

MINUTES OF THE
RAPID CITY PLANNING COMMISSION
May 23, 2024

MEMBERS PRESENT: Erik Braun, Karen Bulman, Alicia Ginsberg, Eirik Heikes, Brook Kaufman, Mike Quasney, Haven Stuck and Vince Vidal. Pat Roseland Council Liaison was also present.

MEMBERS ABSENT: Kelly Arguello, John Herr, Mike Gollither.

STAFF PRESENT: Vicki Fisher, Jessica Olson, Sarah Hanzel, Kip Harrington, Tanner Halonen, Cassie Hayes, Morgan Twombly, Chip Premus, Todd Peckosh, Kinsley Groote and Andrea Wolff.

Braun called the meeting to order at 7:00a.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 Item 2 be removed from the Consent Agenda for separate consideration.

Motion by Kaufman seconded by Bulman and unanimously carried to recommend approval of the Consent Agenda Items 1 thru 5 in accordance with the staff recommendations with the exception of Item 2. (8 to 0 with Braun, Bulman, Ginsberg, Heikes, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)

---CONSENT CALENDAR---

1. Approval of the May 9, 2024 Planning Commission Meeting Minutes.
3. No. 24RZ010 - Westhills Village Estates
A request by FMG Engineering for Presbyterian Retirement Village of Rapid City, Inc. to consider an application for a **Rezone request from Low Density Residential District I to Medium Density Residential District** for Lot A of Westhills Village Estates, located in the SW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of 5th Street, south of Minnesota Street.

Planning Commission recommended approval of the Rezoning Request from Low Density Residential District 1 to Medium Density Residential District in conjunction with a Planned Development Overlay.

4. No. 24RZ009 - Summit Industrial Park
A request by EPSO Sturgis SD LLC d/b/a Black Hills Harley Davidson to consider an application for a **Rezoning request from Light Industrial District to General Commercial District** for Lot 2R Revised, less Lot H1 and a portion of Lot 1R Revised of Summit Industrial Park, Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing

at the northeasterly corner of Lot 2R Revised of Summit Industrial Park, common to a corner on the southerly boundary of Lot 1R Revised of Summit Industrial Park, and the point of beginning. Thence, first course: N 87° 54' 49" W, along the southerly boundary of said Lot 1R Revised, common to the northerly boundary of said Lot 2R Revised, a distance of 407.33 feet, to the southwesterly corner of said Lot 1R Revised, common to the northwesterly corner of said Lot 2R Revised, and common to a point on the easterly edge of Deadwood Avenue Right-of-Way; Thence, second course: N 27° 26' 29" W, along the westerly boundary of said Lot 1R Revised, common to the easterly edge of said Deadwood Avenue Right-of-Way, a distance of 21.01 feet, Thence, third course: N 02° 05' 06" E, along the westerly boundary of said Lot 1R Revised, common to the easterly edge of said Deadwood Avenue Right-of-Way, a distance of 62.06 feet; Thence, fourth course: S 88° 44' 44" E, a distance of 915.47 feet, to a point on the easterly boundary of said Lot 1R Revised; Thence, fifth course: S 02° 13' 52" W, along the easterly boundary of said Lot 1R Revised, a distance of 247.50 feet, to a point on the northerly edge of Tatanka Road Right-of-Way; Thence, sixth course: N 88° 33' 26" W, along the northerly edge of said Tatanka Road Right-of-Way, a distance of 497.15 feet, to a point on the southerly boundary of said Lot 1R Revised, common to the easterly boundary of said Lot 2R Revised; Thence, seventh course: N 02° 06' 30" E, along the southerly boundary of said Lot 1R Revised, common to the easterly boundary of said Lot 2R Revised, a distance of 159.47 feet, to the said point of beginning, more generally described as being located at 3310 Deadwood Avenue North.

