

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
September 25, 2014

MEMBERS PRESENT: Karen Bulman, Linda Marchand, John Pinkard, Dennis Popp, Kay Rippentrop, Steve Rolinger, and Jan Swank. No Council Liaison was present.

MEMBERS ABSENT: Erik Braun, John Brewer, Brett Monson, Tim R. Rose, Andrew Scull. Amanda Scott, Council Liaison was also present.

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

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

Marchand 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 Popp seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 4 in accordance with the staff recommendations. (7 to 0 with Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger and Swank voting yes and none voting no)

---CONSENT CALENDAR---

1. Planning Commission approved the September 4, 2014 Planning Commission Meeting Minutes.

2. No. 14RZ009 - Millard Subdivision

A request by City of Rapid City to consider an application for a **Rezoning from Medium Density Residential District to Public District** for the unplatted portion of Block 4 of Millard Addition, located in Section 36, T2N, R7E of BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of Anamosa Street between Wilsie Avenue and Blaine Avenue.

Planning Commission recommended that the Rezoning from Medium Density Residential District to Public District be approved.

3. No. CIP091914-08 - Approve 2015-2019 (5-yr) Plan for Government Buildings

Planning Commission recommended that the 2015-2019 (5-yr) Plan for Government Buildings be approved.

4. 14TP030 – Rapid City Area Market Research Study Final Report

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

- *5. No. 14PD027 - Autumn Hills Plaza II
A request by Thomas Stark for Stark Family Trust to consider an application for a **Major Amendment to a Planned Development to allow a recreational vehicle to encroach into a front yard setback in the Low Density Residential District** for Lot 4A of Autumn Hills Plaza II, located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5280 Autumn Place.

Laroco presented the application and reviewed the associated slides. Laroco stated that the topography of the lot, including the drainage channel which runs along the edge of the property, restricts the useable area on which the applicant could use for alternative parking locations. Laroco said that based on numerous considerations, including that the property is located at the end of a non-through street and therefore does not cause a site triangle issue or major impact to the development, that an existing parking pad is already in place that does not encroach, and that the property to the south of the is zoned General Commercial, staff recommends that the **Major Amendment to a Planned Development to allow a recreational vehicle to encroach into a front yard setback in the Low Density Residential District** be approved with stipulations.

Rolinger moved, Pinkard seconded and unanimously carried to approve the **Major Amendment to a Planned Development to allow a recreational vehicle to encroach into a front yard setback in the Low Density Residential District** with the following stipulations:

1. The recreational vehicle may be stored within the front yard setback on the existing concrete pad as shown on submitted plans. Any change in the size or location of the proposed parking shall require a **Major Amendment to the Planned Development**;
2. The recreational vehicle shall not be utilized as living quarters while stored on the property;
3. All requirements of the International Fire Code shall be continually maintained;
4. All requirements of the Low Density Residential District shall be continually maintained unless specifically authorized as a stipulation of the Final Planned Development, this Major Amendment to the Planned Development, or a subsequent Major Amendment to the Planned Development, and;
5. This Major Amendment to the Planned Development shall allow for a recreational vehicle to encroach into the front yard setback on lot 4A of the Autumn Hills Plaza II Subdivision. The previous stipulations of approval for this Planned Development shall be continually maintained. (7 to 0 with Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger 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.

6. Resolution Adopting a Policy Regarding De-Annexation Requests

Horton reviewed some of the history leading up to the resolution and how the resolution was prepared. Horton stated that the resolution identifies and addresses issues to consider when reviewing a request for de-annexation and presented staff's recommendation that the **Resolution Adopting a Policy Regarding De-Annexation Request** be approved.

Discussion followed regarding reasons the City would de-annex property from the city limits.

In response to a question from Popp as to whether a stipulation requiring that any property undergoing development that has been de-annexed would be required to be re-annexed, Cushman stated that the current platting requirement that property contiguous to the city limits requires annexation prior to final platting, which addresses this concern. Cushman stated that she did not research this option, but she believes that it would have to be agreeable to the applicant. Horton clarified that this issue is addressed by the Subdivision Regulations, which is the reason no requirement was included in the resolutions.

