

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
February 6, 2020

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollhofer, Eirik Heikes, John Herr, Galen Hoogestraat, Eric Ottenbacher, Mike Quasney, and Vince Vidal. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: None

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

Braun called the meeting to order at 7:00 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.

Staff requested that Items 4 be removed from the Consent Agenda for separate consideration.

Motion by Gollhofer seconded by Quasney and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 5 in accordance with the staff recommendations with the exception of Item 4. (9 to 0 with Arguello, Braun, Bulman, Caesar, Gollhofer, Herr, Hoogestraat, Quasney and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the January 23, 2020 Planning Commission Meeting Minutes.
2. No. 20PL001 - Moon Meadows Park Subdivision
A request by KTM Design Solutions, Inc for Alta Terra Development to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 3 and 4 of Block 1 of Moon Meadows Park Subdivision, legally described as the SW1/4 of the NW1/4 less Lot H1 and Lot H2 of the W1/2 of the NW1/4 Less Lot H1 of the SW1/4 of the NW1/4, less Moon Meadows Park Subdivision less right-of-way, located in Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Moon Meadows Drive.

Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations:

1. **Upon submittal of a Final Plat application, the plat document shall show the dedication of all necessary easements; and,**
2. **Upon submittal of a Final Plat application, the plat document shall show the name of the subdivision as "Moon Meadows Park Subdivision" in lieu of "Moon Meadows Subdivision".**

3. No. 20OA001 - Ordinance to Add a Pre-Submittal Meeting to the Requirements for Development Engineering Plans by Amending Section 16.08070 of the Rapid City Municipal Code

A request by City of Rapid City to consider an application for an **Ordinance to Add a Pre-Submittal Meeting to the Requirements for Development Engineering Plans by Amending Section 16.08070 of the Rapid City Municipal Code.**

Planning Commission recommended approval of the Ordinance to Add a Pre-Submittal Meeting to the Requirements for Development Engineering Plans by Amending Section 16.08070 of the Rapid City Municipal Code.

5. No. 20VR001 - Dunham Estates

A request by Fisk Land Surveying & Consulting Engineers, Inc for Keiz Larson to consider an application for a **Vacation of a Section Line Highway Right-of-Way** for Section Line Right-of-Way located in the NE1/4 of the SE1/4 of Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located intersection of Heidiway Court and Heidiway Lane.

Planning Commission recommended approval of the Vacation of Section Line Highway Right-of-Way.

---END OF CONSENT CALENDAR---

- *4. No. 20UR001 - South Creek Industrial Park #2

A request by FMG Engineering for City of Rapid City Fire Department to consider an application for a **Conditional Use Permit to allow a fire fighting training facility** for Tract A of South Creek Industrial Park #2, located in Section 8, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located east side of Creek Drive, south of the Lombardy Industrial Park.

Lacock presented the application and reviewed the associated slides. Lacock noted that there will be an administrative building and a maintenance building on the west end of the property with the area the Fire Department will use for training in the center and an open unused space to the east end of the property. Lacock stated that staff recommends approval of the Conditional Use Permit to allow a fire fighting training facility with stipulations.

Alan Johnson, 1911 Lombardy Drive, stated Creek Drive is in bad shape and the increased traffic is only adding to the problem. Johnson asked if there were plans to improve Creek Drive and if there is a plan to complete the second access to the south.

Peckosh stated that they are aware that the road is in bad shape but that there is currently no funding for improvements to this road so there are no plans for improvements at this time. Peckosh further stated that the completion of the second access to the south is not in the 5 year plan.

In response to a question from Arguello on the use of chemicals and potential pollution to the sight, Behlings stated that if they were to use retardants, they would have a water retention plan, but currently they do not plan to nor will they employ fuel spills or fluorocarbons. Behlings said they would be using fire but do not expect

to have heavy smoke columns.

Bulman moved, Caesar seconded and the Planning Commission approved the Conditional Use Permit to allow a fire fighting training facility with the following stipulation(s):

- 1. No Light Emitting Diode (LED) message centers are being approved as a part of this request. The inclusion or addition of any LED message centers shall require a Major Amendment to the Conditional Use Permit. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign;**
- 2. The proposed fire fighter training facility shall operate in compliance with the submitted operations plan and all approved plans; and,**
- 3. The Conditional Use Permit shall allow a fire fighter training facility. Any expansion of the facility shall require a Major Amendment to the Conditional Use Permit. Permitted uses within the Light Industrial District in compliance with the Parking Ordinance shall be allowed with a Building Permit. Any conditional use shall require the review and approval of a Major Amendment to the Conditional Use Permit. (9 to 0 with Arguello, Braun, Bulman, Caesar, Gollhofer, Herr, Hoogestraat, 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.

---BEGINNING OF REGULAR AGENDA ITEMS---

***6. No. 20UR002 - Original Town of Rapid City**

A request by Brook Voorhees to consider an application for a **Conditional Use Permit to allow an on-sale liquor establishment** for Lots 17 thru 18 and the north 55 feet of Lots 19 thru 21 of Block 84 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 516 7th Street.

