

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
February 20, 2020

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollither, John Herr, and Vince Vidal. John Roberts, Council Liaison was also present.

MEMBERS ABSENT: Eirik Heikes, Galen Hoogestraat, Eric Ottenbacher, Mike Quasney.

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.

Motion by Caesar seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 5 in accordance with the staff recommendations. (7 to 0 with Arguello, Braun, Bulman, Caesar, Gollither, Herr and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the February 6, 2020 Planning Commission Meeting Minutes.
2. No. 20PL002 - Gemstone Subdivision
A request by Caekaert Construction to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 5A and 5B of Block 1 of Gemstone Subdivision, legally described as Lot 5 of Block 1 of Gemstone Subdivision, located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 318 and 320 Topaz Lane.

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 include a 6-foot wide exterior maintenance easement on either side of the common lot line; and,**
 2. **Upon submittal of a Final Plat application, the plat document shall include the complete legal description of the property.**
3. No. 20PL007 - Murphy Ranch Estates
A request by Davis Engineering, Inc for Pink Cabin, LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lots 32 thru 48 of Block 11, Lots 2 thru 11 of Block 13, Lots 1 thru 5 of Block 14 and Detention Cell Lot in Murphy Ranch Estates Subdivision, legally described as Tract F of the NW1/4 less Murphy Subdivision, less Murphy Ranch Estates Subdivision and less right-of-way, located in Section 14, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being located at the southern terminus of Knuckleduster Road and Black Powder Road.

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

- 1. Prior to submittal of a Development Engineering Plan application, the construction plans and plat document shall show different street names for Ruger Loop and Winchester Court as approved by the Emergency Services Communication Center;**
- 2. Prior to submittal of a Development Engineering Plan application, all redline comments shall be addressed. In addition, the redline comments shall be returned with the Development Engineering Plan application;**
- 3. Upon submittal of a Development Engineering Plan application, construction plans for Blackpowder Drive, a local street, shall be submitted for review and approval showing the street located in a minimum 52-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;**
- 4. Upon submittal of a Development Engineering Plan application, construction plans for Ruger Loop and Winchester Court, lane-place streets, shall be submitted for review and approval showing the streets located in a minimum 50-foot wide right-of-way and constructed pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual with the cul-de-sac bulb at the northern terminus Winchester Court being located in a minimum 104-foot diameter right-of-way and constructed with a minimum 84-foot diameter pavement or shall meet criteria for obtaining an Exception or Variance (sidewalk). If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application;**
- 5. 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 design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development. In addition, easements shall be provided as needed;**
- 6. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer in accordance with the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual. In addition, easements shall be provided as needed;**
- 7. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and**

approval. The drainage report shall address storm water quantity control to pre-developed, historic rates and provide storm water quality treatment. In addition, easements shall be dedicated as needed;

8. 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 if subdivision improvements are required;
 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, 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. 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;
 11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
 12. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed "Detention Cell Lot: In addition, any proposed drainage elements shall be secured within a Major Drainage Easement and the agreement shall include these elements to secure ownership and maintenance;
 13. 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,
 14. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.
4. No. 20VR002 - Original Town of Rapid City
A request by Fisk Land Surveying & Consulting Engineers, Inc for OneHeart to consider an application for a **Vacation of Right-of-Way** for alley right-of-way adjacent to Lots 1 thru 32 of Block 108 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 201 and 217 Kansas City Street and 216, 218 and 230 Quincy Street.

Planning Commission recommended approving the Vacation of alley Right-of-Way.

5. No. 20VR003 - Skyline Subdivision No. 2
A request by Fisk Land Surveying & Consulting Engineers, Inc for Calvary Baptist

Church to consider an application for a **Vacation of Section Line-Highway** for Section Line right-of-way located in Tract 1 of Skyline Subdivision No. 2, located in the S1/2 of the SW1/4 of Section 14, and in the N1/2 of the NW1/4 of Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4601 Mount Rushmore Road.

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

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

*6. No. 20UR003 - Original Town of Rapid City

A request by Keith Houdashelt for Lone Pine Kombucha to consider an application for a **Major Amendment to a Conditional Use Permit to allow on-sale liquor use in conjunction with a mico-brewery** for Lots 1 thru 5 of Block 83 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 505 7th Street.

Green presented the application and reviewed the associated slides noting that they are not expanding the suite, only adding to the services to allow the mico-brewing and that any change to exterior signage will require historic review. Green noted that staff recommends approval of the Major Amendment to a Conditional Use Permit to allow on-sale liquor use in conjunction with a mico-brewery with stipulations.

In response to a question from Herr regarding the type of liquor license, Green confirmed that the use is only for craft beer.

Bulman moved, Vidal seconded and the Planning Commission approved the requested Major Amendment to the Conditional Use Permit to allow on-sale liquor use in conjunction with a microbrewery 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 Major Amendment to the Conditional Use Permit shall allow on-sale liquor use operated in conjunction with a microbrewery on the property 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 use 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. (7 to 0 with Arguello, Braun, Bulman, Caesar, Golliher, Herr 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.

7. Discussion Items
None

8. Staff Items
Fisher clarified that the March 5th and 26th Zoning Board of Adjustment and Planning Commission meetings will be held in the 3rd Floor Conference room of the City Administration Building. Fisher also stated that since video recording is not available, it will be necessary to initiate special procedures during these meetings. Fisher stated that staff will provide copies of these procedures.

9. Planning Commission Items
None

There being no further business, Golliher moved, Caesar seconded and unanimously carried to adjourn the meeting at 7:05 a.m. (7 to 0 with Arguello, Braun, Bulman, Caesar, Golliher, Herr and Vidal voting yes and none voting no)