Swank moved, Bulman seconded and unanimously carried that the Resolution Adopting a Policy Regarding De-Annexation Request be approved. (7 to 0 with Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger and Swank voting yes and none voting no)

Hanzel requested that Items # 7 and # 8 be heard concurrently.

7. No. 14AN003 - Sections 22 and 27, T1N, R8E

A request by Dale and Deanne Schuelke to consider an application for a **Petition for De-Annexation** for the W1/2 of the NE1/4; the SE1/4 of the NE1/4; the NE1/4 of the NE1/4 of Section 27 and the S1/2 of the NE1/4, the SE1/4 less Tract 1 of Brandeen Subdivision, less right-of-way of Section 22, all located in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of SD Highway 44 and west of Reservoir Road.

8. No. 14AN002 - Sections 15 and 22, T1N, R8E

A request by David S. Lamb to consider an application for a **Petition for De-Annexation** for that portion of E1/2 of the SE1/4 of the NE1/4 lying south of Highway 44 and the railroad right-of-way less Lot H2; the NW1/4 of the SW1/4; the W1/2 of the W1/2 of the NE1/4 of the SW1/4; the S1/2 of the SW1/4; the E1/2 of the E1/2 of the SE1/4 less Lot H1 of Section 15 and the E1/2 of the NW1/4; the N1/2 of the NE1/4 of Section 22; all located in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of SD Highway 44 and west of Reservoir Road.

Hanzel reviewed the applications and associated slides stating that staff recommends that both **Petitions for De-Annexation** be approved.

In response to questions regarding services on the properties being de-annexed, David Lamb, owner of one of the properties being discussed, clarified that the water hydrant identified in one of the photos was on the adjacent property and was supplied by the Rapid Valley Sanitary District and not by the City of Rapid City.

Bulman moved, Pinkard seconded and unanimously carried to recommend that the Petition for De-Annexation (14AN003) be approved and to recommend that the Petition for De-Annexation (14AN002) be approved. (7 to 0 with Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger and Swank voting yes and none voting no)

9. Discussion Items

10. Staff Items

11. Planning Commission Items

Rolinger requested that staff research the possibility of requiring an annexation agreement for associated properties involved in a de-annexation.

12. Committee Reports

A. City Council Report (September 15, 2014)

The City Council concurred with the recommendations of the Planning Commission.

No. 14RZ008 - Orchard Meadows Subdivision

A request by Dream Design International, Inc. to consider an application for a **Rezoning from Low Density Residential I to Low Density Residential II** for property generally described as being located south of SD Highway 44 and east of Elk Vale Road.

On August 21, 2014 Planning Commission recommended that the Rezoning from Low Density Residential I to Low Density Residential II be approved. On September 15, 2014, the City Council continued the Second Reading of the Rezoning from Low Density Residential I to Low Density Residential II to the October 6, 2014 City Council Meeting due to a publication error.

No. 14OA007 - Ordinance to Amend Rapid City Ordinance 17.22.030 (D) to allow child care centers as a Conditional Use in a Light Industrial District without being associated with another permitted principal use

A request by Youth and Family Services to consider an application for an **Ordinance to Amend Rapid City Ordinance 17.22.030 (D) to allow child care centers as a Conditional Use in a Light Industrial District without being associated with another permitted principal use.**

On August 21, 2014 Planning Commission recommended that the Ordinance to Amend Rapid City Ordinance 17.22.030 (D) to allow child care centers as a Conditional Use in a Light Industrial District without being associated with another permitted principal use be approved. On September 15, 2014, the City Council continued the Second Reading of the Ordinance to Amend Rapid City Ordinance 17.22.030 (D) to allow child care centers as a Conditional Use in a Light Industrial District without being associated with another permitted principal use to the October 6, 2014 City Council Meeting due to a publication error.

- B. Building Board of Appeals
- C. Zoning Board of Adjustment
- D. Capital Improvements Subcommittee
- E. Tax Increment Financing Committee

There being no further business, Popp moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:31 a.m. (7 to 0 with Bulman, Marchand, Pinkard, Popp, Rippentrop, Rolinger and Swank voting yes and none voting no)