

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
February 23, 2012

MEMBERS PRESENT: Erik Braun, John Brewer, Patrick Fink, Linda Marchand, Dennis Popp, Steve Rolinger, Andrew Scull, Josh Snyder and Jan Swank. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: Kay Rippentrop, Len Weimer and Sandra Beshara.

STAFF PRESENT: Patsy Horton, Vicki Fisher, Fletcher Lacock, Robert Laroco, Kip Harrington, Ted Johnson, Dale Tech, Tim Behlings, Allison Marsland and Risë Ficken.

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

**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.**

**Scull requested that Item 3 be removed from the Consent Agenda for separate consideration. Popp requested that Item 6 be removed from the Consent Agenda for separate consideration.**

**Motion by Rolinger, seconded by Popp and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 6 in accordance with the staff recommendations with the exception of Items 3 and 6. (9 to 0 with Braun, Brewer, Fink, Marchand, Popp, Rolinger, Scull, Snyder and Swank voting yes and none voting no)**

**---CONSENT CALENDAR---**

1. Planning Commission approved the February 9, 2012 and the February 14, 2012 Planning Commission Meeting Minutes.
2. No. 11CA017 - Section 32, T2N, R8E  
**Summary of Adoption Action** for a request by Sperlich Consulting, Inc. for Century Resources, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation from Commercial to Industrial** for a portion of the NE1/4 of the SW1/4 of Section 32, T2N, R8E, B.H.M., Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the southeasterly corner of Lot 5 of Block 1 of Menard Subdivision, common to a point on the westerly edge of the right-of-way of East Anamosa Street, and the Point of Beginning; Thence, first course: southeasterly, curving to the right on a curve with a radius of 800.00 feet, a delta angle of 15°14'35", an arc length of 212.83 feet, a chord bearing of S07°44'51"E, and a chord distance of 212.21 feet, to a point of tangency; Thence, second course: S00°07'33"E, a distance of 414.06 feet, Thence, third course: S44°59'57"W, a distance of 14.11 feet; Thence, fourth course: N89°52'32"W, a distance of 476.45 feet; Thence, fifth course: N00°07'28"E, a distance of 497.46 feet, to the southwesterly corner of said Lot 5 of Block 1 of Menard Subdivision; Thence, sixth course: S89°52'32"E, along the southerly boundary of said Lot 5 of Block 1

of Menard Subdivision, a distance of 317.97 feet, to an angle point on the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision; Thence, seventh course: N45°16'55"E, along the southerly boundary of said Lot 5 of Block 1 of Menard Subdivision, a distance of 194.01 feet, to the southeasterly corner of Lot 5 of Block 1 of Menard Subdivision, common to a point on the westerly edge of the right-of-way of East Anamosa Street, and the Point of Beginning, more generally described as being located on the south side of East Anamosa Street southeast of the intersection East Anamosa Street and North Creek Drive.

**Planning Commission approved the summary and authorized publication in the Rapid City Journal.**

\*4. No. 12PD003 - Original Town of Rapid City

A request by Architecture Incorporated for Rapid City Area School District to consider an application for an **Initial and Final Residential Development Plan** for Lots 17 through 32 of Block 114 of the Original Town of Rapid City located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located along Columbus Street between 6th Street and 7th Street.

**Planning Commission approved the Initial and Final Residential Development Plan with the following stipulations:**

1. **A Building Permit shall be obtained prior to any construction. A Certificate of Occupancy shall be obtained prior to use of the parking lot;**
2. **An Air Quality Construction Permit shall be obtained prior to any surface disturbance of one acre or more;**
3. **Prior to issuance of a Building Permit, grading permits, or any disturbance of earth on the site, revised plans shall be submitted for review and approval which include final construction plans, an erosion and sediment control plan, and post-construction water quality plans;**
4. **Prior to issuance of a Building Permit, all necessary changes shall be made to the construction plans as identified on the redlined drawings. All redlined drawings shall be returned and signed and sealed final construction plans shall be submitted for review and approval by Community Planning and Development Services;**
5. **Prior to issuance of a Building Permit, revised plans shall be submitted for review and approval showing only two access points to the property and showing property-line sidewalks, or Exceptions shall be obtained to allow more than two access points and to allow curbside sidewalks as proposed;**
6. **Prior to issuance of a Building Permit, a revised landscaping plan shall be submitted for review and approval identifying the landscaping point calculation. A minimum of 56,193 landscaping points shall be provided for the Planned Development, or an Exception shall be obtained for reduced landscaping. Any changes to the landscaping plan that the Director of Community Planning and Development Services determines to be consistent with the original approved landscaping plan may be considered as a Minimal Amendment to the**

