

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
August 27, 2020

MEMBERS PRESENT: Erik Braun, Karen Bulman, Racheal Caesar, Mike Gollither, Eirik Heikes, John Herr, Mike Quasney, Haven Stuck and Vince Vidal.

MEMBERS ABSENT: Kelly Arguello, Eric Ottenbacher. Bill Evans, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Kip Harrington, Kelly Brennan, Tim Behlings, Todd Peckosh, Ted Johnson, Wade Nyberg and Andrea Wolff.

Braun called the meeting to order at 7:07 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 Heikes seconded by Vidal and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 12 in accordance with the staff recommendations. (9 to 0 with Braun, Bulman, Caesar, Gollither, Heikes, Herr, Quasney, Stuck and Vidal voting yes and none voting no)**

In response to a question from Stuck on the determination of placement of items on Consent or Non-Consent, Fisher reviewed the criteria used to define placement of an item. Additionally, Fisher noted that specific direction by the Planning Commission regarding LED Reader Board signs and On-Sale Liquor requires that these items be presented to the Commission and placed on the Non-Consent Agenda.

**---CONSENT CALENDAR---**

1. Approval of the August 6, 2020 Planning Commission Meeting Minutes.
2. No. 20CA001 - Comprehensive Plan Amendment to Revise the Rapid City Future Land Use  
A request by City of Rapid City to consider an application for a **Comprehensive Plan Amendment to Revise the Rapid City Future Land Use**.  
  
**Planning Commission recommended approval of the Comprehensive Plan Amendment.**
3. No. 20PL057 - Dupont Addition  
A request by Fisk Land Surveying & Consulting Engineers, Inc for Mount Rushmore Properties to consider an application for a **Preliminary Subdivision Plan** for proposed Lot B of Dupont Addition, legally described as the S1/2 of Lots 1 and 2 of Block 35 of Boulevard Addition, located in Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1211 Mount Rushmore Road.

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

**1. A Final Plat shall be submitted for review and approval.**

4. No. 20PL059 - Jundt Subdivision

A request by Renner Associates, LLC for Kimberly and Shane Geidel to consider an application for a **Preliminary Subdivision Plan** for proposed Lots A and B of Jundt Subdivision, legally described as Lot 1 of Jundt Subdivision, located in Section 33, T1N, R9E, BHM, Pennington County, South Dakota, more generally described as being located at 23410 Bradsky 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, a Variance shall be obtained from City Council to waive the requirement to install sidewalk along Bradsky Road or construction plans shall be submitted for the sidewalk with the Development Engineering Plan application;**

**2. Prior to submittal of a Development Engineering Plan application, an Exception shall be obtained from the City Council allowing 104 dwelling units with one point of access in lieu of a maximum of 40 dwelling units pursuant to Section 2.6 of the Infrastructure Design Criteria Manual or a second point of access shall be provided;**

**3. Prior to submittal of a Final Plat application, a lot size Variance shall be obtained from Pennington County to reduce the required minimum lot size in the General Agriculture District from 40 acres to 11.795 acres and 27.516 acres, respectively, or the property shall be rezoned to support the proposed lot size(s) or the Pennington County Zoning Ordinance shall be amended to allow a minimum 10-acre lot size in the General Agriculture District;**

**4. Prior to submittal of a Final Plat application, the plat document shall be revised to show the effective date of FIRM Map No. 46103C1250H;**

**5. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been accepted shall be posted and the subdivision inspection fees shall be paid; and,**

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

5. No. 20RZ033 - Original Town of Rapid City

A request by Fisk Land Surveying & Consulting Engineers, Inc for One Heart to consider an application for a **Rezoning request from High Density Residential District to General Commercial District** for Lot 23 and the W1/2 of Lot 24; the E1/2 of Lot 24 and all of Lot 25 and all of Lot 26 of Block 108 of Original Town of Rapid City, all located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 216 and 218 Quincy Street.

**Planning Commission recommended approving the Rezoning Request from High Density Residential District to General Commercial District.**

6. No. 20RZ034 - Flormann Addition

A request by Fisk Land Surveying & Consulting Engineers, Inc for Dennis Casey to consider an application for a **Rezoning request from Medium Density Residential District to Office Commercial District** for Lot 13 N of Lot 13; Lot 13S of Lot 13; the N1/2 of Lots 11 and 12 all of Block 4 of Flormann Addition, located in Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 423 South Street.

**Planning Commission recommended approving the Rezoning request from Medium Density Residential District to Office Commercial District.**

7. No. 20RZ035 - Buffalo Crossing Subdivision

A request by City of Rapid City to consider an application for a **Rezoning request from Office Commercial District to Low Density Residential District II** for Lot 1 and Lot 12 of Block 3 of Buffalo Crossing Subdivision, located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Healing Way and Addison Avenue.

