlay to allow a convenience store** be approved with stipulations.

Fisher noted that the use as a convenience store and gas station is an allowed use, noting that the site is built tight but staff feels that the parking is adequate due to the stacked parking at the pumps. Fisher requested that the Planning Commission vet the signage issue to ensure that it is appropriate as designed.

Bulman stated that she believes the convenience store and gas station is an appropriate use and that there is a need in the area, but she feels that the two

pole signs with LED reader boards are excessive. Bulman noted that none of the other businesses in the area have this proliferation of signage and once it is allowed at one location, it will spread and the area will become congested with signage.

Scull agreed that the parking is not an issue and feels the stipulation is acceptable, but noted that he agrees that two 45 foot pole signs with LED reader boards seem excessive. He believes that the use of pole signs for convenience or gas stations, but suggested maybe relocating the sign.

Discussion followed with the general consensus being that the LED reader boards seem excessive.

Lyle Henriksen, 536 St. Joseph Street, the architect for the project, addressed how they anticipate the traffic flow in and out of the site and how traffic is expected to flow within the property noting that the internal lanes are wide enough for vehicles to travel two directions. Henriksen identified where they anticipate employees to park away from the building leaving the parking spaces by the building for those customers not getting gas, but that the majority of patrons will remain at the pump.

In response to the question regarding signage, Henriksen stated that due to the current clutter in the area, they feel they need the higher pole signs such as those that are allowed at their other locations. Henriksen noted that LED reader boards are the future of signage due to the energy efficiency. Henriksen requested that if the sign is a sticking point for the approval of the Planned Development, that the Planning Commission approve the Planned Development in part to allow them to pull a building permit while the sign issue is being worked out.

Discussion regarding the use and size of the LED reader boards and the options available to approve the Planned Development application with or without the signs followed. It was noted that the overall square footage of both reader boards requested is 164 square feet which is in excess of the 60 square feet allotted by the Sign Code.

Brewer stated that the issue of enforcement of the Sign Code in regards to motion and lighting of LED reader boards that had been brought up during the discussion is an issue that should be sent to the City Council, as this appears to be an ongoing problem.

Bulman motioned to approve the Final Planned Development with the denial of one sign, denial of the Exception to the height and denial of the LED reader boards, Popp seconded.

Scull asked for clarification on the motion.

Fisher stated that the motion before the Planning Commission is to approve the Planned Development, including the requested Exception to reduce the parking,

but excluding the requested LED reader board, limiting the number of pole signs to one, and limiting the height of the pole sign to 35 feet.

Fisher clarified that the Sign Code would allow the two pole signs with a maximum of 60 cumulative square foot of reader board signage. Scull stated that he doesn't support the motion to restrict the signage as proposed. Scull further stated that signage in compliance with the City's Sign Code should be allowed otherwise the Sign Code should be changed and apply to all properties.

In response to Brewer's question as to whether the proposed motion is acceptable to the applicant, Henriksen stated he would have to present it to the owner. Discussion followed.

Scull presented a substitute motion to approve the Planned Development with the reduction in parking as requested, to deny the proposed sign Exceptions and to approve with a sign package that is in compliance with the City's Sign Code.

Rose seconded.

Roberts discussed the pit falls of denying requests allowed by our Municipal Code, citing recent litigation. He does agree that enforcement of the Sign Code needs to be addressed.

Discussion followed.

Scull moved to approve the Final Planned Development Overlay to allow a convenience store with the following stipulations:

- 1. All signage shall comply with the City Sign Code. In addition, a sign permit shall be obtained for all signage;**
- 2. An Exception is hereby granted to reduce the required amount of off-street parking from 49 spaces to 39 spaces. A minimum of two of the provided parking spaces shall be handicap accessible. One of the provided handicap accessible spaces shall be "van accessible". Three stacked parking spaces shall be provided for the ATM as shown on the submitted plans. All parking shall comply with the requirements of the Rapid City Municipal Code and the submitted parking plan;**
- 3. A Building Permit shall be obtained prior to construction. A Certificate of Occupancy shall be obtained prior to occupancy;**
- 4. An Air Quality Permit shall be obtained prior to disturbance of earth greater than one acre;**
- 5. Prior to issuance of a building permit, final plans signed and sealed by a registered professional engineer and/or architect pursuant to SDCL 36-18A shall be submitted for review and approval. In particular, signed and sealed final plans shall be submitted for all retaining walls over 4 feet in height. In addition, plans shall show a detail for the proposed connection to the City's storm sewer inlet;**