- Planned Residential Development. All landscaping shall be continually maintained in a live vegetative state and replaced in compliance with the City's adopted landscaping ordinance;**
- 7. Prior to issuance of a Building Permit, revised plans shall be submitted for review and approval showing the proposed photometric plan. Lighting of all types, excluding street lighting and traffic signals, shall be directed so as to reflect away from all residential districts, and shall be so situated so as not to reflect directly onto any public rights-of-way, so as to create a traffic hazard;**
  - 8. Prior to issuance of a Building Permit, the applicant shall obtain approval through an 11.1 Historic Review for any development located within the boundaries of the Historic District;**
  - 9. Signage in compliance with Chapter 15.28 of the Rapid City Municipal Code shall be allowed with a sign permit. All signage not in compliance with Chapter 15.28 of the Rapid City Municipal Code and requiring the review of the Sign Code Board of Appeals shall require a Major Amendment to the Planned Development. No electronic signage is being approved as a part of this Planned Residential Development. The addition of electronic signage shall be considered as a Major Amendment to the Planned Residential Development. In addition, the Director of Community Planning and Development Services may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The 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;**
  - 10. An Exception is hereby granted to allow a landscaping boulevard to be located within the parking lot in lieu of the three parking islands required by Rapid City Municipal Ordinance;**
  - 11. An Exception is hereby granted to allow parking aisles of 24 feet in width in lieu of the minimum required 26 feet in width to be located in the parking lot;**
  - 12. This Planned Residential Development shall allow for the construction of a parking lot with landscaping and pedestrian circulation to be used in conjunction with the Rapid City School District and performing arts center. Other uses permitted in a High Density Residential District shall be allowed as a Minimal Amendment to the Planned Residential Development requiring the approval of the Director of Community Planning and Development Services. Conditional uses allowed within a High Density Residential District shall require a Major Amendment to the Planned Residential Development;**
  - 13. All provisions of the High Density Residential District shall be met unless otherwise specifically authorized as a stipulation of this Initial and Final Planned Residential Development or a subsequent Major Amendment; and,**
  - 14. The Planned Residential Development shall expire if the use is not undertaken and completed within five years, or if the use as approved has ceased for a period of two years. Any changes to the date of completion shall be considered as a Major Amendment to the Planned Residential 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.***

5. No. 12PL004 - Skyline Village Subdivision and Canyon Pines Subdivision

A request by Centerline, Inc. for Olsen Development Company, Inc. to consider an application for a **Preliminary Plat** for proposed Lots 1 and 2 of Skyline Village Subdivision and Tracts A and B of Canyon Pines Subdivision, legally described as the south 495 feet of the NE1/4 SE1/4 and the SE1/4 SE1/4 less Lot 1 of Bendert Subdivision and less right-of-way all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current western terminus of Promise Road.

**Planning Commission recommended approval of the Preliminary Plat with the following stipulations:**

1. **Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans and plat as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Community Planning and Development Services Department;**
2. **Prior to Preliminary Plat approval by the City Council, construction plans for Vineyard Lane shall be submitted for review and approval. In particular, the construction plans shall show the installation of a sidewalk along the north side of Vineyard Lane and a sewer main or a Variance to the Subdivision Regulations shall be obtained;**
3. **Prior to Preliminary Plat approval by the City Council, construction plans for the remaining section line highway(s) shall be submitted for review and approval. In particular, the construction plans shall show the section line highways located within a minimum 59 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highway shall be vacated. The adjacent property owner(s) shall sign the petition(s) to vacate the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way;**
4. **Prior to Preliminary Plat approval by the City Council, construction plans for the existing 40 foot wide private access and utility easement shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum width of 45 feet and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;**
5. **Prior to Preliminary Plat approval by the City Council, construction plans for the proposed 28 foot wide private access and utility easement shall be submitted for review and approval. In particular, the construction plans shall show the easement with a minimum**

width of 45 feet and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;

