

DRAFT

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
May 24, 2018

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, John Herr, Galen Hoogestraat, Curt Huus, Mike Quasney and Vince Vidal. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: Mike Gollither, Eric Ottenbacher and Justin Vangraefschepe

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, Ted Johnson, Todd Peckosh, Wade Nyberg and Andrea Wolff.

Braun called the meeting to order at 7:56 a.m.

Roberts left the dais at this time.

Braun 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 Hoogestraat seconded by Huus and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 7 in accordance with the staff recommendations. (8 to 0 with Braun, Bulman, Caesar, Herr, Hoogestraat, Huus, , Quasney, and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the May 10, 2018 Planning Commission Meeting Minutes.
- *2. No. 18PD015 - Section 29, T2N, R7E
A request by Upper Deck Architects, Inc for the Evangelical Lutheran Good Samaritan Society to consider an application for a **Major Amendment to a Planned Development Overlay to expand a nursing home facility** for the SE1/4 of the SW1/4; the SW1/4 of the SE1/4 less Lot A, less Lot H1 and less right-of-way; the NE1/4 of the SE1/4; the NW1/4 of the SE1/4 less Lot A and less Lot H1; the SW1/4 of the NE1/4 less right-of-way, located in Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Highway 79 and south of St. Martin Drive.

Staff recommends that the Major Amendment to a Planned Development to expand an assisted living facility be approved in conjunction with the following stipulations:

1. **Prior to issuance of a building permit, the site plan shall be revised to show one additional ADA parking space in compliance with the City's Parking Regulations;**
2. **Prior to issuance of a building permit, a Floodplain Development Permit shall be obtained;**
3. **All signage shall comply with the requirements of the Rapid City Sign**

- Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment to the Planned Development. The addition of electronic or LED signage shall require a Major Amendment. A sign permit is required for any new signs; and,
4. The Major Amendment to the Planned Development shall allow for 30 additional skilled nursing beds. Future expansions of the use shall require a Major Amendment to the Planned Development. Any permitted use in compliance with the Parking Ordinance shall require a Minimal Amendment to the Planned Development. Any conditional use 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.

*3. No. 18PD018 - Tower Ridge Subdivision

A request by Chris Olney of ARC International, Inc for Joseph Kieffer to consider an application for a **Major Amendment to a Planned Development Overlay to revise the previously approved athletic training facility** for Lot 2 of Tower Ridge Subdivision, located in Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east of Mt. Rushmore Road between Enchantment Road and Plains Vista Court.

Staff recommends that the Major Amendment to a Planned Development Overlay to revise the previously approved athletic training facility be approved with the following stipulations:

1. **Acknowledge the previously granted Exception to reduce the minimum required landscape islands from 3 to "0" contingent upon the proposed landscape plan being installed and maintained in a live vegetative state. A minimum of 139,792 landscape points shall be provided. One landscape parking island shall be provided in Phase II;**
2. **Prior to issuance of a Building Permit, the Traffic Impact Study shall be revised to address red line comments. The construction plans shall be revised to reflect any recommendations;**
3. **Prior to issuance of a Building Permit, construction plans for the sewer main extension shall be approved. Prior to issuance of a Certificate of Occupancy, the sewer main shall be constructed;**
4. **All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Major Amendment to a Planned Development Overlay. The addition of electronic or LED signage or a pole sign shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,**
5. **The Major Amendment to a Planned Development Overlay shall allow for an athletic training and performance center developed in two phases. Any change in use that is a permitted use in the Office Commercial District and in compliance with the parking ordinance**

shall require the review and approval of a Building Permit. 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 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.

4. No. 18PL027 - Murphy Ranch Estates Subdivision

A request by Davis Engineering, Inc for Murphy Brothers Partnership, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 11 thru 20 of Block 10 and Lots 7 thru 18 of Block 11 of Murphy Ranch Estates Subdivision, legally described as the unplatted portion of Tract F, located in the NE1/4 of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located east of Reservoir Road on the south side of Longview Road.

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. **Prior to submittal of a Development Engineering Plan, the preliminary construction plans and master plan shall be revised to address redline comments or an Exception to the Infrastructure Design Criteria Manual and/or the Standard Specifications shall be obtained. If Exception(s) are obtained, a copy of the approved Exception(s) shall be submitted with the Development Engineering Plan application. In addition, the redlined comments shall be returned with the revised construction plans;**
2. **Upon submittal of a Development Engineering Plan application, construction plans for Remington Road and Knuckleduster shall be submitted for review and approval showing the street(s) located within a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;**
3. **Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual, the Rapid City Municipal Code and Rapid Valley Sanitary Sewer District requirements. The water plan and analysis shall demonstrate that adequate fire flow can be achieved under peak day demand. In addition, utility easements shall be secured as needed;**
4. **Upon submittal of a Development Engineering Plan application, sewer plans prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the**

