

DRAFT

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
April 25, 2019

MEMBERS PRESENT: Karen Bulman, Racheal Caesar, Mike Gollhofer, Galen Hoogestraat, Curt Huus, Eric Ottenbacher, Mike Quasney and Vince Vidal.

MEMBERS ABSENT: Erik Braun, John Herr, and Justin Vangraefschepe. Jason Salamun, Council Liaison was also absent.

STAFF PRESENT: Ken Young, Vicki Fisher, Fletcher Lacock, John Green, Kip Harrington, Kelly Brennan, Tim Behlings, Todd Peckosh, Wade Nyberg and Andrea Wolff.

Caesar called the meeting to order at 7:41 a.m.

Caesar 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 Quasney seconded by Vidal and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 9 in accordance with the staff recommendations. (8 to 0 with, Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Ottenbacher, Quasney and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the April 4, 2019 Planning Commission Meeting Minutes.
- *2. No. 19PD009 - Auburn Hills Subdivision
A request by Sperlich Consulting, Inc for Doeck, LLC to consider an application for a **Revocation of Planned Development Designation** for a portion of the SW¼ of the NW¼ of Section 13, T2N, R7E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 12 of Block 4 of Auburn Hills Subdivision, also common with the west Section line of Section 13, Township 2 North, Range 7 East of the Black Hills Meridian, and the Point of Beginning of property as surveyed; thence N 00°10'27" E along the west line of Section 13 a distance of 405.96 feet to the west sixteenth corner or the northwest quarter of Section 13 as surveyed, thence N 89°52'25" E along the sixteenth line of said quarter of Section 13 a distance of 722.81 feet to the northwest corner of Lot 21 of Block 4 of Auburn Hills Subdivision, thence S 13°48'19"E a distance of 390.37 feet along the west line to the southwest corner of said Lot 21 of Block 4 of Auburn Hills Subdivision adjacent to the Coal Bank Court right of way, thence S 57°49'43" W a distance of 1.50 feet to the northeast corner of the previously dedicated right of way of Coal Bank Court, thence S 57°49'43" W a distance of 49.00 feet along the north line of said right of way to the northeast corner of Lot 4 of Block 4 of Auburn Hills Subdivision, thence S 89°52'29" W a distance of 774.37 feet along the north line of Lot 4 through Lot 12 of Block 4 to the northwest corner of Lot 12 of Block 4 of

Auburn Hills Subdivision and the Point of Beginning, more generally described as being located north of the intersection of Cobalt Drive and Coal Bank Court.

Planning Commission approved the Revocation of a Planned Development Designation in conjunction with File# 19RZ009.

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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

3. No. 19RZ009 - Auburn Hills Subdivision

A request by Sperlich Consulting, Inc for Doeck, LLC to consider an application for a **Rezoning from Medium Density Residential District to Low Density Residential District** for a portion of the SW¼ of the NW¼ of Section 13, T2N, R7E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 12 of Block 4 of Auburn Hills Subdivision, also common with the west Section line of Section 13, Township 2 North, Range 7 East of the Black Hills Meridian, and the Point of Beginning of property as surveyed; thence N 00°10'27" E along the west line of Section 13 a distance of 405.96 feet to the west sixteenth corner or the northwest quarter of Section 13 as surveyed, thence N 89°52'25" E along the sixteenth line of said quarter of Section 13 a distance of 722.81 feet to the northwest corner of Lot 21 of Block 4 of Auburn Hills Subdivision, thence S 13°48'19"E a distance of 390.37 feet along the west line to the southwest corner of said Lot 21 of Block 4 of Auburn Hills Subdivision adjacent to the Coal Bank Court right of way, thence S 57°49'43" W a distance of 1.50 feet to the northeast corner of the previously dedicated right of way of Coal Bank Court, thence S 57°49'43" W a distance of 49.00 feet along the north line of said right of way to the northeast corner of Lot 4 of Block 4 of Auburn Hills Subdivision, thence S 89°52'29" W a distance of 774.37 feet along the north line of Lot 4 through Lot 12 of Block 4 to the northwest corner of Lot 12 of Block 4 of Auburn Hills Subdivision and the Point of Beginning, more generally described as being located north of the intersection of Cobalt Drive and Coal Bank Court.