Planning Commission recommended approval of the Rezoning Request from Light Industrial District to General Commercial District for all of Lot 2R Revised less Lot H1 of Summit Industrial Park and a portion of Lot 1R Revised of Summit Industrial Park as described by the metes and bounds: Commencing at the northeasterly corner of Lot 2R Revised of Summit Industrial Park, common to a corner on the southerly boundary of Lot 1R Revised of Summit Industrial Park, and the point of beginning. Thence, first course: N 87° 54' 49" W, along the southerly boundary of said Lot 1R Revised, common to the northerly boundary of said Lot 2R Revised, a distance of 407.33 feet, to the southwesterly corner of said Lot 1R Revised, common to the northwesterly corner of said Lot 2R Revised, and common to a point on the easterly edge of Deadwood Avenue Right-of-Way; Thence, second course: N 27° 26' 29" W, along the westerly boundary of said Lot 1R Revised, common to the easterly edge of said Deadwood Avenue Right-of-Way, a distance of 21.01 feet, Thence, third course: N 02° 05' 06" E, along the westerly boundary of said Lot 1R Revised, common to the easterly edge of said Deadwood Avenue Right-of-Way, a distance of 62.06 feet; Thence, fourth course: S 88° 44' 44" E, a distance of 915.47 feet, to a point on the easterly boundary of said Lot 1R Revised; Thence, fifth course: S 02° 13' 52" W, along the easterly boundary of said Lot 1R Revised, a distance of 247.50 feet, to a point on the northerly edge of Tatanka Road Right-of-Way; Thence, sixth course: N 88° 33' 26" W, along the northerly edge of said Tatanka Road Right-of-Way, a distance of 497.15 feet, to a point on the southerly boundary of said Lot 1R Revised, common to the easterly boundary of said Lot 2R Revised; Thence, seventh course: N 02° 06' 30" E, along the southerly boundary of said Lot 1R Revised, common to the easterly boundary of said Lot 2R Revised, a distance of 159.47 feet, to the said point of beginning. Said

Parcel contains 3.614 acres more or less.

5. No. 24RZ011 - IGT Subdivision

A request by FMG Engineering, Inc for Mark Niemeyer to consider an application for a **Rezoning request from Business Park District to Office Commercial District** for Lot 1 and Lot 2 of IGT Subdivision located in the SW1/4 of the NW1/4 and the NW1/4 and the SW1/4 of Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 5301 and 5603 Mt. Rushmore Road.

Planning Commission recommended approval of the Rezoning Request from Business Park District to Office Commercial District.

---END OF CONSENT CALENDAR---

*2. No. 24PD012 - Westhills Village Estates

A request by FMG Engineering for Presbyterian Retirement Village of Rapid City, Inc. to consider an application for an **Initial Planned Development Overlay to allow residential development** for Lot A of Westhills Village Estates, located in the SW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of 5th Street, south of Minnesota Street.

Olson presented the application and reviewed the associated slides stating this is a proposal to develop a senior housing community made up of duplexes and an apartment-style building. Olson noted there is an associated rezoning from Low Density Residential District 1 to Medium Density Residential District to accommodate the senior housing, particularly the apartment building, and that staff is in support of the rezoning in conjunction with the proposed Planned Development. Olson explained that the development will include 20 duplexes, creating 40 units with an additional 40 units in the apartment-style building for a total of 80 dwelling units, with the apartment-style housing closer to 5th Street to allow separation between the existing single-family neighborhoods and the apartment-style building. Olson reviewed that due to the low laying aspect of the area culverts will be installed to allow the extension of Shaker Drive and Enchantment Road, but no bridge will be constructed and that the applicant is proposing to remove only the minimum number of trees needed. Olson noted that more details on landscaping, open space, design, and parking will be provided with the Final Planned Development, further noting that the stipulations show that they need to define roads and accesses, verify parking, show the installation of a hammerhead turn around at the end of Kiowa Lane, and are planning to install fire suppression in the units. Olson stated that staff is in support of the Initial Planned Development Overlay to allow residential development with stipulations outlined in the Project Report.

An Exception to allow extended length of cul-de-sac, access and road connections, advantages of having this type of development in a neighborhood including maintenance and management of properties by West Hills Village, if future residential development that would use the same access to 5th Street might trigger signalization were discussed.