- Infrastructure Design Criteria Manual, the Rapid City Municipal Code and the Rapid Valley Sanitary District requirements. In particular, the design report shall demonstrate that the downstream sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity. Utility easements shall also be secured as needed;
5. Upon submittal of a Development Engineering Plan application, geotechnical analysis signed and stamped by a Professional Engineer for public improvements shall be submitted for review and approval. In addition, geotechnical analysis shall be submitted for pavement design or the minimum required pavement section as per the Infrastructure Design Criteria Manual shall be provided;
 6. Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval;
 7. Upon submittal of a Development Engineering Plan application, a drainage plan in compliance with the Infrastructure Design Criteria Manual shall be submitted for review and approval. The drainage plan shall demonstrate that stormwater is being detained to pre-developed/historic rates and provides stormwater quality. In addition, drainage easements shall be secured as needed;
 8. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. The utility plans shall also be reviewed and approved by the South Dakota Department of Environment and Natural Resources. The private utility layout plan shall also be submitted to the respective utility companies. All final engineering reports shall be signed and sealed by a Professional Engineer;
 9. Upon submittal of a Development Engineering Plan application, a cost estimate for any required subdivision improvements shall be submitted for review and approval;
 10. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 11. Upon submittal of a Final Plat application, documentation shall be submitted for review and approval identifying maintenance and ownership of the proposed drainage elements;
 12. Prior to submittal of a Final Plat application, the plat document shall be revised to include the missing line table;
 13. Prior to submittal of a Final Plat application, the plat title shall be revised to read "Unplatted part of Tract F of NW1/4 of Section 14, T1N, R8E, all located in: E1/2NW1/4 of Section 14, T1N, R8E, BHM";
 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; and,

15. **Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.**

5. No. 18PL031 - Jack's View Subdivision

A request by Jeff Howe of Howe Land Surveying for Ronald J. and Cheryl A. Loftus to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1 of Jack's View Subdivision, legally described as the NE1/4 of the NW1/4, less right-of-way, less Loftus Subdivision and less 100 feet by 150 feet tract in the NW corner of Section 17, T1N, R7E, BHM, Pennington County, South Dakota, more generally described as being located at 3700 Red Rock Canyon Road.

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. **Upon submittal of a Development Engineering Plan application, construction plans for the section line highway shall be submitted for review and approval showing the construction of a street with a minimum 26 foot wide paved surface, curb, gutter, street light conduit, water and sewer or an Exception shall be obtained or the section line highway shall be vacated. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;**
2. **Upon submittal of a Development Engineering Plan application, construction plans for Red Rock Canyon Road shall be submitted for review and approval showing the street constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;**
3. **Upon submittal of a Development Engineering Plan application, an Engineering Report per Chapter 1.15 of the Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required. The drainage plan shall address storm water quantity control and storm water quality treatment, in conformance with the Infrastructure Design Criteria Manual and Rapid City Municipal Code. In addition, the plat document shall be revised to provide drainage easements as necessary;**
4. **Upon submittal of a Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual and a grading plan shall be submitted for review and approval if subdivision improvements are required;**
5. **Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;**
6. **Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;**

7. Prior to submittal of a Final Plat application, the property shall be annexed into the City limits of Rapid City pursuant to Chapter 16.04.090.B of the Rapid City Municipal Code;
8. Prior to submittal of a Final Plat application, the plat title shall be revised to read “formerly the balance of the NE1/4 of the NW1/4 of Section 17, T1N, R7E”;
9. Prior to submittal of a Final Plat application, the applicant shall confirm the location of the driveway serving as access to the adjacent property (Lot 3R) and adjust the driveway easement as shown on the plat to ensure that the driveway is located within the easement and extends to the adjacent lot line;
10. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan with the Rapid City Fire Department;
11. Prior to submittal of a Final Plat application, the following note shall be placed on the plat: “Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install an on-site wastewater treatment system for each lot. Prior to installation of such system, plans prepared by a qualified person shall be submitted and approved as required by the City of Rapid City or Pennington County, whomever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations”;
12. 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; and,
13. Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

6. No. 18PL032 - Menard Subdivision

A request by FMG Engineering for Menard Inc to consider an application for a **Preliminary Subdivision Plan** for proposed Lots B-1, B-2 and C-1 of Menard Subdivision, legally described as Lots B and C of Menard Subdivision and dedicated right-of-way located in the NW1/4 and the NE1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located south of E. North Street at Camden Drive.

Staff recommends that the Preliminary Subdivision Plan be approved with the following stipulations:

1. Prior to approval of the Development Engineering Plan application, submitted engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are

required. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards as required by the Infrastructure Design Criteria Manual;

2. Upon submittal of a Development Engineering Plan application, construction plans providing a dual water main in East North Street shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application;
3. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
4. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
5. Prior to submittal of a Final Plat application, the plat document shall be revised to show a non-access easement along East North Street. In addition, the existing non-access easement located along the south lot line of proposed Lot C-1 as it abuts North Creek Drive shall be revised to provide a single opening to provide access to the lot;
6. Upon submittal of a Final Plat application, the plat document shall be revised to show the existing storm sewer located along the north property line within an existing or proposed easement. In addition, the plat document shall show all easements as necessary, including drainage easements and utility easements;
7. Upon submittal of a Final Plat application, written documentation from all of the affected utility companies shall be submitted showing concurrence with the proposed vacation of the 8 foot wide minor drainage and utility easement located on proposed Lot C-1;
8. 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; and,
9. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

*7. No. 18UR004 - Robbinsdale Addition No. 7

A request by Wood Builders, Inc for Fairmont Diner to consider an application for a **Conditional Use Permit to allow a restaurant in the Neighborhood Commercial District** for Lots 1 - 2 of Tract A, the balance of Tract A, Tract B in Robbinsdale Addition #7, located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 402 E. Fairmont Boulevard, Suite C.