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

4. No. 19RZ010 - Auburn Hills Subdivision

A request by Sperlich Consulting, Inc for Doeck, LLC to consider an application for a **Rezoning from General Agricultural District to Low Density Residential District** for a portion of the SE¼ of the NE¼ of Section 14, T2N, R7E, B.H.M., Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northeast property corner of Lot 13 of Block 4 of Auburn Hills Subdivision, also common with the east section line of Section 14, Township 2 North, Range 7 East of the Black Hills Meridian, and the Point of Beginning of property as surveyed; thence N 00°10'27" E along the east line of Lot 13 and the east section line of Section 14 a distance of 10.00 feet of

to the northwest corner of Lot 12 of Block 4 of Auburn Hills Subdivision, thence N 00°10'27" E along the east line of Section 14 a distance of 405.96 feet to the east sixteenth corner or the northeast quarter of said Section 14 as surveyed, thence S 89°54'38" W along the sixteenth line of said northeast quarter Section 14 a distance of 344.83', thence S 00°00'00" E along a random line a distance of 404.35 feet to a random point, thence N 89°52'29" E along a random line a distance of 27.63 feet to the northwest corner of Lot 1 of Block 11 of Auburn Hills Subdivision, thence along the north line of Lot 1, N 89°52'29" E a distance of 130.75 to the northeast corner of Lot 1, thence N 90°00'00" E a distance of 49.00 feet to the northeast corner of the platted right of way of Misty Woods Lane, thence S 00°07'31" E a distance of 11.71' along the east line of Misty Woods Lane right of way, thence N 89°52'29" E a distance of 136.13 along the north boundary of Lot 13 of Block 4 of Auburn Hills Subdivision to the point of beginning, more generally described as being located north of the intersection of Cobalt Drive and Misty Woods Lane.

Planning Commission recommended that the General Agricultural District to Low Density Residential District be approved.

*5. No. 19PD010 - Rapid Valley Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc for Highland Properties, LLC to consider an application for a **Major Amendment to a Planned Development to allow office and storage use for a roofing and siding business** for Lot A of Blocks 3 and 4 of Rapid Valley Subdivision, located in Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2507 E. Saint Patrick Street.

The Development Review Team approved the Major Amendment to the Planned Development Overlay to allow office use and storage for a roofing and siding business with the following stipulations:

1. **A minimum of 22 parking spaces with one of the spaces being ADA "Van" accessible shall be provided as a part of the first phase of the development;**
2. **Screening and paved circulation shall be provided prior to using the outdoor storage area identified as a part of Phase Two of the development;**
3. **Screening along the east lot line, adjacent to the existing residential development, shall be provided prior to any use of the eastern half of the property identified as a part of Phase Three of the development;**
4. **A minimum of 25,477 landscape points shall be provided. All landscaping shall be continually maintained in a live vegetative state and replaced as necessary;**
5. **Upon submittal of a building permit, the site plan shall be revised to show a sidewalk along all of E. Saint Patrick Street as it abuts the property;**
6. **Upon submittal of a Building Permit, a drainage report shall be submitted for review and approval addressing storm water quality treatment for impervious areas;**
7. **Any change in use that is a permitted use in the Light Industrial**

District 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 Light Industrial District shall require the review and approval of a Major Amendment to the Planned Development Overlay.

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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

*6. No. 19PD011 - Fox Run Subdivision

A request by Fisk Land Surveying & Consulting Engineers, Inc for Cornerstone Rescue Mission to consider an application for a **Major Amendment to a Planned Development Overlay to expand an existing group home** for Lot 1 of Block 1 of Fox Run Subdivision, located in Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 301 Fox Run Drive.

The Development Review Team approved the requested Major Amendment to the Planned Development Overlay with the following stipulations:

- 1. The previously granted Exception to reduce the minimum required side yard setback from the south property line from 25 feet to 20 feet 8 inches is hereby acknowledged;**
- 2. The existing screening fence along the west lot line as it abuts the parking lot and along the east side of the outdoor play area shall continually be maintained;**
- 3. A minimum of 16 parking spaces with one of the spaces being ADA "van" accessible shall continually be provided; and,**
- 4. The Major Amendment to the Planned Development Overlay shall allow for a group home for transitional housing to be operated in compliance with the applicant's operational plan. In particular, a total of 19 rooms with a maximum of 68 residents shall be allowed on the property at any one time. In addition, staff shall be present on the property at all times to assist with the operation of the facility as per the applicant's operational plan. Any change in use of the property or any expansion of the group home, including the number of residents, shall require a Major Amendment to the Planned Development Overlay. The use of the property as a mission, drug and/or alcohol treatment center, detoxification center, or detention center shall not be allowed.**

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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

- *7. No. 19UR006 - Red Rock Village
A request by Howie Construction LLC for Josh Artz to consider an application for a **Conditional Use Permit to allow an over sized garage** for Lot 11, Block 2, Red Rock Village, located in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4556 Lahinch Street.

Planning Commission acknowledged the applicant's withdrawal of 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

- 8 No. 19TP007 - 2016-2018 Socio-Economic Report (Information Only)
- 9 No. 19TP013 - East Rapid City Traffic and Corridor Analysis Study – Draft Report (Informational Only)

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

- *10. No. 19PD012 - Sandstone Ridge Subdivision
A request by ARC International, Inc for Yeshua, LLC to consider an application for a **Major Amendment to a Planned Development Overlay to allow a medical office** for Lot 5 Revised, Sandstone Ridge Subdivision, located in Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3808 Sheridan Lake Road.

