

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
January 24, 2019

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollhofer, Curt Huus, Eric Ottenbacher, Mike Quasney and Vince Vidal. Jason Salamun, Council Liaison was also present.

MEMBERS ABSENT: Justin Vangraefschepe, John Herr, Galen Hoogestraat

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, John Green, Sarah Hanzel, Todd Peckosh, Wade Nyberg and Andrea Wolff.

Braun called the meeting to order at 7:54 a.m.

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.

Huus requested that Item 1 be removed from the Consent Agenda for separate consideration.

Motion by Bulman seconded by Vidal and unanimously carried to recommend approval of the Consent Agenda Items 2 thru 6 in accordance with the staff recommendations with the exception of Items 1. (8 to 0 with Braun, Bulman, Caesar, Gollhofer, Huus, Ottenbacher, Quasney and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

2. No. 18OA016 - An Ordinance to Allow the Historic Sign Review Committee to Adopt Guidelines for Administrative Approval of Sign Permit Applications by Amending Subsection 17.50.080Q of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance to Allow the Historic Sign Review Committee to Adopt Guidelines for Administrative Approval of Sign Permit Applications by Amending Subsection 17.50.080Q of the Rapid City Municipal Code (Ordinance No. 6295).**

Planning Commission recommended that the Ordinance to Allow the Historic Sign Review Committee to Adopt Guidelines for Administrative Approval of Sign Permit Applications by Amending Subsection 17.50.080Q of the Rapid City Municipal Code (Ordinance No. 6295) be approved.

3. No. 18OA018 - An Ordinance to Amend the LDR-1 Zoning District to add Townhouses as a Conditional Use by Amending Section 17.10.030 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance to Amend the LDR-1 Zoning District to add Townhouses as a Conditional Use**

by Amending Section 17.10.030 of the Rapid City Municipal Code (Ordinance No. 6297).

Planning Commission recommended that the Ordinance to Amend the LDR-1 Zoning District to add Townhouses as a Conditional Use by Amending Section 17.10.030 of the Rapid City Municipal Code (Ordinance No. 6297) be approved.

4. No. 18OA019 - An Ordinance to Revise the Conditional Uses in the Medium Residential Zoning District by Amending Section 17.12.030 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance to Revise the Conditional Uses in the Medium Residential Zoning District by Amending Section 17.12.030 of the Rapid City Municipal Code (Ordinance No. 6298)**.

Planning Commission recommended that the Ordinance to Revise the Conditional Uses in the Medium Residential Zoning District by Amending Section 17.12.030 of the Rapid City Municipal Code (Ordinance No. 6298) be approved.

5. No. 18OA021 - An Ordinance to Revise the Uses Permitted in the Light Industrial Zoning District by Amending Section 17.22.020 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance to Revise the Uses Permitted in the Light Industrial Zoning District by Amending Section 17.22.020 of the Rapid City Municipal Code (Ordinance No. 6300)**.

Planning Commission recommended that the Ordinance to Revise the Uses Permitted in the Light Industrial Zoning District by Amending Section 17.22.020 of the Rapid City Municipal Code (Ordinance No. 6300) be approved.

6. No. 18OA022 - An Ordinance to Allow a Car Wash as a Permitted Use in the General Commercial Zoning District by Amending Section 17.18.020 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance to Allow a Car Wash as a Permitted Use in the General Commercial Zoning District by Amending Section 17.18.020 of the Rapid City Municipal Code (Ordinance No. 6301)**.

Planning Commission recommended that the Ordinance to Allow a Car Wash as a Permitted Use in the General Commercial Zoning District by Amending Section 17.18.020 of the Rapid City Municipal Code (Ordinance No. 6301) be approved.

---END OF CONSENT CALENDAR---

1. Approval of the January 10, 2019 Planning Commission Meeting Minutes.

Huss stated that the January 10, 2019 Planning Commission Minutes show him as both present and absent and requested that they be corrected to reflect that he was actually absent from the meeting.