6. Prior to Preliminary Plat approval by the City Council, construction plans for the H Lot located along the west lot line shall be submitted for review and approval. In particular, the construction plan shall show the street constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
7. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual for subdivision improvements shall be submitted for review and approval. In addition an Erosion and Sediment Control Permit shall be obtained prior to any construction of the subdivision improvements;
8. Prior to Preliminary Plat approval by the City Council, a drainage plan for the Promise Road improvements shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as needed;
9. Prior to Preliminary Plat approval by the City Council, written approval shall be obtained from the City Engineer for the use of a sewer termination riser per Rapid City Standard Detail 9-8 or the plans shall be revised accordingly;
10. Prior to Preliminary Plat approval by the City Council, an Exhibit shall be submitted for the Sanitary Sewer Easement proposed across Lot 2 of Owen Hibbard Subdivision. In addition, prior to submittal of a Final Plat application, the Sanitary Sewer Easement shall be recorded at the Register of Deed's Office;
11. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show non-access easements in compliance with the Street Design Criteria Manual or an Exception shall be obtained as needed;
12. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to place the proposed lots under one subdivision name or separate plat documents for each of the subdivision names shall be submitted for review and approval as per the Register of Deed's requirements;
13. Prior to Preliminary Plat approval by the City Council, a revised cost estimate shall be submitted for review and approval which includes the cost of grading for the subdivision improvements and addresses the red line comments;
14. 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;
15. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
16. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two

**year period, request a one year extension subject to approval by the City Council.**

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

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

3. No. 11CA018 - Denman's Subdivision

**Summary of Adoption Action** for a request by Dream Design International, Inc. to consider an application for an **Amendment to the Comprehensive Plan to change the land use designation from Commercial to Residential** for Lots 1 through 16 of Block 3 of Denman's Subdivision all located in SW1/4 of the NW1/4 of Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of East Saint Joseph Street between Elm Avenue and Birch Avenue.

Scull stated that he would abstain from voting on this item due to a conflict of interest.

**Swank moved, Rolinger seconded and carried to approve the summary and authorize publication in the Rapid City Journal. (8 to 0 to 1 with Braun, Brewer, Fink, Marchand, Popp, Rolinger, Snyder and Swank voting yes, with none voting no and with Scull abstaining)**

6. No. 12SV002 - Skyline Village Subdivision and Canyon Pines Subdivision

A request by Centerline, Inc. for Olsen Development Company, Inc. to consider an application for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the easement width from 45 feet to 40 feet along the existing 40 foot wide private access and utility easement; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the easement width from 45 feet to 28 feet along the proposed 28 foot wide private access and utility easement; to waive the requirement to provide curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the section line highway and to dedicate the section line highway as right-of-way; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the H-Lot; and to waive the requirement to provide sewer and a sidewalk along the north side of Vineyard Lane as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 1 and 2 of Skyline Village Subdivision and Tracts A and B of Canyon Pines Subdivision, legally described as the south 495 feet of the NE1/4 SE1/4 and the SE1/4 SE1/4 less Lot 1 of Bendert Subdivision and less right-of-way all located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the current western terminus of Promise Road.

Popp requested clarification concerning the scope of the request.

Fisher stated that property consists of a 54 acre parcel proposed to be subdivided into four lots noting that the property is zoned Office Commercial

District with a Planned Unit Development.

Phil Olsen advised that he has owned the property since 2007 noting that a design plan and preliminary plat were submitted in 2009. Olsen explained that a road cannot be constructed along the section line due to topographic constraints. Olsen described the road alignment noting the tie-in to Vineyard Lane. Olsen indicated that the two proposed lots adjacent to Promise Road are under contract noting that the new property owner will submit a development plan for the properties in March. Olsen discussed the original plans for the property to develop an assisted living facility and quality senior housing noting that the Office Commercial District zoning and Planned Development overlay was designated on the property for the use proposed at that time. Discussion followed.