Don Lee, local resident, inquired who would cover costs of infrastructure. Fisher clarified that these costs will be the responsibility of the developer.

Amy Iversen, local resident, spoke to her concerns regarding the potential loss of trees in the area and commented about keeping the plans as proposed.

Daryl Reinicke, West Hills Village, spoke to the development and the anticipated style that may be used, referencing existing styles at the homes near the intersection of Minnesota Street and Texas Street.

Premus noted that the neighbors should be aware that future fire mitigation on the site may result in trimming or removal of trees.

Heikes moved, Bulman seconded and the Planning Commission recommended approval of the Initial Planned Development Overlay to allow a residential development with the following stipulations:

- 1. Prior to submittal of a Final Planned Development Overlay, the property shall be rezoned from Low Density Residential District 1 to Medium Density Residential District;**
- 2. Prior to submittal of a Final Planned Development Overlay, submit all necessary Exceptions to the Infrastructure Design Criteria Manual and revise the plans as needed based on the Exceptions that are approved;**
- 3. Upon submittal of a Final Planned Development Overlay, a parking plan in conformance with Rapid City Municipal Code Section 17.50.270 shall be submitted for review and approval. In addition, the parking plan shall demonstrate that the required number of parking spaces, including ADA-accessible spaces, are being provided for each phase of the development;**
- 4. Upon submittal of a Final Planned Development Overlay, a landscape plan in conformance with Rapid City Municipal Code Section 17.50.300 shall be submitted for review and approval;**
- 5. Upon submittal of a Final Planned Development Overlay, an open space plan in conformance with Rapid City Municipal Code Section 17.12.060 for the senior housing apartment building shall be submitted for review and approval;**
- 6. Upon submittal of a Final Planned Development Overlay, the site plans shall be updated to show an H-Lot dedicated at the terminus of Kiowa Lane for a future hammerhead turnaround;**
- 7. Upon submittal of a Final Planned Development Overlay, the site plans shall be updated to show the intersection of Enchantment Road and the entrance to the three-story senior housing building as three-way stop controlled;**
- 8. Upon submittal of a Final Planned Development Overlay, the site plans shall be updated to show accessible crosswalks at intersections;**
- 9. Upon submittal of a Final Planned Development Overlay, design reports shall be submitted for drainage, water, and sewer;**
- 10. Prior to submittal of a Building Permit, the applicant shall secure the H-Lots as proposed. Additionally, the applicant shall coordinate with the Pennington County Emergency Services Communications Center to secure new street names for the proposed roads;**
- 11. Prior to the issuance of a Building Permit, a Final Planned Development**

Overlay shall be approved;

12. **Prior to the issuance of a Certificate of Occupancy, fire suppression must be addressed in conformance with the International Fire Code. Fire suppression systems in any new residential structures shall meet the system requirements of the National Fire Protection Agency 13, 13R, and 13D as applicable;**
13. **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;**
14. **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**
15. **The Initial Planned Development Overlay shall allow for a residential development in compliance with the applicant's submitted site plan. All requirements of the Medium Density Residential District must be maintained unless specifically authorized in accordance with Chapter 17.50 of the Rapid City Municipal Code. All uses permitted in the Medium Density Residential District which do not increase parking requirements shall be permitted contingent upon an approved building permit. Any use or change in use that is a Conditional Use in the Medium Density Residential District shall require the review and approval of a Major Amendment to the Planned Development Overlay. (8 to 0 with Braun, Bulman, Ginsberg, Heikes, Kaufman, 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.

---BEGINNING OF REGULAR AGENDA ITEMS---

*6. No. 24UR007 - Stamper Subdivision

A request by Canada Salter for Salt Block Burgers and Brews to consider an application for a **Conditional Use Permit to allow on-sale liquor in conjunction with a restaurant** for Lot 2 of Stamper Subdivision, located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 7201 Mt. Rushmore Road, Suite 6000.