Staff recommends that the Conditional Use Permit to allow a restaurant in the Neighborhood Commercial District be approved with the following stipulations:

- 1. Prior to issuance of a Building Permit, the applicant shall coordinate with Rapid City Water Reclamation for the policy and sizing requirements for the grease interceptor;**
- 2. Any new signage shall meet the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) signage is being approved as a part of this Conditional Use Permit. The addition of electronic or LED signage shall require a Major Amendment to the Conditional Use Permit. A sign permit is required for all signs; and,**
- 3. The Conditional Use Permit shall allow for a restaurant with a maximum seating area of 665 square foot in size. Any expansion of the use shall require an amendment to the Conditional Use Permit. Any change in use that is a permitted use in the Neighborhood Commercial District in compliance with the Parking Ordinance shall require a building permit. Any change in use that is a Conditional Use in the Neighborhood Commercial District shall require the review and approval of a Major Amendment to the Conditional Use Permit.**

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---

- *8. No. 18PD014 - Original Town of Rapid City
A request by ACES for Pennington County Buildings & Grounds Department to consider an application for a **Major Amendment to a Planned Development Overlay to expand the boundary of Planned Development Overlay and to renovate the Pennington County Jail Complex** for Lots 1 thru 15 and the N1/2 vacated alley adjacent to said lots; Lot 16; Lots 20 thru 32 and the S1/2 of vacated alley adjacent to said lots and the eastern 75 feet of the previously vacated 3rd Street right-of-way lying adjacent to Lot 16 of Block 98 of Original Town of Rapid City, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 307 St. Joseph Street and 248 Kansas Street.

Lacock stated that additional information has been received but staff has not had time to adequately review and therefore, staff requests that the item be continued to the June 7, 2018 Planning Commission meeting. Bulman moved

Roberts returned to the dais at this time.

Bulman moved, Quasney seconded and the Planning Commission

continued the Major Amendment to a Planned Development to expand the boundary of the planned development and to renovate the Pennington County jail complex to the June 7, 2018 Planning Commission meeting. (8 to 0 with Braun, Bulman, Caesar, Herr, Hoogestraat, Huus, Quasney and Vidal 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.

*9. No. 18UR005 - Fairway Hills #2

A request by Jon Scott of Cal Weidenbach Construction for Ike and Holly Morgan to consider an application for a **Conditional Use Permit to allow an over-sized garage and accessory structures** for Lot A of Fairway Hills #2, located in Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3822 Ridgemoor Drive.

Lacock presented the application and reviewed the associated slides, noting that the applicant is requesting to build a combination pool house, gym and garage along with a pool and that due to the use and size of the structure the applicant is requesting an Exception to allow an over-sized garage / accessory structure 2,172 square feet in size, for a total garage area of 2,760 square feet in lieu of the maximum allowed 1,500 square feet, Lacock stated that staff recommends the Conditional Use Permit to allow an over-sized garage and accessory structures be approve with stipulations.

Herr moved, Hoogestraat seconded and Planning Commission approved the Conditional Use Permit to allow an over-sized garage and accessory structures with the following stipulations:

- 1. An Exception is hereby granted to allow an over-sized garage / accessory structure 2,172 square feet in size, for a total garage area of 2,760 square feet in lieu of the maximum allowed 1,500 square feet;**
- 2. Upon submittal of a Building Permit, a utility plan showing the sanitary sewer and water services shall be submitted for review and approval. A profile view of the sanitary sewer service shall be submitted;**
- 3. Upon submittal of a Building Permit, the applicant shall provide details on how the pool is proposed to be drained, including the diameter of the pool drain**
- 4. The proposed over-sized accessory structure shall be constructed with the same character as shown on the applicant's submitted elevations. Any change to the colors or character of the garage shall require a Major Amendment to the Conditional Use Permit; and,**
- 5. The Conditional Use Permit shall allow for an over-sized garage / accessory structure on the property. The garage shall not be used for commercial purposes or as a second residence. In addition, the structure shall not be used as a rental unit. Any change in use that is**

a permitted use in the Medium Density Residential District shall require a building permit. Any change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Conditional Use Permit. (8 to 0 with Braun, Bulman, Caesar, Herr, Hoogestraat, Huus, Quasney and Vidal 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. Discussion Items
None

11. Staff Items
None

12. Planning Commission Items
Planning Commission Liaison for the June 4, 2018 City Council Meeting will be Galen Hoogestraat.

There being no further business, Bulman moved, Caesar seconded and unanimously carried to adjourn the meeting at 8:03 a.m. (8 to 0 with Braun, Bulman, Caesar, Herr, Hoogestraat, Huus, Quasney and Vidal voting yes and none voting no)