

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
July 7, 2016

MEMBERS PRESENT: Erik Braun, Karen Bulman, Mark Jobman, Linda Marchand, Steve Rolinger, and Jan Swank. Amanda Scott, Council Liaison was also present.

MEMBERS ABSENT: John Brewer, Galen Hoogestraat, Kimberly Schmidt and Andrew Scull

STAFF PRESENT: Vicki Fisher, Fletcher Lacock, Robert Laroco, Sarah Hanzel, Ted Johnson, 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 Rolinger seconded by Marchand and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 6 in accordance with the staff recommendations. (6 to 0 with Braun, Bulman, Jobman, Marchand, Rolinger and Swank voting yes and none voting no)**

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

1. Approval of the June 23, 2016 Planning Commission Meeting Minutes.

\*2. No. 16PD029 - Regional Hospital

A request by Will Crunk of Crunk Engineering for Mike Mueller of Regional Hospital to consider an application for a **Major Amendment to a Planned Development to expand the boundaries of the Planned Development to Construct additional parking** for Tract H of Regional Hospital, located in the SW1/4 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located northeast of the 5th Street and Elk Street intersection.

**Planning Commission approved the Major Amendment to a Planned Development to expand the boundaries of the Planned Development and to construct additional parking with the following stipulations:**

- 1. Upon submittal of a Building Permit, all redlined comments shall be addressed and the redlined plans shall be returned to Community Planning and Development Services; and,**
- 2. The Major Amendment to a Planned Development shall expand the boundaries of the Regional Hospital planned development to include the subject property. A 100 stall parking lot shall be allowed. 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 Planned Development.**

***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 Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.***

\*3. No. 16PD031 - Elks Crossing Subdivision

A request by KTM Design Solutions, Inc for First Wesleyan Church to consider an application for a **Final Planned Development Overlay to allow a church** for Lot 4 and Lot 5 of Block 1 og Elks Crossing Subdivision, located in Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at the Marlin Drive and Sand Cherry Lane intersection.

**Planning Commission approved the Final Planned Development Overlay to allow a chruch be approved with the following stipulations:**

1. Upon submittal of a Building Permit, revised plans shall be submitted addressing redlined comments;
2. Upon submittal of a Building Permit, the applicant shall submit a detailed stormwater quality treatment plan and calculations showing that the regional drainage can accommodate the increased flows or provide on-site stormwater quality treatment;
3. Prior to issuance of a Building Permit; the Utility and Minor Drainage Easements shall be vacated; and,
4. The Final Planned Development Overlay shall allow a church. Permitted uses within the Office 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 Planned Development.

***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 Planning & Development Services by close of business on the seventh full calendar day following action by the Planning Commission.***

4 No. 16PL061 - Blue Marlin Estates

A request by KTM Design Solutions, Inc for Richard M. Kincaid to consider an application for a **Preliminary Subdivision Plan** for proposed Lot 1A and 1B of Blue Marlin Estates, legally described as Lot 1 of Blue Marlin Estates, located in Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 3775 Dyess Avenue.

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

1. Upon submittal of a Development Engineering Plan application, construction plans for the private access easement shall be submitted for review and approval showing the easement with a minimum width

- of 50 feet and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application;
2. 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 if subdivision improvements are required. 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;
  3. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable;
  4. Upon submittal of the Development Engineering Plan application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and Infrastructure Design Criteria Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction;
  5. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval;
  6. Upon submittal of a Development Engineering Plan application, the site plan shall be revised to show the location of the holding tank to ensure that it meets all minimum setback requirements;
  7. Prior to submittal of a Final Plat application, the plat document shall show the existing cistern and service line located on proposed Lot 1A that serves Lot 1B within a utility easement or a miscellaneous document shall be recorded securing the easement and a copy of the recorded easement submitted with the Final Plat application;
  8. Upon submittal of a Final Plat application, approved On-site Wastewater Treatment Permits for the existing septic tank and drainfield located on proposed Lot 1B and the existing holding tank located on proposed Lot 1A shall be submitted;
  9. 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,
  10. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