Huus moved, Caesar seconded and the Planning Commission unanimously carried to approve the minutes with revisions as requested. (8 to 0 with Braun, Bulman, Caesar, Gollhofer, Huus, Ottenbacher, Quasney and Vidal voting yes and none voting no)

---BEGINNING OF REGULAR AGENDA ITEMS---

7. No. 18OA017 - An Ordinance Amendment to Update and Clarify the Criteria and Procedure for Granting Variances to the Zoning Code by Amending Section 17.54.020 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance Amendment to Update and Clarify the Criteria and Procedure for Granting Variances to the Zoning Code by Amending Section 17.54.020 of the Rapid City Municipal Code (Ordinance No. 6296).**

Fisher noted that during a Joint Work Sessions with the Planning Commission and City Council, it was noted the need to have a denial of a building permit prior to filing for a Variance and the required 7 day waiting period between approval of the Variance and the ability to grant a building permit. Fisher stated that this Ordinance Amendment removes these two requirements. Fisher further noted that currently the language addressing criteria for granting a Variance references an "Unnecessary Hardship", which is being amended to read "Unreasonable Hardship" along with language identifying criteria as to what creates an "Unreasonable Hardship". Additionally, Fisher stated that criteria identifying unique conditions have been added. Overall, Fisher stated that the idea of the Ordinance Amendment makes it simpler for the applicant to submit a Variance request and to provide strong, clear language to support the Zoning Board of Adjustments decisions. Fisher stated that staff recommends that the Ordinance Amendment to Update and Clarify the Criteria and Procedure for Granting Variances to the Zoning Code by Amending Section 17.54.020 of the Rapid City Municipal Code (Ordinance No. 6296) be approved.

Planning Commission recommended that the Ordinance Amendment to Update and Clarify the Criteria and Procedure for Granting Variances to the Zoning Code by Amending Section 17.54.020 of the Rapid City Municipal Code (Ordinance No. 6296) be approved. (8 to 0 with Braun, Bulman, Caesar, Gollhofer, Huus, Ottenbacher, Quasney and Vidal voting yes and none voting no)

8. No. 18OA020 - An Ordinance to Amend Screening Requirements Between Zoning Districts by Amending Sections 17.18.080, 17.20.080, 17.30.070, 17.32.070, 17.36.080 and 17.40.070 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for **An Ordinance to**

Amend Screening Requirements Between Zoning Districts by Amending Sections 17.18.080, 17.20.080, 17.30.070, 17.32.070, 17.36.080 and 17.40.070 of the Rapid City Municipal Code (Ordinance No. 6299).

Lacock stated that this is basically housecleaning to allow more efficient review and use of the screening requirements; be changing the word adjacent to abutting in the language requiring a screening fence between all Commercial Districts adjacent to Residential Districts. Lacock explained that adjacent includes property where right-of-way, such as a street, is between the Commercial property and the Residential property requiring a fence along the street. This generates the need to grant Variances to the screening requirement for the property along the street. This change of language should help eliminate this restriction and make it easier for staff to make these decisions. Lacock stated that additionally the type of screening fence between Commercial and Residential properties will exclude a chain link fence with slats. Lacock stated that language has been added granting the Director authority to grant Zoning Exceptions to fences for areas of concern such as flood plain, drainage, etc. Lacock explained that this will enable staff flexibility in reviewing screening requirements that it previously did not and that staff recommends that the Ordinance to Amend Screening Requirements Between Zoning Districts by Amending Sections 17.18.080, 17.20.080, 17.30.070, 17.32.070, 17.36.080 and 17.40.070 of the Rapid City Municipal Code (Ordinance No. 6299) be approved.

In response to a question from Bulman, Fisher clarified that although the language may be confusing it legally works and allows the best options to both staff and applicants.

Bulman mved, Caesar seconded and the Planning Commission recommended that the Ordinance to Amend Screening Requirements Between Zoning Districts by Amending Sections 17.18.080, 17.20.080, 17.30.070, 17.32.070, 17.36.080 and 17.40.070 of the Rapid City Municipal Code (Ordinance No. 6299) be approved. (8 to 0 with Braun, Bulman, Caesar, Gollither, Huus, Ottenbacher, Quasney and Vidal voting yes and none voting no)

9. Discussion Items
None

10. Staff Items

Young thanked the attendees of the recent work session on the TIF Policy and said that staff is preparing to have that Ordinance before the Commission within the next month to two months. Young also noted that the next Coffee with Planners will be at 9:00 a.m., February 6, 2019 in the Council Chambers and that the successful format with three topics of discussion with each topic having a discussion table with 15 minute sessions will be used again. He indicated the topics will be a review of the New Civic Center Arena, current design plans and associated issues, reviewing the TIF policy and reviewing the Office Commercial Zoning and

the residential uses allowed in that zone and if they are all viable. He hopes that everyone will try to attend.

11. Planning Commission Items
None

There being no further business, Golliher moved, Quasney seconded and unanimously carried to adjourn the meeting at 8:10 a.m. (8 to 0 with Braun, Bulman, Caesar, Golliher, Huus, Ottenbacher, Quasney and Vidal voting yes and none voting no)