6. Prior to issuance of a Certificate of Occupancy, temporary or permanent erosion and sediment control measures shall be achieved;
7. A minimum of 64,150 points of landscaping shall be provided. All landscaping shall comply with the submitted landscaping plan and the requirements of the Rapid City Landscape Ordinance;
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 requirements of the International Fire Code shall continually be maintained;
10. All requirement of the General Commercial District shall continually be maintained unless specifically stipulated in this Final Planned Development or a subsequent Major Amendment to the Planned Development, and;
11. This Final Planned Development shall allow for the construction of a convenience store with gas sales. All uses permitted in the General Commercial District shall be allowed contingent upon provision of sufficient parking and an approved building permit. All conditional uses shall require a Major Amendment to Planned Development. (7 to 1 with Brewer, Marchand, Popp, Rose, Scull, Swan and Swank voting yes and Bulman voting no)

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

*6. No. 13PD058 - Boulevard Addition

A request by Gene Fennell to consider an application for a **Final Planned Development Overlay to allow a professional office and a residential use** for the west 40 feet of Lots 1 thru 4 of Block 4 of Boulevard Addition, located in Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1113 St. Joseph Street.

Lacock presented the application and reviewed the slides noting that the structure is a contributing building in the West Boulevard Historic District and that the applicant is requesting an Exception to the setbacks, as well as an Exception to the parking requirements. Additionally, the applicant is requesting a residential use be allowed on the property, noting that the residential use will not be for rental use. The applicant will have to receive Historic Preservation approval for the signage once they know what the signage will entail and as such staff recommends that the **Final Planned Development Overlay to allow a professional office and a residential use** be approved with stipulations.

Lacock pointed out that stipulation number 12 identifies that the Planned Development is tied to the applicant not the property and any change in use or

ownership would require a Major Amendment to the Planned Development.

Bulman moved, Scull seconded and unanimously carried to approve the Final Planned Development Overlay to allow a professional office and a residential use with the following stipulations:

- 1. An Exception is hereby granted to reduce the minimum required front yard setback from 25 feet to 16.1 feet;**
- 2. An Exception is hereby granted to reduce the minimum required side yard setback on the west side of the structure from 12 feet to 8.7 feet and on the east side of the structure from 12 feet to 6.5 feet;**
- 3. An Exception is hereby granted to reduce the minimum required side yard setback for a detached garage from eight feet to 7.3 feet from the west property line;**
- 4. An Exception is hereby granted to reduce the minimum required parking from eight parking spaces to two parking spaces;**
- 5. A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;**
- 6. The approval of the Historic Preservation Commission shall be obtained prior to obtaining a Building Permit;**
- 7. A minimum of 2,705 landscaping points shall be provided. All provisions of Section 17.50.300, the Landscape 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. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Final Planned Development Overlay or a subsequent Major Amendment;**
- 9. 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;**
- 10. All signage shall continually conform to the Sign Code. No electronic signs are being approved as a part of this Final 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 be obtained for each individual sign. The approval of the Historic Sign Review Committee shall be obtained prior to obtaining the Sign Permit;**
- 11. Prior to putting the fire sprinkler system into service, the applicant shall coordinate with the Rapid City Fire Department to review any actions to ensure the system is not subject to freezing. All applicable**

provisions of the adopted International Fire Code shall continually be met; and,

12. The Final Planned Development shall allow for a professional office and a residential use for the applicant. A maximum of two employees and an intern shall be employed at any one time. The living space shall not be for rent. Any expansion to the office use or to the number of employees shall require a Major Amendment to the Planned Development. In addition, a new proprietor or new business shall require the review and approval of a Major Amendment. Any change in use that is a permitted use in the Office Commercial District in compliance with the minimum requirements of the Zoning Ordinance shall require the review and approval of a Minimal Amendment. All conditional uses or uses that do not comply with the minimum requirements of the Zoning Ordinance shall require the review and approval of a Major Amendment to the Planned Development. (8 to 0 with Brewer, Bulman, Marchand, Popp, Rose, Scull, Swan 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.

Discussion Items

8. Staff Items

Fisher addressed the need for Exparte Communication training for new members and suggested that the training be held directly following one of the upcoming Planning Commission meetings. Fisher indicated that an email invitation will be sent to the Planning Commission and that responses be sent back identifying available dates for the presentation.

9. Planning Commission Items

Brewer mentioned the recent law suit that ruled against the City and noted that this needs to be considered in future issues.

Brewer requested that a discussion session be held prior to the approval of the Comprehensive Plan.

Karen asked if there is any way that the enforcement issue in regards to signage could be addressed. Discussion followed and it was suggested that the City Attorney responsible for addressing code enforcement attend a future meeting to address this issue with the Planning Commission.

10. Committee Reports

- A. Building Board of Appeals
- B. Zoning Board of Adjustment

- C. Capital Improvements Subcommittee
- D. Tax Increment Financing Committee
- E. Tax Increment Financing Committee

There being no further business, Scull moved, Marchand seconded and unanimously carried to adjourn the meeting at 8:21 a.m. (8 to 9 with Brewer, Bulman, Marchand, Popp, Rose, Scull, Swan and Swank voting yes and none voting no)