5. No. 16RZ019 - Southgate Commercial Condos

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to General Commercial District** for property commencing from the Point of Beginning and northeast corner of Lot 1 of Block 1 of South 40 Subdivision located in Govt. Lot 3 of Section 19, T1N, R8E, B.H.M. thence S89°56'19"E a distance of 540.00' along the southern right of way of Catron Boulevard, thence S0°11'03"E a distance of 400.00' to a point on the north right of way of East Watts Lane, thence S11°24'50"E a distance of 69.39' to a point on the south right of way of East Watts Lane, thence S16°08'20"W a distance of 394.65' to the PC of a right-hand curve with a radius of 711.22', a central angle of 34°07'45" and an arc length of 423.65', thence S89°55'54"W a distance of 572.89' to a point on the east side of future Fifth Street right of way, thence N0°11'03"W a distance of 730.02' to a point at the intersection of Fifth Street and East Watts Lane, thence S89°56'19"E a distance of 360.00', thence N0°11'03"W a distance of 468.00' to the Point of Beginning, more generally described as being located south and east of the intersection of 5th Street and Catron Boulevard.

**Planning Commission recommended the Rezoning from No Use District to General Commercial District be approved.**

6. No. 16RZ020 - Southgate Commercial Condos

A request by City of Rapid City to consider an application for a **Rezoning from No Use District to Light Industrial District** for property commencing from the Point of Beginning and northeast corner of Lot 1 of Block 1 of South 40 Subdivision located in Govt. Lot 3 of Section 19, T1N, R8E, B.H.M. thence S89°56'19"E a distance of 540.00' along the southern right of way of Catron Boulevard, to the Point of Beginning. Thence N71°04'45"E a distance of 386.66', thence S0°12'05"E a distance of 1320.93', thence S89°55'54"W a distance of 693.68', thence around a left-hand curve with a radius of 711.22', a central angle of 34°07'45", a length of 423.65', a chord bearing of N33°12'14"E and a chord length of 417.41, thence N16°08'20"E a distance of 394.65', thence N11°24'50"W a distance of 69.39', thence N0°11'03" W a distance of 400.00' to the Point of Beginning, more generally described as being located south and east of the intersection of 5th Street and Catron Boulevard.

**Planning Commission recommended that the Rezoning from No Use District to Light Industrial District be approved.**

---END OF CONSENT CALENDAR---

---BEGINNING OF REGULAR AGENDA ITEMS---

\*7. No. 16UR016 - Original Town of Rapid City

A request by Ryan Schendzielos for West Dakota Improv, LLC to consider an application for a **Major Amendment to a Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a theater** for Lots 17 and 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 632 1/2 St. Joseph Street.

Laroco presented the application and reviewed the associated slides noting that this item is before the Planning Commission because the previous Conditional Use Permit for this location had been approved for the operator and not the property itself, whereas this one is for the property and will not require additional review should the property change operation or ownership in the future. Laroco presented staff's recommendation that the **Major Amendment to a Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a theater** be approved with stipulations.

**Marchand moved, Bulman seconded and unanimously carried to approve the Major Amendment to the Conditional Use Permit to allow an on-sale liquor establishment in conjunction with a theater 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;**
2. **The requested Conditional Use Permit shall allow an on-sale liquor establishment in conjunction with a theater to be located on the property. All requirements of the Central Business District shall be continually maintained. Uses permitted in the Central Business District shall be permitted. 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. (6 to 0 with Braun, Bulman, Jobman, Marchand, Rolinger and Swank voting yes and none voting no)**

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8. Discussion Items

9. Staff Items

Fisher thanked the Planning Commission for making themselves available during the busy summer months stating that it enables staff to efficiently process applications without delays.

10. Planning Commission Items

Bulman discussed her appeal of the 16PD025 the Final Planned Development Overlay to allow construction of a convenience store with gas

sales and a carwash that she appealed on behalf of her neighbors, stating that after discussions with the agent and applicant, a compromise was reached and the appeal withdrawn. She complimented both the applicant and staff for their willingness to work towards the compromise and thanked them for the cooperation.

11. Committee Reports

A. City Council Report (June 20, 2016)

The City Council concurred with the recommendations of the Planning Commission.

**There being no further business, Rolinger moved, Swank seconded and unanimously carried to adjourn the meeting at 7:05 a.m. (6 to 0 with Braun, Bulman, Jobman, Marchand, Rolinger and Swank voting yes and none voting no)**