

**DRAFT**

MINUTES OF THE  
RAPID CITY PLANNING COMMISSION  
July 6, 2023

MEMBERS PRESENT: Kelly Arguello, Erik Braun, Karen Bulman, Alicia Ginsberg, Mike Gollither, Eirik Heikes, Brook Kaufman, Mike Quasney, Haven Stuck and Vince Vidal.

MEMBERS ABSENT: John Herr. Bill Evans, Council Liaison was also absent.

STAFF PRESENT: Vicki Fisher, Sarah Hanzel, Kip Harrington, Tanner Halonen, Alex Osborne, Jonathan Howard, Chip Premus, Todd Peckosh, Kinsley Groote 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 Vidal seconded by Heikes and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 3 in accordance with the staff recommendations. (9 to 0 with Arguello, Braun, Bulman, Gollither, Heikes, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)**

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

1. Approval of the June 22, 2023 Planning Commission Meeting Minutes.
2. No. 23PL048 - Zion Subdivision  
A request by Longbranch Civil Engineering, Inc for S.K.Y Properties LLC to consider an application for a **Preliminary Subdivision Plan** for proposed Lot A and Lots 1 thru 4 of Zion Subdivision, legally described as the S1/2 of the S1/2 of the SE1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of the current terminus of Ranchester Street.

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

1. **Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.040 of the Rapid City Municipal Code;**
2. **Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable;**
3. **Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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;
4. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to §D102.1 of the International Fire Code shall be submitted for review and approval identifying a 20-foot wide paved surface from the western boundary of Phase Two to the terminus of the existing pavement, curb, and gutter east of Mount Rushmore Road;
  5. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Lane/Place Street shall be submitted for review and approval for Zion Place or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan Application;
  6. Upon the submittal of a Development Engineering Plan application, an Exception must be obtained to allow a residential cul-de-sac more than 1,500 feet in length as per §2.13.1 of the Infrastructure Design Criteria Manual;
  7. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements;
  8. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval;
  9. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured;
  10. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured;
  11. Prior to the submittal of a Final Plat application, the property shall be rezoned in compliance with the City's Comprehensive Plan;
  12. Upon the submittal of a Final Plat application, Covenant Agreements shall be entered into with the City for Lots 1 thru 4 to ensure:
    - The installation of fire suppression systems in any new residential structures. The system design and installation shall meet the system requirements of the National Fire Protection Act 13, 13R, and 13D as applicable; and,
    - That exterior building construction materials, building separations, and landscaping provisions are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative.A copy of the executed agreements shall be submitted with the Final Plat application;
  13. Upon the submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure the maintenance and ownership of any proposed drainage elements. A copy of the executed agreement shall be submitted with the Final Plat application;
  14. Upon the submittal of a Final Plat application, a Major Drainage Easement shall be dedicated for all drainage improvements;
  15. Upon the submittal of a Final Plat application, Stumer Road and Rancheater Street right-of-way shall be labeled on the plat document of proposed Lot A;
  16. Upon the submittal of a Final Plat application, the street prefix shall be revised on the plat document of proposed Lots 1 thru 4 to read 'Zion Place' rather than 'Zion Court';

17. Upon the submittal of a Final Plat application, the legal description shall be revised on the plat document of proposed Lots 1 thru 4 to read 'Lot 1 through Lot 4' rather than Lot 1 through Lot 4, and Lot A';
18. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary; and,
19. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required.

\*3. No. 23UR019 - Hansen Heights Subdivision

A request by Scott Kenner for John Witherspoon College to consider an application for a **Conditional Use Permit to allow a college** for Lot 9 and 10 Revised of Block 4 of Hansen Heights Subdivision, located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 640 E. St. Patrick Street.

**Planning Commission approved the Conditional Use Permit request to allow a college with the following stipulation(s):**

1. Prior to issuance of a building permit, the rear fence shall be modified to a height not less than 5 nor more than 6 feet, to meet screening requirements, or obtain a variance to fence height regulations;
2. Prior to issuance of a building permit, the site plan shall be revised to demonstrate that one ADA van-accessible parking space shall be provided;
3. Upon submittal of a building permit, the applicant shall coordinate with the Fire Department to address all Fire and Life Safety requirements including Fire Sprinkler protection and Fire alarm systems;
4. All signage shall continually conform to the Sign Code. Lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A Sign Permit shall be obtained for each individual sign; and
5. The Conditional Use Permit shall allow for a college in the General Commercial District. The proposed college shall operate in compliance with the submitted operations plan. All permitted uses in the General Commercial District shall require the review and approval of a Building Permit. Any change in use that is a conditional use in the General Commercial 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.***

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

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

\*4. No. 23UR020 - Berry Pines Subdivision

A request by Wayne and Jenney Sartorius to consider an application for a

**Conditional Use Permit to allow an oversized garage** for Lot 1 of Berry Pines Subdivision, located in Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5500 Timberline Trail.

Osborne presented the application and reviewed the associated slides. Osborne noted that the applicant is planning to use the existing attached garage as a wood shop and add a 2,640 square foot attached garage that will match the existing structure. Osborne stated staff recommends approval of the Conditional Use Permit to allow an oversized garage with stipulations.

Garage size, lot coverage and sidewalk requirement were discussed.

**Bulman moved, Vidal seconded and the Planning Commission determined that the proposed garage is appropriate at this location and approved the Conditional Use Permit to allow an oversized garage with the following stipulations :**

1. **Upon submittal of a building permit, the site plan shall be revised to show the construction of sidewalk along Timberline Trail. Prior to issuance of a Certificate of Occupancy, the sidewalk shall be constructed or a Variance shall be obtained from City Council waiving the requirement to install sidewalk; and,**
2. **The Conditional Use Permit shall allow the conversion of the existing 1,290 square-foot garage into a wood shop and shall allow the construction of an attached 2,640 square-foot garage. The proposed construction shall include exterior building materials that match the existing residence. In addition, the wood shop and garage shall not be used for commercial purposes.**

***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.***

5. Staff and Planning Commission Discussion Items

Fisher discussed the high number of applications recently received and informed the Commission that their meeting may be long.

**There being no further business, Gollhofer moved, Vidal seconded and unanimously carried to adjourn the meeting at 7:10 a.m. (9 to 0 with Arguello, Braun, Bulman, Gollhofer, Heikes, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)**