**Rolinger moved, Marchand seconded and unanimously carried to recommend approval of the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the easement width from 45 feet to 40 feet along the existing 40 foot wide private access and utility easement; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to reduce the easement width from 45 feet to 28 feet along the proposed 28 foot wide private access and utility easement; to waive the requirement to provide curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the section line highway and to dedicate the section line highway as right-of-way; to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the H-Lot; and to waive the requirement to provide sewer and a sidewalk along the north side of Vineyard Lane as per Chapter 16.16 of the Rapid City Municipal Code with the following stipulations:**

- 1. The north half of the section line highway located along the south lot line shall be dedicated as right-of-way; and,**
- 2. Pedestrian access shall be secured within each lot to accommodate pedestrian traffic as a part of the review and approval of the Initial and Final Planned Unit Development application(s). (9 to 0 with Braun, Brewer, Fink, Marchand, Popp, Rolinger, Scull, Snyder and Swank voting yes and none voting no)**

\*7. No. 12PD004 - Fox Run Subdivision

A request by Advanced Engineering for Ray Lipsey to consider an application for a **Major Amendment to a Commercial Development Plan** for Lot A2R of Block 2 of Fox Run Subdivision located in the NE1/4 NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3625 5th Street.

Lacock presented the request and identified the existing development on the property. Lacock explained that the proposed amendment will expand parking on the site and provide a secondary access to the property.

Rolinger left the meeting at this time.

Lacock advised that the Stipulations 1 and 2 have been met. He stated that Stipulation 5 requires that engineer stamped design plans for the retaining wall meeting City standards must be submitted and approved prior to the issuance of a building permit. Lacock indicated that staff recommends approval of the application with the stipulations outlined in the staff report.

James Leonard expressed concern with traffic safety issues associated with the proposed access along the curve on Fox Run Drive. Leonard requested clarification concerning the proposed drainage pond on the property noting that there is an existing storm drain opening on 5<sup>th</sup> Street. Leonard expressed concern that the proposed dog-eared fence will deteriorate as it ages due to weatherization and a lack of maintenance. Leonard expressed concern that the new parking area will also generate increased noise resulting from the additional traffic.

Tom Uhrich indicated that he lives across the street from the proposed driveway and he expressed concern with safety issues associated with the proposed metering pond. Uhrich expressed concern that access to and from the driveway will create conflict with existing on-street parking noting that he feels the second access is unnecessary as the property can be accessed internally.

In response to a question from Brewer, Uhrich indicated that on-street parking is permitted only on the south side of Fox Run Drive.

Rolinger returned to the meeting at this time.

Scott Helmann advised that he has lived across the street from the proposed driveway access since 1993 noting that maintenance of the property has been an issue in the past. Helmann expressed concern that the proposed new fence along the retaining wall will not be properly maintained. Helmann stated that ice and snow accumulate in the area where the second access is proposed. Helmann expressed concerns regarding traffic safety issues and soil stability issues at this location noting that the retaining wall design should be closely examined.

LeRoy Nilles advised that he owns the property directly adjacent to the proposed parking lot. Nilles displayed photographs identifying the slope from his property to the proposed parking lot noting that the retaining wall will be located immediately behind the fence on his property. Nilles stated that there are significant soil stability issues on his property and the neighboring property, particularly during spring and fall storm events. Nilles emphasized that drainage and soil stability issues must be addressed prior to any construction on the project. Nilles expressed concern that the retaining wall may not be able to support the shifting soils behind his home. Nilles expressed concern that the proposed fence will not be properly maintained.

Ron Bengs explained that the detention cell is required to ensure that drainage above historical flows is metered noting that the cell is designed to specifically address water quality issues. Bengs explained that the property is bisected by two drainage basins preventing the use of the 5<sup>th</sup> Street storm drain. Bengs



indicated that the property owner is willing to consider installing a different type of fence in order to address maintenance concerns. Bengs stated that the retaining wall has not been designed at this point noting that geotechnical boring will be performed for the structural design of the retaining wall. Bengs reviewed the height and location of the proposed retaining walls noting that all of the retaining walls will be structurally engineered.

In response to a question from Brewer, Bengs indicated that there are some unstable soils in the area noting that the issue will be carefully reviewed. Bengs stated that a soils engineer will perform soils drilling and a structural engineer will use that information to design the retaining walls.

In response to a question from Brewer, Tech explained that the detention cell is required to provide water quality treatment and meter flows as the natural grassed area will be eliminated from the site. Tech explained the reluctance to use inter-basin transfers as additional problems can be created by shifting water flows from one basin to another.

In response to a question from Brewer, Bengs advised that the depth of the pond is one foot noting that developed flows will be metered off with a six inch pipe.

