Case No. 22PD026

Legal Description:

The parcel of land located in Section Twenty-Eight (28) Township Two North (T2N) Range Eight East (R8E) of the Black Hills Meridian (BHM), Rapid City, Pennington County, South Dakota, formerly known as Lot 5R of Tract 3 of Discovery Subdivision and now located in Lots 5R2 and 12R2 of Tract 3 of Discovery Subdivision and more fully described as follows: beginning at the south corner of Lot 5R2 of Tract 3 of Discovery Subdivision, said point being marked with a rebar and survey cap LS 9213; thence first course: N 40° 07' 53" W a distance of 245.2' more or less to the west corner of said Lot 5R2, said point being located on the south/east right-of-way line of Discovery Circle and marked with a rebar and survey cap LS 9213; thence second course: N 49° 53' 43" E and on the south/east right of way line of Discovery Circle a distance of 77.80' more or less to a point of curvature marked with a rebar and survey cap LS 9213; thence third course: continuing on the south/east right-of-way line of Discovery Circle and curving to the left on a curve with a radius of 235.00', a delta of 27° 16' 29" an arc length of 111.87' and chord bearing of N 36° 20' 12" E and chord distance of 110.81' more or less to the northwest corner of said Lot 5R2 said point being marked by a rebar with survey cap LS 9213; thence fourth course: S 89° 20' 27" W and on the north line of said Lot 5R2 a distance of 312.29' more or less to a point marked by a rebar with survey cap LS 9213; thence fifth course: S 89° 25' 52" W a distance of 113.74' more or less to a point on the south line of Lot 12R2 of Discovery Subdivision, said point being marked by a rebar with survey cap LS 9213; thence sixth course: on the southerly line of said Lot 12R2 S 49° 52' 46" W a distance of 148.85' more or less to a point common to the south line of said Lot 12R2 and the east line of said Lot 5R2 and marked by a rebar with survey cap LS 9213; thence seventh and final course: on the easterly line of said Lot 5R2 S 49° 50' 37" W a distance of 365.44' more or less to the point of beginning.
May 12, 2022

Ms. Vicki Fisher
Community Planning & Development Services – City of Rapid City
300 Sixth Street
Rapid City, SD 57701

RE: Major Amendment to a Planned Development Overlay – CC Health Discovery Subdivision, Rapid City, South Dakota

Dear Ms. Fisher:

Please find all the attached application materials and supporting documentation required to satisfy the City of Rapid City’s requirements for a Major Amendment to a Planned Development Overlay for a medical cannabis dispensary located at 1624 Discovery Circle, Discovery Subdivision, Rapid City, South Dakota.

Included with this submittal are:
1. Application & Fee
2. Vicinity Map
3. Site Plans
4. Conceptual Building Elevations
5. Building Floor Plan
6. Turning Movements Exhibits
7. Preliminary Design Reports

Project Background:
Common Cents Convenience Stores, through dedication to customer service and a commitment to the community, have become a staple within the City of Rapid City and that success has allowed the company to expand through much of the Mountain West. By emphasizing a commitment to exceeding their customers’ expectations and by guaranteeing exceptional friendliness, clean stores and fast service the Common Cents brand has been able to successfully serve the city with 7 convenient locations. Not only has Common Cents made a commitment to its customers but it also makes a commitment to the community by holding annual charity golf tournaments and the Bowl for Kids’ Sake event in order to raise money and awareness to support organizations such as Big Brothers, Big Sisters of the Black Hills, The Shriners, American Legion Baseball and the United Way.

As the City of Rapid City has grown so too has Common Cents and in order to maintain the high levels of service to the community a medical cannabis dispensary is proposed. The medical cannabis dispensary is proposed as a 4,000 sq. ft. building on Lot 5R2 of Tract 3 of Discovery Subdivision. This lot is adjacent to the existing Common Cents convenient store, liquor store, casino, and carwash. The medical cannabis dispensary will provide another great service that compliments the wide array of Common Cents services. Common Cents is excited to begin construction of this building and better serve its customers and the community of Rapid City.

A Major Amendment to a Planned Development Overlay (21PD041) to allow a Medical Cannabis Dispensary was approved by the Planning Commission and City Council. A revised building and site layout are proposed for this Major Amendment to a Planned Development Overlay. The proposed building use will remain a medical cannabis dispensary in one suite and a cannabis accessories store in the other suite.
Proposed Building Use and Zoning:
See attached floorplan.
Medical Cannabis Dispensary – 2,750 SF
Medical Cannabis Accessories Store – 1,250 SF

The medical cannabis dispensary will be open from 8 AM to 10 PM. The structure will wholly contain all medical cannabis establishment uses as proposed as part of this major amendment to a planned development overlay.

