

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
December 9, 2021

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Mike Golliher, Eirik Heikes, John Herr, Eric Ottenbacher, Mike Quasney, Haven Stuck and Vince Vidal.

MEMBERS ABSENT: Rachael Caesar. Ron Weifenbach, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Kip Harrington, Sarah Hanzel, Kelly Brennan, Tim Behlings, Chip Premus, Todd Peckosh, Kinsley Groote, Justin Williams and Andrea Wolff.

Braun called the meeting to order at 7:06 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 3, 4, 5, 6, 7, 22, 23, and 27 be removed from the Consent Agenda for separate consideration.**

**Bulman requested that Items 24 and 25 be removed from the Consent Agenda for separate consideration.**

Stuck stepped down from the dais at this time.

**Motion by Vidal seconded by Heikes and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 27 in accordance with the staff recommendations with the exception of Items 3, 4, 5, 6, 7, 22, 23, 24, 25 and 27. (9 to 0 with Arguello, Braun, Bulman, Golliher, Heikes, Herr, Ottenbacher, Quasney, and Vidal voting yes and none voting no)**

---CONSENT CALENDAR---

\*17. **No. 21UR041 - Market Square Subdivision**

A request by Emmett Reistroffer for Genesis Farms, LLC to consider an application for a **Conditional Use Permit to allow a Medical Cannabis Dispensary** for Lot 4 of Market Square Subdivision, located in Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1624 E. St. Patrick Street, Suite 108.

**Planning Commission approved the Conditional Use Permit to allow a Medical Cannabis Dispensary be approved with the following stipulations:**

- 1. Prior to issuance of a building permit, a medical cannabis dispensary license shall be secured from the South Dakota Department of Health;**
- 2. Prior to issuance of a building permit, the applicant shall coordinate with the Rapid City Fire Department Fire and Life Safety Division to establish a plan with acceptable time frames to provide an approved fire sprinkler protection and associated fire alarm systems designed and**

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installed as per NFPA 13 and NFPA 72, respectively, and shall be provided throughout the building containing the cannabis related activity. Where applicable, a covenant agreement addressing the fire protection system installation, shall be entered into prior to issuance of a certificate of occupancy;

3. The waste management plan shall be continually monitored to ensure the security of waste handling;
4. The security plan shall be continually monitored to ensure that all areas and operation of the medical cannabis dispensary are provided 24/7 surveillance and recovery of video shall be provided as needed;
5. The odor control plan shall be continually monitored to ensure that all ventilation, odor abatement, and any other measures are taken to prevent nuisances. The premises shall be properly ventilated and the exhaust air filtered or treated to neutralize the odor from cannabis so that the odor cannot be detected by a person with a normal sense of smell at the property line of the premises or on any adjoining property. No operable windows or exhaust vents shall be located on the building façade that abuts a residential use or zone. Exhaust vents on rooftops shall direct exhaust away from residential uses or zones;
6. All signage shall meet the requirements of the Rapid City Sign Code. A sign permit shall be obtained for each sign. 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;
7. Only one building permit shall be issued to allow one Medical Cannabis Dispensary to be operated on this legally described property;
8. The Conditional Use Permit shall allow a medical cannabis dispensary at the location proposed. The medical cannabis dispensary shall be operated in compliance with the approved operational plan and in compliance with all City and State regulations. Any expansion of the medical cannabis establishment shall require a Major Amendment to the Conditional Use Permit. Permitted uses within the General Commercial 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.

*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.*