In response to a question from Brewer, Fisher explained that if parking is prohibited along the south side of Fox Run Drive there will be no on-street parking available to visitors to the single family homes along that side of the street. Fisher indicated that the new parking area may also eliminate some of the current employee parking on the street.

Braun requested clarification concerning whether the proposed parking area can be accessed from within the existing parking lot.

Johnson explained that City ordinance allows two access points to the property. Johnson indicated that the Fire Department staff felt that the second access to the proposed parking area would provide better access for emergency vehicles.

Bengs advised that an emergency vehicle turn-around would be required if access to the proposed parking area were taken from within the existing development. Bengs clarified that the required turn-around would virtually eliminate the additional parking.

Discussion followed.

In response to a question from Brewer, Fisher indicated that the public hearing provides an opportunity for review and comment concerning the proposed development concept. Fisher stated that detailed engineer-stamped design plans will be required to be submitted and approved prior to a building permit being issued for the project.

Fisher recommended that Stipulation 3 be revised to include that the fence will be designed with a maintenance-free material.

Bengs indicated that the applicant has no objection to using vinyl fence material for the project. Discussion followed.

Popp requested clarification concerning how the applicant will ensure that the retaining wall will be effective in preventing the soil from sliding down and disrupting the residential properties.

Fisher clarified that Stipulation 5 states that staff will not approve the retaining wall design unless it is stamped by a registered engineer noting that staff will not issue the building permit until the design issues are addressed.

Helmann requested clarification concerning the possibility to align the proposed second access with the existing driveway across the street.

Fisher advised that the location of the second access must also comply with sight triangle requirements in order to provide the best visibility considering the slope and curvature of the street.

**Rolinger moved, Braun seconded and unanimously carried to approve the Major Amendment to a Commercial Development Plan with the following stipulations:**

- 1. Prior to Planning Commission approval, the applicant shall submit a revised site plan addressing redline comments;**
- 2. Prior to Planning Commission approval, the applicant shall obtain an exception to allow the driveway approach on Fox Run Drive that does not align with the opposite driveway or revise the plans to comply with Section 8.2.4 of the Street Design Criteria Manual;**
- 3. The guard rails shall be consistent with the plans as submitted with the application. The proposed fencing shall be constructed with vinyl material;**
- 4. A building permit shall be obtained prior to any construction;**
- 5. Prior to issuance of a building permit, structural design plans for the retaining walls shall be submitted for review and approval;**
- 6. Prior to issuance of a building permit, an erosion and sediment control plan shall be submitted for review and approval;**
- 7. Prior to issuance of a building permit, pond details including overflow, grading and rip-rap shall be submitted for review and approval;**
- 8. Prior to issuance of a building permit, the applicant shall provide the design grade of the driveway for review and approval;**
- 9. A Right-of-Way Permit shall be obtained to work in the right-of-way;**
- 10. All provisions of the Office Commercial District shall be met unless otherwise specifically authorized as a stipulation of this Major Amendment to the Conditional Use Permit or a subsequent Major Amendment;**
- 11. A minimum of 67 parking spaces shall be provided. In addition, three 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;**
- 12. A minimum of 57,204 landscaping points shall be provided. 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;

13. All signage shall continually conform to Chapter 15.28 of the Rapid City Municipal Code. No electronic signs are being approved as a part of this Major Amendment to a Planned Commercial Development. All signage not in conformance with Chapter 15.28 of the Rapid City Municipal Code or any electronic reader board signs shall require the review and approval of a Major Amendment to the Planned Commercial 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;
14. 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;
15. All applicable provisions of the adopted International Fire Code shall continually be met; and,
16. The Major Amendment to the Planned Commercial Development shall allow for the expansion of the parking lot. 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 Major Amendment to the Conditional Use Permit. (9 to 0 with Braun, Brewer, Fink, Marchand, Popp, Rolinger, Scull, Snyder 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. Discussion Items  
None.
9. Staff Items  
None.
10. Planning Commission Items  
None.
11. Committee Reports  
None.

There being no further business, Rolinger moved, Swank seconded and unanimously carried to adjourn the meeting at 7:54 a.m. (9 to 0 with Braun, Brewer, Fink, Marchand, Popp, Rolinger, Scull, Snyder and Swank voting yes and none voting no)