The cannabis accessories store will be open from 8 AM to 10 PM. The store will be located in the west suite of the structure. Exterior doors will provide the only access to the store and there will be no direct, interior access to the medical cannabis dispensary.

The property is zoned General Commercial and designated as a Planned Development.

Setbacks:
See the attached site plans enclosed with this application. Minimum setbacks per development regulations defined by the municipal zoning ordinance will be maintained.

Parking Requirements:
See attached site layout. Per Rapid City zoning code, 5.0 parking spaces per 1,000 SFGFA for a retail service store. Based on a proposed building size of 4,000 sq. ft, the required parking is 20 spaces. The proposed site plan provides 44 spaces. Two handicap spaces are required by code and two handicap spaces are provided.

Landscaping:
See attached landscaping plan. Landscaping requirements were determined through the points system established in the Rapid City Zoning Code. Per Rapid City Zoning Code 81,565 points are required. The proposed landscape plan provides 81,882 points exceeding the zoning code.

Sanitary Sewer, Water, and Storm Water:
Adequate water pressure for normal operations and fire flows are provided to the site which is served by the City of Rapid City. Adequate sanitary sewer facilities have also been provided to the site. Offsite storm water quantity and quality improvements were constructed to serve the entire development, including this site, with adequate conveyance capacity provided to and from the site. Additional storm sewer constructed during this project will tie into these existing storm water improvements.

Building Height:
The proposed commercial building will be one (1) story and will be 23’ 2” as measured according to the Rapid City Zoning Code. Rapid City Zoning Code allows for a maximum height of 45 feet or 4 stories. See attached floor plans and section views of the building.

Lot Coverage:
The size of the lot is 1.96 acres or 85,565 sq. ft. The proposed building has a total area of 4,000 sq. ft., which equates to a lot coverage of approximately 4.7%. Rapid City zoning code allows for maximum lot coverage of 75%.

Lighting:
Site lighting locations will be in accordance with RC Code. The majority of lighting on site will be building-mounted with some light poles located in the parking lot to provide for safety. Lights will not project onto neighboring properties or public right-of-way. The entry point will have sufficient lighting for observers to see and cameras to record, any activity within ten feet of the entrance per SDCL 44:90:04:05.
**Workplace Safety Plan:**
A workplace safety plan will be implemented to cover personal protective equipment, hazard assessment, safe equipment operation, property application of agricultural chemicals, ladder use, and hazard communication.

**Security Plan:**
A security plan that includes locations of alarm sensors, cameras, exterior lights, doors, and windows. The security plan will detail how alarms and cameras will be monitored. Security cameras will be placed at each exterior door to allow identification of persons entering or exiting the premise. Camera footage will be stored for 90 days within a secure, locked room and meet the requirements per SDCL 44:90:04:09. Security cameras will meet the requirements in SDCL 44:90:04:06 through 44:90:04:10, including recording and alarm requirements.

**Odor Control Plan:**
The medical cannabis dispensary will have an odor control plan so that the odor from cannabis cannot be detected at the property line or any adjoining properties. The odor control plan will include three different components: building pressure, HVAC equipment, and infiltration. See attached odor control measures summary from Climate Control Systems & Service.

**Waste Management Plan:**
The medical cannabis dispensary will have a waste management plan that includes a procedure for grinding the cannabis waste unrecognizable and unfit for use and mixing the waste with at least 50 percent other waste. Security measures will be implemented to prevent theft and tampering of the cannabis waste. A description of how the waste will be hauled from the premises will be included. A wastewater pretreatment system will be implemented if the establishment qualifies as an industrial user.

**Access Approaches:**
Two approaches are proposed, one onto Discovery Circle and another one into the existing Common Cents convenient store parking lot on Lot 12R2 of Tract 3 will be constructed.

**Signage:**
See attached building elevations.

Pole Mounted Signs (Southwest corner of site) – maximum height of 40' 0":
- CC Health sign: 2 x 300 SF (each side is 300 SF)

Building Wall Signs (Front/Southeast side):
- CC Health sign sign: 1 x 35 SF
- Signage Sign: 1 x 35 SF

(Back/Northwest side):
- CC Health sign: 1 x 35 SF

Total Signage on Building = 105 SF
Total pole mounted signage = 600 SF

The applicant is requesting signage of 105 SF of building signage and 600 SF of pole mounted signage be permitted on site. By code the site is allowed 2 SF of signage for every LF of frontage along a public road, this site contains a total frontage of 555 ft along Discovery Circle and the I-90 west bound on ramp. So the proposed 705 SF of signage is less than the 1,110 SF allowed by code.
Can you write a metes and bounds for a final PD application by Friday?
CC Health - Discovery Circle Signage
Medical Cannabis Establishment