Lacock presented the application and reviewed the associated slides noting that this item had been before the Planning Commission for a rezoning from Medium Density Residential to Office Commercial District in March, but a Major Amendment to the Planned Development Overlay for the change of use was needed due to the stipulations of the Final Planned Development Overlay. Lacock noted that the applicant is requesting an Exception to waive the screening fence requirement provided that a landscape buffer be provided as per the submitted site plan and to use landscaping and the natural topography to create the separation between the residential property. Lacock stated that staff supports granting the Exception and recommends that the Major Amendment to a Planned Development Overlay to allow a medical office be approve with stipulations.

Bulman moved, Huus seconded and the Planning Commission approved the Major Amendment to a Planned Development Overlay with the following stipulations:

- 1. An Exception is hereby granted to waive the screening fence requirement provided that a landscape buffer be provided as per the**

- submitted site plan;
2. Upon submittal of a Building Permit, the site plan shall be revised to show sidewalk along Holiday Lane or a Variance shall be obtained to waive the requirement;
 3. Any new signage shall meet the requirements of the Rapid City Sign Code. No Light Emitting Diode (LED) message centers are being approved as a part of this request. A sign permit shall be obtained for any signage; and,
 4. The Major Amendment to a Planned Development Overlay shall allow for a medical office. Any change in use that is a permitted use in the Office Commercial District 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 Conditional Use Permit. (8 to 0 with Bulman, Caesar, Gollhofer, Hoogestraat, Huus, Ottenbacher, 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

*11. No. 19UR007 - Marshall Heights Tract

A request by Ernesto Garcia Gallegos to consider an application for a **Major Amendment to a Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a restaurant** for Lot 1 of Lot K2-C of Marshall Height Tract, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1900 N. Maple Avenue.

Lacock presented the application and reviewed the associated slides. Lacock noted that this a Major Amendment to a Conditional Use Permit because there was a previous Conditional Use Permit with on-sale in conjunction with a restaurant, but the use had ceased for over two years and this is a new operator this Conditional Use Permit will be specific to this operator. Lacock noted that the existing Code violations on this property are anticipated to be eliminated with the occupation of and use and maintenance of the property whereas it had, as previously noted, sat empty. Lacock clarified that the hours of operation on Friday thru Saturday are a 10:00 a.m. to 10:30 p.m., noting there was a typing error in the Project Report. Lacock state that staff supports the Major Amendment to a Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a restaurant with stipulations.

Hoogestraat moved, Quasney seconded and the Planning Commission approved the Major Amendment to a Conditional Use Permit to allow an on-sale liquor estbalishment in conjunction with a restaurant with the following stipulation:

1. **Prior to issuance of a Certificate of Occupancy, three ADA parking spaces shall be striped with one being “van accessible”;**
2. **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. The addition of electronic or LED signage shall require a Major Amendment to the Conditional Use Permit. A sign permit is required for any new signs; and,**
3. **The Major Amendment to a Conditional Use Permit shall allow an on-sale liquor establishment in conjunction with a restaurant for the applicant. Any expansion to the on-sale liquor use shall require a Major Amendment to the Conditional Use Permit. Any change in use that is a permitted use in the General Commercial District 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 General Commercial District shall require the review and approval of a Major Amendment to the Conditional Use Permit. (8 to 0 with Bulman, Caesar, Golliver, Hoogestraat, Huus, Ottenbacher, 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.

12. Discussion Items

Fisher reviewed the Accessory Dwelling Unit open house meetings that were held April 24, 2019 in the City Council Chambers stating that they had good attendance and the suggestions will be worked on and the revised ordinance will be brought back before Planning Commission.

Fisher also noted the upcoming Coffee with Planners to be held in the Council Chambers, Wednesday, May 1, 2019. Fisher noted that they would have the table discussion format again and encouraged the Planning Commission to attend.

Bulman asked when the East Corridor Open House was scheduled. Kip Harrington of Long Range Planning, Transportation Division, stepped into the meeting and stated that the East Corridor Open House which had previously been cancelled due to weather is anticipated to be rescheduled for May 15, 2019 from 5:00 to 6:30 p.m. at Western Dakota Tech and that it will be discussed at the upcoming Coffee with Planners also.

13. Staff Items

14. Planning Commission Items

- A. Planning Commission Liaison for the May 6, 2019 City Council Meeting will be Vince Vidal.

There being no further business, Golliher moved, Huus seconded and unanimously carried to adjourn the meeting at 8:57 a.m. (8 to 0 with Bulman, Caesar, Golliher, Hoogestraat, Huus, Ottenbacher, Quasney and Vidal voting yes and none voting no)