**Planning Commission recommended approving the Rezoning request from Office Commercial District to Low Density Residential District II.**

\*8. No. 20UR018 - Wonderland Acres

A request by Mark Cernicky to consider an application for a **Conditional Use Permit for an Oversized Garage** for Lot 7 of Block 1 of Wonderland Acres, located in Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4202 Rosemary Lane.

**Planning Commission recommended that the Conditional Use Permit to allow an over-sized garage be approved with the following stipulation:**

1. **An Exception is hereby granted to allow a combined attached and detached over-sized garage 1,620 square feet in size, in lieu of the maximum allowed 1,500 square feet;**
2. **Prior to submittal of a Building Permit, the site plan shall be revised to show property line sidewalk along Wonderland Drive and Rosemary Lane or a Variance shall be obtained from the City Council;**
3. **All outdoor lighting shall continually be reflected within the property boundaries so as to not shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;**
4. **The proposed over-sized garage shall be constructed with the same design elements as shown on the applicant's submitted elevations. Any changes to the design of the garage not compatible with the existing dwelling shall require a Major Amendment to the Conditional Use Permit; and,**
5. **The Conditional Use Permit shall allow for an over-sized garage 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 Low Density Residential District shall require a Building Permit. Any change in use that is a Conditional Use in the Low Density Residential 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 Development by close of business on the seventh full calendar day following action by the Planning Commission.***

9. 20TP025 – 2021-2024 Transportation Improvement Program - Final Report

**Planning Commission recommended acknowledging the 2021-2024 Transportation Improvement Program - Final Report**

10. 20TP027 – 2021 Unified Planning Work Program – Draft Report

**Planning Commission recommended acknowledging the 2021 Unified Planning Work Program – Draft Report**

11. 20TP029 – Sixth Street Corridor Study – Draft Report

**Planning Commission recommended approving the Sixth Street Corridor Study – Draft Report.**

12. 20TP030 – 2020-2023 Transportation Improvement Program Amendment # 20-004

**Planning Commission recommended approving the 2020-2023 Transportation Improvement Program Amendment # 20-004**

**---END OF CONSENT CALENDAR---**

**---BEGINNING OF REGULAR AGENDA ITEMS---**

- \*13. No. 20UR017 - Original Town of Rapid City

A request by Dom C Lucas for Black Hills Barbershop to consider an application for a **Conditional Use Permit to allow On-Sale liquor in conjunction with a barbershop** for the north 50 feet of Lot 17 thru 20 and the east 2 feet of vacated 6th Street adjacent to Lot 17 of Block 85 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 6th Street.

Fisher presented the application and reviewed the associated slide. Fisher noted that this property is located in the Central Business District area where the concentration of our on-sale is located. Fisher reviewed the applicant's operational plan which states that the beer and wine would be provided solely for customers of the barbershop. Fisher stated that staff recommends approval of the Conditional Use Permit to allow On-Sale liquor in conjunction with a barbershop with stipulations outlined in the Project Report.

In response to a question from Heikes whether customers will be carded, Fisher stated that the applicant will be ensuring that their customers are of legal age.

In response to a question from Stuck on what is to keep this from becoming a bar, Fisher reviewed that the operation plan and stated that should they be found to be operating outside of that operation plan they would risk losing their license and their Conditional Use Permit.

In response to a question from Caesar about TAM or bartender licenses, Fisher stated that the actual liquor license would cover those requirements.

Braun asked if there have been complaints on other barbershop or salons currently offering on-sale. Fisher said to date we have not had any.

**Golliher moved, Caesar seconded and the Planning Commission recommended that the Conditional Use Permit to allow on-sale liquor use in conjunction with a barbershop be approved with the following stipulation(s):**

- 1. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign; All signs, including banners or grand opening or special event advertisements are subject to historic review; The inclusion or addition of any LED message centers shall require a Major Amendment to the Conditional Use Permit; and,**
- 2. The Conditional Use Permit shall allow on-sale liquor in conjunction a barbershop. Any expansion or change in the proposed 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 Central Business District shall require the review and approval of a Building Permit. Any change in use or expansion of use that is a Conditional Use in the Central Business District shall require the review and approval of a Major Amendment to the Conditional Use Permit. (9 to 0 with Braun, Bulman, Caesar, Golliher, Heikes, Herr, Quasney, Stuck 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.***

14. Discussion Items

Fisher reminded the Commissioners that Coffee with Planners will be held September 1, 2020 at 3:00 p.m., in the LaCroix Room of the Civic Center.

15. Staff Items

None

16. Planning Commission Items

None

**There being no further business, Caesar moved, Bulman seconded and unanimously carried to adjourn the meeting at 7:19 a.m. (9 to 0 with Braun, Bulman, Caesar, Golliher, Heikes, Herr, Quasney Stuck and Vidal voting yes and none voting no)**