Lacock presented the application and reviewed the associated slides noting that the location had previously been operated as a restaurant with a Conditional Use Permit for alcohol, but the change in operation requires the Major Amendment to the Conditional Use Permit. Lacock noted that the proposed operation is a self-serve wine bar using a card function where a balance is placed on a card and the customer is then able to acquire wine up to that amount. Age and activity on the card would be done at this point allowing the control of service by age and use. Lacock noted that any external changes would have to receive Historic review. Lacock stated that staff recommends approval of the Major Amendment to the Conditional Use Permit to allow an on-sale liquor establishment with stipulations.

In response to a question from Braun whether this type of a self-serve liquor establishment is in operation to date, Lacock said that Pauly's on St. Patrick Street has been operating a self-serve tap bar like this for some time in association with the

restaurant, but to date no other tap bar is operating although there is one under construction, but that it is a technology that is being used in other cities.

Golliher moved, Bulman seconded and the Planning Commission approved the requested Major Amendment to the Conditional Use Permit to allow an on-sale liquor establishment with the following stipulations:

1. **Prior to issuance of a sign permit, all signs shall obtain review and approval through the Historic Sign Review Board. All signage shall comply with the requirements of the Rapid City Sign Code. No electronic or Light Emitting Diode (LED) message centers are being approved as a part of this Major Amendment. The inclusion of any LED message centers shall require a Major Amendment to the Conditional Use Permit. A sign permit shall be obtained for each sign; and,**
2. **The requested Conditional Use Permit shall allow an on-sale liquor establishment to be located on the property and operated in compliance with the submitted operations plan. Any change in operator shall require a Major Amendment to the Conditional Use Permit. All requirements of the Central Business District shall be continually maintained. Any permitted in the Central Business District shall be allowed with a Building Permit. Conditional uses in the Central Business District or any expansion of the on-sale liquor use on the property shall require a Major Amendment to the Conditional Use Permit. (9 to 0 with Arguello, Braun, Bulman, Caesar, Golliher, Herr, Hoogestraat, Quasney and Vidal voting yes and none voting no)**

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*7. No. 19PD047 - Poplar Subdivision

A request by Leah M. Berg of ACES for Dan Godfrey to consider an application for a **Final Planned Development Overlay to expand an auto repair shop with Exceptions** for Lot 1 of Poplar Subdivision, located in Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located 110 N. Poplar Avenue.

Lacock reviewed the application noting this application was continued from the January 23, 2020 Planning Commission Meeting to allow time to address items of concern discussed at that meeting. Lacock stated that staff had meet with the applicant and were able to work through the issues. Lacock stated that a revised parking layout with diagonal parking allowed for 27 parking spaces and maintained the circulation aisle within the property line without backing into the right-of-way. Landscaping along the north side of the property which will provide additional screening and landscaping and the use of cloth slats on the opaque fencing on the west side of the property except for on the gate. Lacock said that with these compromises staff recommends approval of the Final Planned Development Overlay to expand an auto repair shop with Exceptions with the revised stipulations.

In response to a question from Bulman on the use of cloth slats for the opaque

fence, Fisher noted that slats are generally made of canvas and they have shown to last and do not create the debris or noise that plastic slats are known to create.

Vidal moved, Gollhofer seconded and the Planning Commission approved the Final Planned Development Overlay with the following stipulations:

- 1. An Exception is hereby granted to reduce the parking from 63 parking spaces to 27 parking spaces;**
- 2. An Exception is hereby granted to waive the requirement to pave the storage area;**
- 3. An Exception is hereby granted to waive the opaque screening fence requirement on the east, north and south property lines provided that the cloth slats are provided along the west property line with the exception of the gated areas and that the landscaping is planted along the north property line;**
- 4. An Exception is hereby granted to reduce the minimum required landscaping from 121,867 points to 47,577 points contingent upon additional landscaping being provided on the east and north areas of the property as proposed;**
- 5. Upon submittal of a Building Permit, the site plan shall be revised to address redlined comments;**
- 6. Upon submittal of a Building Permit, a parking plan shall be submitted showing 33 27 on-site parking spaces with two of the spaces being ADA accessible and one being "van accessible";**
- 7. Upon submittal of a Building Permit, the site plan shall be revised to show sidewalks along East Chicago Street and North Poplar Street or approval of a Variance from City Council shall be submitted;**
- 8. All signage shall meet the requirements of the Rapid City Sign Code. Any proposed electronic or Light Emitting Diode (LED) signage shall require a Major Amendment to the Planned Development. A sign permit is required for any new signs; and,**
- 9. The Final Planned Development Overlay shall allow an auto repair shop. 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. (9 to 0 with Arguello, Braun, Bulman, Caesar, Gollhofer, Herr, Hoogestraat, Quasney and Vidal voting yes and none voting no)**

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8. Discussion Items
None

9. Staff Items
None

10. Planning Commission Items

Braun thanked staff for the “Ask the Planner“ option that was at the Coffee with Planners and that he thought it was a wonderful opportunity

Bulman spoke to her support of the Dark Sky Initiative and how she hopes that going forward this is considered as signage is considered.

There being no further business, Caesar moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:20 a.m. (9 to 0 with Arguello, Braun, Bulman, Caesar, Gollither, Herr, Hoogestraat, Quasney and Vidal voting yes and none voting no)