Hayes presented the application reviewing the associated slides and explaining that the existing building is made up of 6 suites and the applicant is looking to use the northernmost suite which consists of 2,925 square feet of the building. Hayes stated they will have both inside and outside seating areas and will offer regional beers and wines in addition to the restaurant cuisine 7 days a week. Hayes noted that the patio area will be enclosed with a 4 foot high fence to provide separation. Hayes reviewed adjacent properties stating that although there is residential uses in the area it does not create an encumbrance. Hayes stated that 91 parking spaces are required as of right now based on current occupancy of the building,

which currently has 102 parking spaces. Hayes stated that as long as the uses stay the same no additional parking spaces are needed at this time, but any change in uses would require a review for additional parking. Hayes stated that staff recommends approval of the Conditional Use Permit to allow on-sale liquor in conjunction with a restaurant with stipulations outlined in the Project Report.

Vidal moved, Quasney seconded and the Planning Commission recommended approval of the Conditional Use Permit to allow on-sale liquor in conjunction with a restaurant with the following stipulations:

- 1. A Sign Permit shall be obtained for each sign. All signage shall meet the requirements of the Rapid City Municipal Code pertaining to signage;**
- 2. A minimum of 91 parking spaces shall be provided on the subject property for the existing occupancy, as identified in the submitted plans. A minimum of four spaces shall be ADA accessible and one shall be van accessible. The two unoccupied suites shall remain as storage space until such time that additional parking is provided. All parking shall be designed in compliance with the City's Parking Regulations; and,**
- 3. The Conditional Use Permit shall allow on-sale liquor in conjunction with a restaurant and shall be operated in compliance with the applicant's operational plan. Any change in use or expansion of use permitted in the General Commercial 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 General Commercial District shall require the review and approval of a Major Amendment to the Conditional Use Permit. (8 to 0 with Braun, Bulman, Ginsberg, Heikes, Kaufman, 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.

*7. No. 24UR009 - Sheridan Heights Subdivision

A request by Troy Helfenstein to consider an application for a **Conditional Use Permit to allow an oversized garage** for Lot 12R of Block 3 of Sheridan Heights Subdivision, located in Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 2707 Tomahawk Drive.

Hayes presented the application and reviewed the associated slides explaining that the applicant is looking to build a 24-foot by 40-foot detached garage to be used as a personal golf simulator, but is building it as a standard garage structure so it can be used as an additional garage if it is no longer used as a golf simulator. Hayes reviewed the plans for the building noting it is being constructed to match the existing residential structure and will use both the topography and trees as a visual buffer. Hayes stated staff is recommending approval of the Conditional Use Permit to allow an oversized garage with stipulations outlined in the Project Report.

Setback requirements were discussed.

Troy Helfenstein, applicant, spoke to the reason for the size of the garage noting it is for private use and will not create a hardship on the access lane that is used by neighboring properties.

Quasney moved, Kaufman seconded and the Planning Commission recommended approval of the Conditional Use Permit to allow an oversized garage with the following stipulation:

- 1. The Conditional Use Permit shall allow construction of a 960 square foot detached garage. The garage shall be constructed to match the existing residence in both building material and color scheme. The garage shall not be used for commercial purposes or as a second residence. (7 to 1 with Braun, Bulman, Heikes, Kaufman, Quasney, Stuck and Vidal voting yes and Ginsberg 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.

8. Acknowledge Comprehensive Plan Update Progress Report, presentation by Logan Simpson

Hanzel briefly reviewed the Comprehensive Plan Update project and introduced Megan Moore and Kelly Naumann, the consultant team from Logan Simpson.

Megan Moore gave a presentation on the proposed plan and process for the Comprehensive Plan Update noting this will be an in-depth process that will be a marathon, not a sprint, and encourages everyone to stay with them to create the best plan they can.

Inclusion of PenningtonCounty in the process, excitement for the new plan, arts based planning tools, and the use of incentives to help achieve goals were discussed.

9. Staff and Planning Commission Discussion Items

None

There being no further business, Bulman moved, Vidal seconded and unanimously carried to adjourn the meeting at 8:10 a.m. (8 to 0 with Braun, Bulman, Ginsberg, Heikes, Kaufman, Quasney, Stuck and Vidal voting yes and none voting no)